215.31

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

ACC

10000/142/772
(VOL. 2)

CORRESPOND
(OCT. 1945)

2154

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

72 CORRESPONDENCE CONCERNING WAR CRIMES & WAR CRIMINALS (OCT. 1945); JAN. - JUNE 1946

2155

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

Trial of Burello, Colo, + Dalla Pria

For action required on conclusion of the trial, see 265A, 252A, + 269.

21564

Exec. Comm. 1.

Letter to the Prime Minister submitted for signature, if approved.

1st June

2.

Legal &c

Letter signed & returned for dispatch Copies have been withdrawn for CC & EC files.

3/6.

3.

To: Executive Commissioner. 20th June, 1946. 21.

With reference to the letter you signed at Folio 284A, a reply has now been received from AFHQ see Folio 314.

Enclosed is a letter for signature to the Italian Prime Minister.

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

Legal S/C

Letter signed & returned for dispatch Copies have been withdrawn for CC & EC files.

3/6.

3.

To: Executive Commissioner. 20th June, 1946.

213

With reference to the letter you signed at Folio 208A, a reply has now been received from AMIQ see Folio 314.

Enclosed is a letter for signature to the Italian Prime Minister.

M. Carr Bryadier
M. CARR, Brigadier.
Vr. Gn. Section.

W/St. 246

C.A. Sec

Letter signed. Copies withdrawn for CC & EC files.

22/6

Legal S/C.

Letter signed & file returned. Please have letter despatched.

22 June.

J.K. Eales Maj
CA Section

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

2158

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

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB-COMMISSION

3154

AP/mfa.

AC/4116/5/L. 18 June 1946.

SUBJECT : War Crimes - SCHEETTI Corrado.

TO : CMFQ, C.M.F.

3184

1. Reference your 16171/46/13 of 12 June 1946.

2. This Sub-Commission concurs to the course of action outlined in para 2 of your letter.

For the Chief Commissioner.

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

21

2159

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

HEADQUARTERS ALLIED COMMISSION
AFO 794
LEGAL SUB COMMISSION

J 4A

AC/4119/5/L

AF/ns
19 June 1946

SUBJECT : War Crimes - SORCITTI Corrado.

TO : Ministry of Pardon and Justive.

1. Reference your letter 138 Bis 19/2852 1° A.P. of 4 February and previous correspondence.

2. Sorcitti was, at a Military Court held in Ancona on 7 June 1946, acquitted of a charge of being concerned in the killing of an unknown British PW near Amandola in May 1944.

3. As it is probable that the Italian authorities may now wish to try Sorcitti for offences falling under the Italian Penal Code, please be advised that the above mentioned will be handed over as soon as his position will be cleared from the War Crimes point of view.

4. You will be notified of the date on which this handover may take place and the location from which the prisoner may be collected.

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

211

2160

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

4119/5

CONFIDENTIAL

Legal s/c

8336

SUBJECT:- War Crimes - SORCETTI Corrado.

GHQ CMF

16171/46/A3

12 Jun 46

HQ Allied Commission
Legal Sub Commission.

Reference your letter AC/4119/5/L dated 26 Feb 46 and previous correspondence relating to this subject, this HQ letter of even number dated 27 Apr 46 refers.

1. SORCETTI was, at a Military Court held in ANCONA on 7 Jun 46, acquitted of a charge of being concerned in the killing of an unknown British PW near AMANDOLA in May 44.

2. It is thought probable that the Italian authorities will now wish to take this man into their custody. Subject to further clearance from the War Crimes viewpoint, authority will be issued for his handover, and you will be informed of the date on which this handover may take place and the location from which the prisoner may be collected.

3. May it please be confirmed that the course of action outlined at para 2 above is acceptable to you.

LEG SUB
LO
C
Chief
CIO
Italian
CLERK
17 June 46

/jbs.

Brigadier,
DAG.

210

2161

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

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB-COMMISSION

AC/4119/5/L. AP/mdn.

18 June 1946.

SUBJECT : War Crimes. Trial of Tenente CANNO and others.

TO : Ministry of Pardon and Justice.

1. Reference your letter I AP Prot. No. 131.639. 1357.46 of 27 May 1946.

2. It would be very much appreciated if a copy the finding and sentence of the Court trying CANNO and others can be transmitted to this Sub-Commission as soon as available.

LESTER C. BEEM,
Captain, Infantry,
for Chief Legal Advisor.

205

2162

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

8401

CONFIDENTIAL

CONFIDENTIAL

SUBJECT :- War Crimes - Trial of Tenente CARUSO and others.

GHQ CMF.

16171/106/A-3.

13 June 46.

HQ Allied Commission,
Legal Sub Division.

Reference your letter AC/4119/5/L dated 4 June 46.

1. It is noted from the translated copy of the Ministry of Justice letter dated 27 May 46, enclosed with your above quoted letter, that no details are yet available as to the finding and sentence of the Court Trying CARUSO and others.

2. It is requested that this information may be forwarded to this HQ in due course when available.

CONFIDENTIAL

Brigadier.
DAG.

/hs

2163

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

X file

3104

HEADQUARTERS ALLIED COMMISION
APO 794
LEGAL SUB COMMISSION

AC/4II9/5/L 13 June 1946.

SUBJECT : War Crimes: SOKOTA Boris.

TO : AFHQ : G-5.

1. Reference your G-5 : 336.121 of 8th June 1946.

2. I enclose a translation of the reply of the Procura Generale Militare, Rome, who was asked to supply the information requested by you in your letter of 23rd April 1946.

For the Chief Commissioner :

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

Inclu.

20

2164

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

T R A N S L A T I O N

S P E C I A L C O U R T O F A S S I Z E G R O S S E T O

Office of the Prosecution

No. 35/45 Reg.Gen. Grosseto, 31 May 1946.

To the Procura Generale Militare
Supreme Military Court
R O M E

With reference to your letter 1169/R.G. of the 27 inst. please be advised that :

1) A penal proceeding is now pending at this office against SARTI Guglielmo di Leopoldo, LONDINI Londino fu Giuseppe, FIFFERI Donatello di Salvo and DETTI Sergio fu Vittorio for cooperation in the killing of the three British POWs, for which crime, the Court of Assize had on 22 March 1945 sentenced SOKOTA Messe Boris, FABBRI Severino, FRANCHI Aldo to death and acquitted SANTINI Ereneo and SANTINI Unito, the former for insufficient evidence, the latter for not having committed the act.

2) The above mentioned offenders (DETTI Sergio inclusive) are being detained at the judiciary prison. The proceeding is still in its preliminary investigating stage.

3) The appeal lodged by the Pubblico Ministero against the sentence which provided for the acquittal of Santini Ereneo and Santini Unito has been rejected by the Court of Cassation with sentence dated 4 March 1946.

4) The proceeding against Sarti Guglielmo et al. is in its normal investigating stage and would have been already brought to trial if the necessity of submitting Sarti to a medical examination would not have arisen.

2 Cert

2163

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

T R A N S L A T I O N

P R O C U R A G E N E R A L E M I L I T A R E

at the

SUPREME MILITARY TRIBUNAL

Ref. No. 1169 R.G.

Rome, 11 June 1946.

Reply to letter AC/4119/5/L
of 26 April 1946

SUBJECT : War Crimes: SOKOTA Messe Boris, FRANCHI Ilvio et Al.

TO Hq ALLIED COMMISSION
LEGAL SUB COMMISSION

R O M E

Further to letter of this Procura Generale Militare dated 27 March 1946, of same reference number, herewith enclosed copy of a letter received here from the Special Section of the Grosseto Assize Court relating to the matter referred to by your Sub Commission.

THE PROCURATORE GENERALE MILITARE

Sgd.: U.Borsari

2166

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

No further responsibilities against Sokota Messe Boris could be found from the documents in possession of the Court. Said accused it is repeated was sentenced to death and the sentence made definitive.

Sokota is still a fugitive.

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

4119/5 File

Legal 209/7
8146

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 936.121

8 June 1946

SUBJECT: War Crimes - Sokota Boris.

246 A

TO : Chief Commissioner,
Allied Commission, APO 794.
(Attn: Legal Sub-Commission).

1. Reference G-5: 936.121 dated 23 April 46 and 20 May 46 on above subject.

2. It is requested that a reply on this matter please be expedited.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

D Ross Captain

/s/ A. I. KEMBLE
Brigadier General, G.S.C.
Assistant Chief of Staff, G-5

LEGAL SUB COMMISSION
O
O
Chief Commissioner
CJO
Political Section
CLERKS

10 June 46

203

2168

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

PROCURA GENERALE MILITARE

PRESSO IL

TRIBUNALE SUPREMO MILITARE

N. 1169 R.S. di Prot. Roma, li 10 giugno 1946

Risposta a nota del 26-4-46 n. AC/4119/5/N. Alleg. 1

STAMPERIA REALE DI ROMA

Oggetto: Crimini di guerra - Sckota Messe Boris, Franchi Ilvio ed altri.

AL QUARTIERE GENERALE DELLA COMMISSIONE ALLEATA
A P O 394 - Sottocommissione Legale

= ROMA =

4119/5

247A

A seguito del foglio pari numero di questa Procura Generale Militare in data del 27 marzo u.s. si rimette in copia la comunicazione pervenuta dalla Sezione speciale della Corte di Assise di Grosseto in merito alle notizie richieste da codesta Sottocommissione.

IL PROCURATORE GENERALE MILITARE
(U. Borsari)

M. B. [illegible]

202

Indicare sempre nella risposta la data e il numero del protocollo.

LEGAL SUB COMMISSION
CJO
LCLO
Chief Counsel
CJO
Italian Section
CL RKS
11 June 46

COPIA

3088A

SEZIONE SPECIALE DELLA CORTE DI ASSISE DI GROSSETO
UFFICIO DEL PUBBLICO MINISTERO

N°35/45 Reg.Gen. Grosseto, li 31 maggio 1946

Alla PROCURA GENERALE MILITARE PRESSO IL TRIBUNALE SUPREMO MILITARE DI
R O M A

Con riferimento alla nota 1169/R.G. del 27 corrente, informo:
1) È pendente presso questo ufficio procedimento penale contro SARTI Guglielmo di Leopoldo, LONDINI Londino fu Giuseppe, PIFFERI Donatello di Salvo e DETTI Sergio fu Vittorio, per concorso nell'omicidio dei tre prigionieri Inglesi per cui già, con sentenza 22 marzo 1945 di questa Corte di Assise Ordinaria, venivano condannati a morte SOKOTA Messe Boris, FABBRI Severino e FRANCHI Aldo e venivano assolti SANTINI Ereneo e SANTINI Unito, il primo per insufficienza di prove, il secondo per non aver commesso il fatto.
2) I predetti imputati (compresi il Detti Sergio) sono detenuti presso questo carcere Giudiziario. Il processo trovasi tuttora in fase istruttoria
3) Il ricorso interposto dal Pubblico Ministero avverso alla assoluzione dei SANTINI Ereneo e SANTINI Unito è stato rigettato dalla Corte di Cassazione con sentenza 4 marzo 1946.
4) Il processo contro SARTI Guglielmo e gli altri di cui sopra segue il normale corso istruttorio e sarebbe stato già definito se non si fosse presentata la necessità di sottoporre a perizia pschiatrica il coimputato SARTI.
Dagli atti del processo qui pendente non risultano ulteriori responsabilità a carico del SOKOTA Messe Boris che, come detto, per il medesimo fatto è già stato condannato a morte con sentenza ormai passata in giudicato.
Il SOKOTA a questo ufficio risulta essere tuttora latitante.

IL PUBBLICO MINISTERO
F.to illegibile

PER COPIA CONFORME

2169
Declassified E.O. 12356 Section 3.3/NND No. 485016

questo carcere Giudiziario. Il processo trovasi [illegible]
3) Il ricorso interposto dal Pubblico Ministero avverso alla assoluzione dei SANTINI Ereneo e SANTINI Unito è stato rigettato dalla Corte di Cassazione con sentenza 4 marzo 1946.
4) Il processo contro SARTI Guglielmo e gli altri di cui sopra segue il normale corso istruttorio e sarebbe stato già definito se non si fosse presentata la necessità di sottoporre a perizia psichiatrica il coimputato SARTI.
Dagli atti del processo qui pendente non risultano ulteriori responsabilità a carico del SOKOTA Messe Boris che, come detto, per il medesimo fatto è già stato condannato a morte con sentenza ormai passata in giudicato.
Il SOKOTA a questo ufficio risulta essere tuttora latitante.

IL PUBBLICO MINISTERO
F.to illegibile

PER COPIA CONFORME
Il Cancelliere

201

Declassified E.O. 12356 Section 3.3/NND No. 785014

2171

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

7th

30 PA

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB-COMMISSION

/mda.

AC/4119/5/L. 13 June 1946.

SUBJECT : War Crimes:
Lt. Fritz ENKE.

TO : The Italian Central War Crimes Commission.

I enclose for your information a copy of the denunciation of Ex-Lieutenant of the German SS - ENKE Fritz, who is at present held at 1 SEP Centre. If the Italian authorities propose to ask for the transfer of Lieut. ENKE, please inform this Sub-Commission, giving any additional information that may be available in order to make identification easier.

G.C. HANNAFORD,
Lieut.Colonel,
Deputy Chief Legal Advisor.

200

2172

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

H1915

8.058

LE 6/2

SUBJECT: War Crimes - Leut Fritz EHRKE

GHQ CMF
16412/A3
4 Jun 46

306A

Headquarters Allied Commission

Copy to:- DJAG GHQ

Reference the attached denunciation of the above named.

1. It is thought that the ITALIAN authorities may care to know that an Unterstrumfuehrer Fritz EHRKE is at present held at 1 SEP Centre.

2. If the ITALIANS propose to ask for his transfer as a War Criminal you will no doubt inform this Headquarters, with any additional information that may be available to make identification easier.

ml
Encl

R.W. Gowans Col

Brigadier,
DAG.

1 SUB CRIMES
of Course
tion Section
RKS

10 June UG

19.1

2173

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

To the FSS VICENZA.

SUBJECT:- Denunciation of Ex-Lieutenant of the German SS - EHRKE Fritz.

In the raid which took place at MONTEVIALE (VICENZA) on the 11 Oct 44, my father was beaten up by Lieut EHRKE and his interpreter (whose name we do not know), who both had participated in the action. My father BARUFFATO Domenico, 63 years of age, got hit with the butt of a rifle and his house was sacked and then destroyed by means of incendiary and explosive hand-grenades. During the same raid thirty-two people were arrested and conducted to VICENZA; fifteen of them were deported to Germany.

Amongst these persons were also my father and the partisan ANSALONI Paolo, who were taken to S. MARCELLO where there was an SS Barracks. There, they were beaten up again in an inhuman manner and then transferred to S.BIAGIO. The two above mentioned men were kept approximately seventy days in the jail there, during which time they were forced to work on the airfield in spite of the continuous air raids made on that airport by the RAF. During that time they too were questioned a few times and underwent ill-treatment by the above mentioned Lieutenant.

I, being worried about my father's fate, asked for permission to see him. However, I was told that I would see him only after he had been released. At the same time, I asked the Lieutenant to give me my bicycle which he had taken away the day when the raid had taken place, but he told me that he needed it himself.

My sister, after having insisted and after having paid 1,000 lire, got permission to see my father.

The two prisoners were carried off together with twenty-five other people from VICENZA to the extermination camp of MAUTHAUSEN on the 20 Dec 44, were they were interned.

I would like to add that on the day of his departure, my father was feverish and suffering from heart pains caused by the ill-treatment during his detention in jail. He, furthermore, was not provided with the necessary clothing to withstand the fatigues of the journey. In the camp of MAUTHAUSEN, what is known to everybody, the internees underwent horrible tortures, and my father died there in Apr 45.

Hoping that audience will be given to a son, who requests for legal justice against the executioners of his father.

MONTEVIALE.
8 Mar 46.

I remain, Yours,
(Sgd) Igino BARUFFATO.

2174

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

MONTECCIO MAGGIORE.

4 Mar 46.

Denunciation of Lieut. ERCKE, Commandant of a SS Group in VICENZA (Via S. Marcello) in the autumn of 1944.

I was arrested on the 19 Oct 44, by men of the Group of Captain FIORE, Commandant of the UPI of MARINA DI MONTECCHIO MAGGIORE. The following day, I was transferred to the Prison of S. Michele in VICENZA at the disposal of the GNR. By the GNR, I was put at the disposal of the German SS and went on the 2 November to the prison of S. BIAGIO. I was interrogated by Lieut. ERCKE, through a woman interpreter, who said that the statements made by me to the GNR were of no value. It was time to make up my mind. As I repeated exactly what was stated on my undersigned statement to the GNR he got angry and did not want to hear anymore. The interpreter added for his own offences against me.

In December I was newly interrogated. Present were the interpreter and a Sgt of the SS who normally held his office as an interpreter in Via S. Marcello. After several menaces to break my head against the wall, I declared what I had already stated. The interpreter translated and Lieut ERCKE wrote on the typewriter. At the end he read the statement written in German over to the interpreter, and as I know a little German, I understood, that the statement did not correspond with what I had said. The Lieutenant and the Sergeant seemed to enjoy themselves in reading over the statement which was supposed to be mine. Then I was told to sign.

On the 19 December, I, together with other men was transferred to the concentration camp in BOLZANO. During the journey we were guarded by the SS. Amongst the guard was the Sgt. Interpreter.

From BOLZANO, I was taken on the 6th or 7th of January, to the concentration camp in MAUTHAUSEN. I returned, one of the very few left, on 26 June 45.

I accuse Lieut ERCKE, Commandant of the SS in VICENZA as the person directly responsible for my deportation to MAUTHAUSEN and for what I suffered there. I was accused of being a partisan, Anti-Fascist and Anti-German.

197

(Sgd) Dr. Gino MASSIGNAY,
No. 1 Via Sottogori,
MONTECCHIO MAGGIORE
(VICENZA).

2175

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

To 51 FSS, VICENZA.

The undersigned Isabella GHIRARDATO, Widow FRACCON, begs to inform you that the Lieut. Fritz MIRKE, of the German SS is a War Criminal and that he is at present held in the Concentration Camp at NAPLES. His number as a Prisoner of War is A.A. 076050, Camp 216, NAPLES.

This Lieutenant was the OC of the SD at VICENZA during the autumn of 1944 until the day of the liberation. With him were two interpreters:-

(1) A certain GIOVANNI of BRUNICO.
(2) SILVANA HOFFER from somewhere in the region of the upper ADIGE.

This Lieut MIRKE is responsible for the arrest of the family of the writer:-

Torquato	FRACCON,	Bank Clerk.
Franco	"	Student.
Isabella	"	
Crasiella	"	Student.
Letizia	"	Student.

They were arrested on the 26 Oct 44 and detained until the liberation.

The Lieutenant is responsible for bestialities and tortures during the interrogations, for the deportation of Franco FRACCON and Dr Carlo ORLETO (because the latter had slept in our house) to MAUTHAUSEN, where they died; for misusing our house in Via Commenda, No.279, where during the six months of our detention, he celebrated orgies and plundered and looted the house of all valuables.

I therefore request this office to undertake the necessary action and the Lieutenant be punished severely for his perpetrations.

Furthermore, this Officer gave orders on the 11 Nov 44, the result of which was that ten youths were executed by shooting at VICENZA, in the Viale Marun. They had been taken from the jail at PADOVA at random, where they had been detained as hostages. The Lieutenant, himself, assisted at the execution. The ten victims were killed without a trial.

Trustfully,

ISABELLA GHIRARDATO.

Via Pozzetto, No.3, VICENZA.

2176

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

VICENZA.

5 Mar 46.

To the Military Allied Command (AMG).

The undersigned CALEARO Anselmo of the late Domenico residing at No.163 Corso A. Palladio, VICENZA

Denounces

that the SS German Lieutenant Fritz EIRKE, Commander of the SD at VICENZA during the German occupation and at present detained in the War Concentration Camp (AA 076050 - 216 NAPLES), is the author of the following facts:-

(1) My son CALEARO Roberto, aged 21 years, has been sent by the above mentioned Officer to the MAUTHAUSEN Camp, although no guilt has been proved against him and where he met a dreadful death.

(2) My wife SINICO Rosa of the late Abramo, was by the same Officer arrested and transferred to BOLZANO Concentration Camp where she was kept until the liberation. During her stay at that place she was tortured to such a point that she is still in hospital.

(3) The same German Officer also arrested myself for the only reason that I tried to wish my son good-bye on his departure from VICENZA Prison to the German Elimination Camps. I have been, by this same Officer subjected to severe questioning during which time he struck me and otherwise subjected me to severe punishments. In a few words he tried to make me declare facts of which I was not aware. Not yet satisfied he sent me to prison and he would have sent me to Germany as well if it had not been for the shortage of transport.

(4) This same Officer commanded and ordered the shooting of ten young men as a reprisal measure, which took place at Viale dei Marmi, VICENZA, on the 11 Nov 44.

For what I have declared above, I consider Lieutenant Fritz EIRKE to be a War Criminal and should be tried as such.

(Sgd)

CALEARO ANSELMO fu DOMENICO.

2177

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

File

HEAD QUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB-COMMISSION

305A

AC/4119/5/L. AP/rm.
12 June 1946.

SUBJECT : War Crimes. PALACURLO Salvatore.

TO : AFHQ - G-5.

Herewith enclosed a Petition for pardon and relative translation on behalf of the above mentioned.

For the Chief Commissioner :

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

Incls.

19

2178

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

T-3-1-3-3-I-1-T-I-3-M

(Summary)

The undersigned Filomena CORRADINO lodges a petition for Pardon on behalf of her husband Vice Brigadiere PARACUELLO Salvatore, who was sentenced to 20 years imprisonment by an Allied Court Martial in connection with the killing of a member of the Allied Forces and the wounding of another.

The petitioner states that her husband's behaviour as a non-commissioned officer of the Royal Carabinieri has always served as an example worthy of imitation and that according to statements made by the witnesses he did not participate in the criminal act which was committed single handed by a certain BASILE Giuseppe (sentenced to only 15 years imprisonment).

Her husband, in his capacity of Commander of the Royal Carabinieri Station had only organised the formation of a patrol to capture the above soldiers in order to avoid their being illtreated or injured.

Upon arrival at the place where the crime had been committed he found out that BASILE had already made justice with his own hands of the two British soldiers who he was later on told had escaped from the POW Camp of Volturara.

Only one witness, a certain SANTARIELLO Giuseppe, falsely stated during the trial that Vice Brigadiere PARACUELLO had given orders to trace and kill the fugitives but such statement was not confirmed by the other witnesses, and even if SANTARIELLO's statement were true it could not be held as a plausible charge, because a simple intention could not be considered sufficient evidence to frame up a charge.

It is deemed that the deterrent sentence was imposed by the Allied Court Martial in view of PARACUELLO's responsibility for not having prevented the criminal act which was quite a difficult thing to do because he did not arrive in time.

The petitioner also states that she has three children to support who are being deprived of their father's affection and requests that the case be reviewed and justice rendered.

2179

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

Mod. 402

4/19/45

Roma, 25-5-1946

304H

MINISTERO DI GRAZIA E GIUSTIZIA
DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLA GRAZIA E DEL CASELLARIO

Uffizio IV° Grazie
Prot. N° 3427/46
Rif. to al foglio N°
del

Alla Commissione Alleata
Sottocommissione Legale
R O M A

OGGETTO PARACUCLLO SALVATORE :istanza per grazia.

Allegati I

- forwarded to G5

Si trasmette, per competenza, l'unita istanza trattandosi di condanna inflitta dalla Corte Marziale Alleata in Afragola.

D'ordine del Ministro

2180

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

Tilden

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB COMMISSION

3038

AC/4119/5/-

AC/ns
12 June 1946.

SUBJECT : Nuremberg Trials

TO : The Minister of Pardon and Justice.

1. Reference your letter Prot.No.CC/4223-3 of 26th April 1946.

2. A copy of the indictment in the Nuremburg Trial has just been received and is enclosed herewith.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

Incls.

2181

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

Legal S/C
8179
30A

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

936 a5a
G-5: 313.7

10 June 1946

SUBJECT: Indictment - Nuremberg Trials

TO : Chief Commissioner
Allied Commission
APO 794

25/A

Reference is made to your 4119/5/L of 29 April 1946 requesting copies of the indictment in the Nuremberg Trials.

Two copies are now enclosed.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

for A. L. HAMBLEN
Brigadier General, G.S.C.
Assistant Chief of Staff, G-5.

Incl:
as above.

SUBCOMMISSION
Chief of Counsel
Executive Section
RKS
1st June 46

1 Copy to be returned to Legal S/C
1 Copy to be left in Col. Alexander's box

15.1

2182

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

3014

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB-COMMISSION

Imda.

AC/4119/5/1.

11 June 1946.

SUBJECT : War Crimes: Killing of Robert COLLINS, PETRELLI Nazzareno and FRENIANI Friedel.

TO : The Ministry of Pardon and Justice.

1. Reference your Prot. No. 131.780.2485.45 of 9th May 1946.

2. May the result of the appeal by the Procuratore Militare against the judgment in this case please be notified to this Sub-Commission in due course, in order that we may advise Military Headquarters.

3. Military Headquarters further request: "It would be appreciated if you would obtain further details from the Ministry of Grace and Justice of any facts and circumstances disclosed at the trial relating to the death of Robert COLLINS".

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

(8.)

2183

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

4119/5/L

8111

CONFIDENTIAL.

3004

SUBJECT : War Crimes - Killing of ROBERT COLLINS, PETRELLI Nazzareno and FREDIANI Friedel.

CONFIDENTIAL

GHQ CMF.

16171/131/A.3.

5 Jun 46.

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

Reference your letter AC/4119/5/L dated 23 May 46.

1. May the result of the appeal by the Procuratore Militare against the judgement in this case please be notified to this HQ in due course.

2. It would be appreciated if you would obtain further details from the Ministry of Grace and Justice of any facts and circumstances disclosed at the trial relating to the death of ROBERT COLLINS.

G.H.Q. SUB COMMISSION
CONFIDENTIAL
Chief Control
CIO
Italian Section
CLERKS

Brigadier,
DAG.

Copy to : DJAG GHQ CMF - Your Minute JAG/VW/16171/131 dated 3 June 46, No 3, refers.

10 June 46

2184

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

SECRET

HEADQUARTERS ALLIED COMMISSION
AFO 794
LEGAL SUB COMMISSION

AC/4II9/5/L

MT/ns
10 June 1946.

SUBJECT : War Crimes :
Obergefreiter Rudolph Robert LANGE.

TO : The Italian Central War Crimes Commission.

I enclose herewith for your information interrogation report and Appendices "A" and "B" in connection with events occurring at Ciazza during the winter of 1944, and on 22nd June 1945.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

Incls.

SECRET

2185

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

8107

LEGRL

SECRET

SUBJECT : War Crimes - Obergefreiter Rudolph Robert LANGE

4119

GHQ CMF

16300/A-3

4 Jun 46

Headquarters,
Allied Commission

1. The attached interrogation report and appendices 'A' and 'B' are forwarded in connection with events at GIAZZA on 22 Jun 45 and winter of 1944.

2. You may think that the ITALIAN authorities may be interested in them.

R.W. Gransden
Brigadier,
DAG.

/mw

SUB CO

18.

Enc :

CLERKS
10 June 46

2186

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

1 ltr

2 DTA

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB-COMMISSION

/mda.

AC/4119/5/L. 10 June 1946.

SUBJECT : War Crimes:
Petition for pardon on behalf
of Ernesto GOTTARDI.

TO : Secretariat of State of the Holy See.

Your letter No. 117160/3 of 3rd June requesting clemency and a commutation of the penalty passed upon Sig. Ernesto GOTTARDI has been forwarded to Army Headquarters for consideration by the competent authorities.

H.J. ATKINSON,
Lt.Col., IGD,
Chief Counsel

2187

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

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB-COMMISSION

/mda.

AC/4119/5/L. 10 June 1946.

SUBJECT : War Crimes:
Petition for pardon on behalf of COTTARDI Ernesto.

TO : A.F.H.Q.: G-5.

With reference to our letter of 7th June I enclose herewith a letter from the Secretariat of the Holy See requesting commutation of the sentence of death passed upon COTTARDI Ernesto.

For the Chief Commissioner:

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

Encl.

216A

183

2188

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

File

SEGRETERIA DI STATO
DI SUA SANTITA'

From the Vatican, June 3, 1946.

215A

N. 11760/3

4195

Dear Sirs,

The Secretariat of State of His Holiness has been asked by the wife of Sig. Ernesto Cottardi, sentenced to death by the Allied Tribunal of Bologna, to request clemency and a commutation of the penalty in view of the appeal presently referred to the Legal Sub Commission for its consideration.

With a sentiment of thankfulness for the consideration you may deem to give this request, I am

Sincerely yours,

Sgd Rt. Rev. Joseph McGeough
Secretariat of State of His Holiness

Legal Sub Commission
Attention : Lt.Col.Atkinson
AC HQ - Via Veneto
Rome.

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2189

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

234A

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB-COMMISSION

Ex Sec 411.9/52 Vol 2

/mdn.

AC/4132/1. 7 June 1946.

SUBJECT : War Crimes:
Petition for pardon on behalf of Gottardi, Ernesto.

TO : A.F.H.Q.: G-5.

I enclose herewith a petition for pardon, with translation, addressed to the Holy See by the wife of Gottardi Ernesto sentenced to death by an Allied Court of Bologna on 9th February 1946 for onward transmission to the appropriate authorities.

For the Chief Commissioner :

MENGAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

2190

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

T R A N S L A T I O N

Mrs. GOTTARDI Elisa, wife of Gottardi Ernesto, who was sentenced on the 9th February 1946 by the Allied Court of Bologna to death, applies on behalf of her two children, in order that the Holy See intervenes and saves her husband from being shot.

The following facts have been established during the trial:

On the 12th of November 1943 several persons came at Chiero (Verona) and arrested a British Officer and a young man, who had given shelter to that officer. They were brought before the Praefect COSMIN, who, believing they were spies, ordered that they be shot. The two said persons were transferred to the Federal Police, which a little later received from the Praefect an order to execute them.

Gottardi Ernesto has taken no part in the arrest. He went to the shooting place, having no knowledge whatsoever of what was going to happen. He was informed during the journey that the two men had to be shot, and upon hearing this he tried to elude the order.

Nevertheless, he succeeded in avoiding to participate in the murder. He remained outside as a guard for the car, and the British Officer was killed by a certain PICCOLI.

All that was proved during the trial.

The principal criminals - Praefect and two Police Officers are fugitives, and Gottardi Ernesto, who did not participate in the act of killing, was sentenced to death.

Gottardi's wife implores the Holy See to save her husband. She has two children under age, she is very poor and has no courage to inform her children that their father has to be shot.

2191

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

Mod. 402

Roma, 31.5.1946

2193

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

IV Sezione

Ufficio
Prot. N° 34/46
Risposta al foglio N°
del

Alla Commissione Alleata
Sottocommissione Legale
Roma

OGGETTO GOTTARDI Ernesto - istanza di grazia

All. I

Si trasmette, per competenza, l'unita istanza trovandosi di condanna emessa dalla Corte Alleata di Bologna, il 9.2.1946.

D'ordine del Ministro

[illegible]

173

CC
Chief of Counsel
ID
Italian Section
RKS
3 June 46

2192

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

Info

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB-COMMISSION

2924

AC/4119/5/L. /mda.

4 June 1946.

SUBJECT : FRANCIOLINI Giuliano : alleged shooting of British Officer.

TO : The Minister of Pardon and Justice.

1. A certain FRANCIOLINI Giuliano, manager of the POMINO ESTATE near BORSELLI in the Province of FLORENCE, is alleged to have shot a British Officer who was staying at his house in November, 1943.

2. This alleged murder was left to the Italian authorities to deal with as an ordinary case of murder.

3. This Sub-Commission would be glad to receive at your earliest convenience any information about the result of the trial.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

178

2193

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

411915

Legal 7849

SUBJECT : - Alleged murder of a BRITISH Officer FRANCIOLINI GIULIANO.

CONFIDENTIAL

GHQ CMF

16171/35/A-3

29 May 46

291A

HQ Allied Commission.

Copy to : - DJAG, GHQ CMF.

1. The above named ITALIAN manager of the POMINO Estate near BORSELLI province of Florence, is alleged to have shot a BRITISH Officer who was staying at his house in November 1943.

2. This alleged murder was left to the ITALIAN authorities to deal with as an ordinary case of murder.

3. Any information about the result of the trial would be appreciated.

WO.

Brigadier,
DAG.

ALLIED SUB COMMISSION
CIO
Chief Counsel
CID
Italian Section
CLERKS
3 Jan 46

177

2194

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

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB COMMISSION

2904

AC/4II9/5/1. MT/nb
4 June 1946.

SUBJECT : War Crimes : Shooting of Manieri Giorgio Ferrari.

TO : GHQ, CMF.

1. Reference your 1s200/39/A - 3 of 22nd February 1945.

2. I enclose herewith translation of a letter from the Ministry of Justice giving details of the shooting of Mr. Manieri whose nationality is unknown, and stating that no investigation is being made concerning the homicide.

For the Chief Commissioner :

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Adviser.

Encls.

T R A N S L A T I O N

MINISTRY OF PARDON AND JUSTICE

AP/ns
Rome, 27 May 1946.

Office I° AP
Ref.:131.302.617/46

TO THE ALLIED COMMISSION
Legal Sub Commission
R o m e

Reply to letter AC/4II9X5/I
of 26 February 1946.

SUBJECT : War Crimes:Shooting of N. Ranieri Giorgio.

for information to:

Liaison Officer
Ministry of Justice
R o m e

With reference to the above mentioned letter please be advised that the following information was received here from the "Procura del Regno di Lucca" with letter N° 509 of the 13th May 1946 through the"Procuratore Generale" of the Florence Court of Appeal:

"I inform Your Excell. that the Lucca Group Hqs of the Royal Carabinieri communicates the following by letter dated 9 May 1946:

"1° The above mentioned person(N. Ranieri Giorgio Ferrari son of Pacifico and Finagli Cicella, born at London on the 2nd September 1924, previously residing at Roggio as a student) came to Italy in 1937 in order to study languages. During his stay at Roggio and up to the day of his arrest by German soldiers has been of very good behaviour. There is no indication that he were a member of the fascist national party not to the republican fascist party.

In order to escape military service with the so-called Social Italian Republic he obtained a job for a certain period of time with the Todt Organisation at Corfigliano.He afterwards

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Declassified E.O. 12356 Section 3.3/NND No. 935016

With reference to the above mentioned letter please be advised that the following information was received here from the "Procura del Regno di Lucca" with letter Nº 509 of the 13th May 1946 through the"Procuratore Generale" of the Florence Court of Appeal:

"I inform Your Excell. that the Lucca Group Hqs of the Royal Carabinieri communicates the following by letter dated 9 May 1946:

"1º The above mentioned person(G. Ranieri Giorgio Ferrari son of Pacifico and Finagli Cicella, born at London on the 2nd September 1924, previously residing at Roggio as a student) came to Italy in 1937 in order to study languages. During his stay at Roggio and up to the day of his arrest by German soldiers has been of very good behaviour. There is no indication that he were a member of the fascist national party not to the republican fascist party.

In order to escape military service with the so-called Social Italian Republic he obtained a job for a certain period of time with the Todt Organisation at Corfigliano.He afterwards abandoned such work and joined the partisan forces.

2º It has not been possible to ascertain whether or not he fired a few shots at the Todt depot where he was working. As far as the destruction of the documents relating to his recruitment (to take place at the Vaglio di Sotto District) are concerned it has been proved that the above mentioned together with a partisan named Bini Emilio of Pisa (an elementary school teacher) and a certain Montesse Massimo di Tobia e fu Guidi Fortunata, a labourer who was born on 1º July 1920 at Roggia and is residing there) really brought themselves to the Communal Building of Vagli with the purpose of destroying the above mentioned documents.

./.

2 1 9 6

Declassified E.O. 12356 Section 3.3/NND No. 759016

3° On 17 August 1944 M. Ranieri Giorgio Ferrari was arrested together with the above mentioned Mini Emilio and Montessi Massimo as well as a certain Ferrari Lina daughter of Marco and of Macchini Annbile, (the latter being born on 19 september 1904 at Roggia and a resudent of the town) because they were discovered and held responsible of what had happened. They were hence taken to the German Hqs of Vagli di Sopra from where after questioning they were transferred to Nocchi di Camaiore and on 28 August 1944 they were all shot by the Germans at Monte Magno. Their remains were buried at Roggio graveyard in June 1945

4 Ranieri's citizenship status is not known. There is no indication whether investigations, are being carried out in regard to his killing.

By order of the Minister
Sgd.: Rubino

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

2198

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

4119/5

Roma, 27 Maggio 1946

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

Al la COMMISSIONE ALLEATA sottocommissione Legale
R O M A

2897

Ufficio Io A.P.
Prot N° 131.302.617/46

Rispondere al foglio 26.2.1946
Div AC Sez N° 4119/5.L.

OGGETTO Delitti di guerra - Fucilazione di M. RAMERI Giorgio.-

e per conoscenza:

All'UFFICIO COLLEGAMENTO

s e d e

In relazione alla nota sopra distinta, si comunicano le notizie fornite, in merito all'oggetto, dalla Procura del Regno di Lucca con foglio del 13 c.m. n° 509 qui trasmesso dal Procuratore Generale presso la Corte di Appello di Firenze:

"""Informo l'E.V. che il Comando di Gruppo dei CC.RR. di Lucca così scrive con nota del 9 c.m., relativa all'affare in oggetto:

"Io il nominato in oggetto (M. RANIERI Giorgio FARRARI di Pacifico e di Rinagli Cicella, nato a Londra il 22 settembre 1924, già residente a Roggio studente) venne in Italia nel 1937 per studi di lingua. Durante il periodo della sua permanenza a Roggio, e cioè fino al giorno del suo arresto avvenuto il 17 agosto 1944, ad opera dei militari tedeschi, mantenne buona condotta sotto ogni rap-

./.

2199

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

porto. non risulta sia stato iscritto al p.n.f.
nè a quello repubblicano fascista.-

Egli non rispondeva alla chiamata alle armi della pseudo r.s.i., lavorò per un certo periodo di tempo alle dipendenze della Todt in Corfigliano, ottenendo così l'esonero del servizio militare. Successivamente abbandonò il lavoro e si unì a formazioni partigiane della zona;

2°) non è stato possibile accertare se effettivamente ptese a fucilate il magazzino della [redacted] TODT presso cui lavorava. Per quanto riguarda la distruzione dei documenti relativi al reclutamento del distretto di Vagli di Sotto è provato che il sunnominato, in compagnia e con l'aiuto del partigiani BIMI Emilio da Pisa, maestro di scuola elemen tare a Roggio (non meglio conosciuto) e MENTESSE Massimo di Tobia e fu Guidi Fortunata, nato a Roggio il 12 luglio 1920, ivi residente, operaio, si recò effettivamen e nel Palazzo Comunale di Vagli di Sotto allo scopo di distruggere i documenti suddetti

3°) Con il MANIERI GIORGI FERRARI il 17 agosto 1944 furono arrestati i suddetti BIMI Emilio e MEN TESSI Massimo, e FERRARI Dina di Marco e di Facchini Amabile, nata a Roggio il 19 settembre 1904, ivi residente, donna di casa, perchè scoperti e ritenuti responsabili materiali dell'occorso. Vennero quindi tradotti al Comando tedesco di Vagli di Sopra, da dove, dopo breve interrogatorio, furono tradotti a Nocchi di Camaiore, ed il 28 agosto 1944 furono fucilati ad opera dei tedexchi, a Monte Magno.

I loro resti, ad eccezione di quelli d del BIMI che furono trasportati nel cimitero di Pisa, trovansi nel cimitero di Roggio dal Giugno 945.

./.

2200

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

Mod. 40 a

Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE E DEL CASELLARIO

Roma, ____ 194

Al

Ufficio

Risposta al f.to del

Prot. N.

Div. Sez. N.

OGGETTO

4°) Ignorasi la cittadinanza del RANIERI. Non risulta che sulla sua uccisione siano in corso indagini""".-

d'ordine del MINISTRO

172

2201

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

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB COMMISSION .

2884

AC/ 4119/5/L

ME/ns
4 June 1946.

SUBJECT : War Crimes:
Trial of Ten. CARUSO and Others for the killing of Capt. A.D. Mackenzie.

TO : CHQ, CMF.

1. Reference your 16171/106/A - 3 of 18th April 1946.

2. I enclose a translation of a letter from the Ministry of Justice giving details of the names of the accused and the charges in the above case.

for the Chief Commissioner :

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

Encls.

T R A N S L A T I O N

AP/ns

MINISTRY OF PARDON AND JUSTICE

Rome, 27 May 1946

To Hq Allied Commission
Legal Sub Commission

R o m e

Ref: I° AP Prot.N°131.639.1337.46

Reply to AC/4119/5/L
of 24 April 1946.

SUBJECT: War Crimes. Penal proceedings against Ten. CARUSO et al for killing of A.D. Mackenzie, British POW.

for information to:

Liaison Officer of the Ministry

R o m e

Please be advised that the P.M. office at Special Section of the Voghera Assize Court who was informed of the request contained in your Sub Commission's letter, has now made the following reply in regard to the above mentioned penal proceeding:

Caruso Ugo - Gigli Giovanni - Fianzzi Francesco - Spano Giuseppe - Zilli Renato - Mascagni Federico - Amarino Mansueto - Stilli Benito - Ricciardi Carmelo - Sterbizzi Gino, have all been brought to trial for the offence under Art 1, of D.L.L. N° 142 of 22 April 1945 and Art 51 and 54 of the Military Penal Code of War.

Caruso, for other offences as well. Among others, the ones under Article 571,61 Nos 2 and 5, and 110 of the Penal Code, for having, with the assistance of other persons, voluntarily caused

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

Liaison Officer of the Ministry

R o m e

Please be advised that the P.M. office at Special Section of the Voghera Assize Court who was informed of the request contained in your Sub Commission's letter, has now made the following reply in regard to the above mentioned penal proceeding:

Caruso Ugo - Gigli Giovanni - Bianzi Francesco - Spano Giuseppe - Zilli Renato - Mascagni Federico - Amarino Mansueto - Stilli Benito - Ricciardi Carmelo - Sterbizzi Sino, have all been brought to trial for the offence under Art 1, of D.L.L. N° 142 of 22 April 1945 and Art 51 and 54 of the Military Penal Code of War.

Caruso, for other offences as well. Among others, the ones under Article 571,61 Nos 2 and 5, and 110 of the Penal Code, for having, with the assistance of other persons, voluntarly caused the death, on an unknown day of September 1944 at Albarola di Pontedellolio, Piacenza, of a British Captain who had surrendered himself as a POW: with aggravating circumstances for having committed such offence in collaboration with the Germans and for having taken advantage of circumstances in time and place such as to prevent public or private defence.

Stilli Benito: charged with the offence under Articles 624, 625 N° 2, 61 N° 5 of the Penal Code for having taken possession with the purpose of personal gain, of an amount of Lire 80,000.- stealing such money from the body of a British Captain who was killed on an unknown day of September 1944 at Albarola di Pontedellolio: with aggravating circumstances for having committed the act with violation of objects and for having taken advantage of circumstances in time and place such as to prevent public or private defence.

Declassified E.O. 12356 Section 3.3/NND No. 795016

I ensure that this office shall comply with the instructions given by the Allied Commission in case of death sentence or acquittal of some of the accused brought to trial with the above mentioned penal proceedings.

By order of the Minister

Sgd.: Rubino

Declassified E.O. 12356 Section 3.3/NND No. 935016

Roma, 27 Maggio 1946

Ministero di Grazia e Giustizia

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

Alla COMMISSIONE ALLEATA
Sottocommissione Legale
R O M A

2877

Ufficio I° A.P. Sez. 1.ª 131.639.1337.46 Risposta al f. 1.° AC.4119.5.L.
del 24 Aprile 1946

OGGETTO Delitti di guerra - procedimento penale contro il Ten. CARUSO ed altri per omicidio in persona del prigioniero inglese A.D. MACKENZIE.-

per conoscenza:
All'UFFICIO COLLEGAMENTO
S E D E

240A

Si informa che l'Ufficio del P.M. presso la Sezione Speciale della Corte di Assise di Voghera, cui era stato comunicato il contenuto della nota sopra distinta di codesta On.le Sottocommissione, ha così riferito in merito al procedimento penale in oggetto:

""""CARUSO Ugo - CIGLI Giovanni - PINAZZI Francesco - SPANO Giuseppe - ZILLI Renato - MACCAGNI Federico - AMARINO Mansueto - STILLI Benito - RICCIARDI Carmelo - STERBIZZI Gino, sono stati inviati tutti a giudizio per il reato di cui all'art. I D.L.L. 22.4.1945 n° 142 e agli art. 51 e 54 C.P.M.G.-

Il CARUSO: inoltre di altri reati fra i quali quello di cui all'art. 571, 61 n. 2 e 5, 110 C.P. per avere, in correità con altri, cagionato volontariamente la morte, in giorno imprecisato del settembre 1944, in regione Albarola di Pontedellolio di Piacenza,

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

per conoscenza:

All'UFFICIO COLLEGAMENTO

S E D E

240A

Si informa che l'Ufficio del P.M. presso la Sezione Speciale della Corte di Assise di Voghera, cui era stato comunicato il contenuto della nota sopra distinta di codesta On.le Sottocommissione, ha così riferito in merito al procedimento penale in oggetto:

"""CARUSO Ugo - GIGLI Giovanni - PINAZZI Francesco - SPANO Giuseppe - ZILLI Renato - MACCAGNI Federico - AMARINO Mansueto - STILLI Benito - RICCIARDI Carmelo - STERBIZZI Gino, sono stati inviati tutti a giudizio per il reato di cui all'art. I D.L.L. 22.4.1945 n° 142 e agli art. 51 e 54 C.P.M.G.-

Il CARUSO: inoltre di altri reati fra i quali quello di cui all'art. 571, 61 n. 2 e 5, 110 C.P. per avere, in concorso con altri, cagionato volontariamente la morte, in giorno imprecisato del settembre 1944, in regione Albarola di Pontedellolio di Piacenza, ad un capitano inglese consegnatosi prigioniero di guerra: con l'aggravante di aver commesso il fatto per eseguire il reato di collaborazione attiva con i tedeschi e di aver profittato di circostanze di tempo e di luogo tali da ostacolare la pubblica e privata difesa.-

././.

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

LO STILLI Benito: del reato di cui agli art.624, 625 n° 2 61 n. 5 C.P. per essersi impossessato, al fine di trarne profitto di lire 80 mila depredando il cadavere di un capitano inglese ucciso in giorno imprecisato del settembre 1944 in regione Albarola di Pontedellolio, con l'aggravante di aver commesso il fatto con violenza sulle cose e approfittando di circostanze di tempo e di luogo tali da ostacolare la pubblica e privata difesa.-

Assicuro che quest'ufficio si atterrà alle istruzioni impartite dalla Sottocommissione Alleata per il caso di condanna a morte o di proscioglimento di taluno degli imputati del procedimento in oggetto."""".-

d'ordine del MINISTRO

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

Ministero di Grazia e Giustizia

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

Roma 27 maggio '46

Uffizio I A.P. Sez. 1ª 131.728.1523

Al PROCURATORE GENERALE presso
la Corte d'Appello di VENEZIA
e per conn ALLA COMMISSIONE ALLEATA - Sottocommissione Legale ROMA
Risposta al f. 1. AC4030 L. della Commissione All.del 6.5.946

286A

OGGETTO Domande di libertà provvisoria da parte di detenuti in attesa di giudizio.

All.vari

Si trasmettono gli uniti atti coi quali da parte di alcuni detenuti nelle Carceri Giudiziarie di Udine si avanzano le richieste accanto a ciascuno indicate:

"Magg.CAROI Evaristo - arrestato il 9.5.945 - non ancora giudicato - chiede la libertà provvisoria.

VENCHIARUTTI Vittorio - Invalido di guerra arrestato il 2.3.946 non ancora giudicato - chiede lib.prov..

Cap.POZZI Walter Bruno - arrestato il 4.5.946 - non ancora giudicato - chiede la lib.prov.

LARESE Riccardo di anni 64 - arrestato da un anno (3.5.945 - non ancora giudicato - chiede lib.prov.

LESTUZZI Luigi - arrestato il 9 luglio 1945 - non giudicato -, chiede lib.prov.

Col. DE LORENZI Attilio - detenuto dall'8 luglio 945 - non giudicato - chiede lib.prov.

NERI Carmelo - detenuto dal 10.9.945 - non ancora giudicato - chiede lib.prov.

TAMBURLINI Manlio - arrestato il 18 luglio 945 - non giudicato - chiede lib.prov.

Cap.VENIER Vincenzo - arrestato l'11.5.945 - non giudicato -

Istituto Poligrafico dello Stato

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Declassified E.O. 12356 Section 3.3/NND No. 935016

All.veri

Si trasmettono gli annessi atti dai quali da parte di alcuni detenuti nelle Carceri Giudiziarie di Udine si avanzano le richieste accanto a ciascuno indicate:

"Magg.CANOI Ettorino - arrestato il 9.5.945 - non ancora giudicato - chiede la libertà provvisoria.

VENCHIARUTTI Vittorio - invalido di guerra arrestato il 2.3.946 non ancora giudicato - chiede lib.prov..

Cap.POZZI Walter Bruno - arrestato il 4.5.946 - non ancora giudicato - chiede la lib.prov.

LARESE Riccardo di anni 64 - arrestato da un anno (3.5.945 - non ancora giudicato - chiede lib.prov.

LESTUZZI Luigi - arrestato il 9 luglio 1945 - non giudicato - chiede lib.prov.

Col. DE LORENZI Attilio - detenuto dall'8 luglio 945 - non giudicato - chiede lib.prov.

NERI Carmelo - detenuto dal 10.9.945 - non ancora giudicato - chiede lib.prov.

TAMBURLINI Emilio - arrestato il 18 luglio 945 - non giudicato - chiede lib.prov.

Cap.VENIER Vincenzo - arrestato l'11.5.945 - non giudicato - chiede lib.prov.

Col.ZULIANI Ermacora - arrestato il 4.5.945 - non giudicato - chiede lib.prov.

GON Pietro - arrestato il 13 giugno 945 - non giudicato - chiede lib.prov.

GNATTO Sergio - arrestato i primi di maggio - non giudicato - chiede lib.prov.

TULLIO Gianbattista - arrestato il giorno 8 maggio 945 - non

./.

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

giudicato - chiede lib.prov.

BASSO Armando - arrestato ai prim_ di maggio - non giudicato - chiede lib.pfovv.

CIANI Enzo - arrestato il 9 maggio 1945 - non giudicato - chiede la libertà provv.

MURARO Giuseppe di anni 18 detenuto dal 2.5.945 processato con 5 anni di condanna, ricorso in appello a Roma in data 20.11.945 - chiede libertà provvisoria.

CUSTODAZZI Dante detenuto dal I° giugno 1945 condannato a 15 anni. chiede che non venga trasferito altrove.

REA Gianfranco detenuto dal 16 maggio 945 condannato il 14 agosto 1945 a 15 anni di reclusione - Ciede revisione della sentenza.

GORI Emilio padre di 7 figli più un'adottiva raccolta in Iugoslavia. - Arrestato il I° maggio 1945.Con sentenza del 14 marzo 1946 condannato a 2 anni e mezzo - Ricorso in Cassazione. Chiede la libertà provv

SERNINI Cucciatti Adolfo arrestato il 25 marzo 1946 processato. Condannato a 4 anni e 6 mesi. In attesa dell'esito del ricorso chiede la libertà provvisoria.

BISAZZA Nicolò arrestato il giorno 11 giugno 1945 processato e condannato a 16 anni; presentato ricorso in Cassazione - Chiede lib.prov.

TURCHETTO Giuseppe, arrestato il 19 giugno 1945 processato il 2 agosto 1945 condannato ad anni 5,mesi 7 e giorni 20, Ricorso in Cassazione a Roma chiede la lib.prov.

MACUZ Edoardo, arrestato il 3 maggio 1945 processato il 25.3.946 condannato a 12 anni chiede di non essere trasferito in attesa dell'esito del ricorso fatto in cassazione.

OCCELLI Giuseppe, presentatosi spontaneamente al C.L.N. di Treviso il I° maggio 1945 - Processato il 7.3.946 condannato a 24 anni chiede di non essere trasferito.

Si prega la S.V.I.ma di voler assumere sollecite informazioni, emettendo quei provvedimenti che riterrà opportuni, e riferendone a questo Ministero.

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

condannato a 16 anni; presentato ricorso in Cassazione - Chiede lib.prov.

TURCHETTO Giuseppe, arrestato il 19 giugno 1945 processato il 2 agosto 1945 condannato ad anni 5,mesi 7 e giorni 20, Ricorso in Cassazione a Roma chiede la lib.prov.

MACUZ Edoardo, arrestato il 3 maggio 1945 processato il 25.3.946 condannato a 12 anni chiede di non essere trasferito in attesa dell'esito del ricorso fatto in cassazione.

OCCELLI Giuseppe, presentatosi spontaneamente al C.L.N. di Treviso il Iº maggio 1945 - Processato il 7.3.946 condannato a 24 anni chiede di non essere trasferito.

Si prega la S.V.I.ma di voler assumere collecite informazioni, emettendo quei provvedimenti che riterrà opportuni, e riferendone a questo Ministero.

Si attende un cortese sollecito riscontro.

d'ordine del MINISTRO

No action required
Amb.
3/6/46

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

2212

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

File

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB-COMMISSION

2PSA

/mda.

AC/4119/5/L.

1 June 1946.

SUBJECT : War Crimes:
Cirillo Cudina.

TO : A.F.H.Q.: G-5.

I enclose herewith for onward transmission to the appropriate authorities a letter from the Secretariat of the Holy See regarding Cirillo Cudina at present detained at POW Camp 215 Grottaglie (Taranto).

For the Chief Commissioner.

MURRAY THOMAS,
Italian Branch,
for Chief Legal Advisor.

2213

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

File

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB-COMMISSION

2P4A

IC/4113/5/1.

3 June 1946.

My dear Mr. Prime Minister,

165

Your letter of yesterday asking the Chief Commissioner to intervene with the Allied Authorities for a commutation of the death sentence passed upon Colonel Francesco Paolo Cucco by a War Crimes Tribunal at Milan on 8th April is being sent at once to Caserta for confirmation by the Supreme Allied Commander. When a reply is received I shall inform you at once.

Yours very truly,

M S [illegible]SH

Brigadier,
Executive Commissioner
for the Chief Commissioner.

His Excellency
Dott. Alcide de Gasperi
Presidente del Consiglio dei Ministri
Rome.

2214

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

File

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB COMMISSION

2874

AP/ns.
AC/4119/5/L 1 June 1946.

SUBJECT : War Crimes:
Colonel Francesco Paolo TURCO, sentenced to death on 10th April 1946.

TO : AFHQ: G-5.

Two petitions were forwarded to you by this Sub Commission regarding Colonel Francesco Paolo TURCO sentenced to death by a War Crimes Tribunal in Milan on 10th April last. I now enclose for consideration by the appropriate authorities a translation of a letter addressed by the Prime Minister to Admiral Stone requesting his intervention with the Allied Authorities to obtain commutation of the death penalty.

For the Chief Commissioner :

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

Incls.

2215

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

4/9/15 SR CA See

TRANSLATION

See 260A

THE PRESIDENT OF THE COUNCIL OF MINISTERS Rome, 31 May 1946.

69416/67528/2.4.2

Dear Admiral,

Colonel Francesco Paolo TURCO has been sentenced on 10 April 1946 by the Allied Military Court of Milan to death.

Following the requests received from the Italian military authorities and the warm appeal addressed to me by the family of the abovensmed officer in his favour, I take the liberty to appeal to your sense of humanity asking you - if you consider this possible - to intervene without delay with the competent Allied Authorities for a commutation of the inflicted penalty.

Col TURCO was wounded in the War 1915-1918 and, besides various Italian military awards, is also decorated with the Distinguished Service Order which was conferred upon him by the Royal British Government with decree of 7 July 1917.

With many thanks,

yours very truly,

/s/ De Gasperi

LEGAL SUB COMMISSION
CLO
DCLO
Chief Counsel
CO
Legal Sec.
RKS
1 June 46

Admiral Ellery W. Stone
Chief Commissioner
Allied Commission
Rome.

EC DIST - 31 May 46
ACTION - CA See for Legal S/C(2)
INFO - CC
- E.C.

ALLIED COMMISSION
HEADQ ARTERS
1981

2216

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

Fo.

Roma, 31 maggio 1946 21 GIU. 1946

MAY 31 REC'D

Il Presidente
del Consiglio dei Ministri
69416/67528/2.4.2.

Caro Ammiraglio,

il col. Francesco Paolo TURCO è stato condannato il 10 aprile u.s. dalla Corte Militare Alleata di Milano alla pena capitale.

In accoglimento delle segnalazioni fattemi dalle autorità militari italiane e del caldo appello rivoltomi dalla famiglia del predetto in suo favore, mi permetto rivolgermi al Suo senso di umanità per pregarLa di voler tempestivamente intervenire, ove lo ritenga possibile, presso le competenti Autorità Alleate per la commutazione della pena inflitta.

Il col. TURCO è ferito della guerra 1915-1918 e decorato, oltre che di diverse ricompense al valor militare italiana, anche del Distinguished Service Order, conferitogli dal Regio Imperial Governo Inglese con decreto del 7 luglio 1917.

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La ringrazio e Le porgo cordiali saluti.

All'Ammiraglio Ellery W. S T O N E
Commissario Capo della Commissione Alleata
R O M A

ALLIED COMMISSION
1981

2217

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

2824

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB COMMISSION

MT/ne
31 May 1946.

AC/4119/5/L

SUBJECT : Proceedings against COCCIA Umberto and SANTELLI Nazzareno.

TO : The Ministry of Pardon and Justice.

1. Reference our letter AC/4119/5/L of 13th October 1945, and your Ufficio I° A.P. Prot.N°138/17/398/1945 of 20th November 1945.

2. May this Sub Commission be informed of the progress made in the proceedings against SANTELLI by the Italian authorities.

3. Please treat this matter as urgent, as the information is wanted by Military Headquarters as soon as possible.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

2218

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

2679

CONFIDENTIAL

SUBJECT: - WAR CRIMES Shooting of Nathan LEACH.

GHQ CMF
16171/15/A3
23 May 46

CONFIDENTIAL

HQ, ALLIED COMMISSION

Copy to : - DJAG GHQ

Reference your letter AC/4119/5/L of 28 Jan 46.

1. Information was received in January that COCCIA Umberto, who was implicated in this case, is dead.

2. May we please be informed as soon as possible of the progress made in the proceedings by the ITALIAN authorities against SANTELLI.

/gjs

Brigadier,
DAG.

CONFIDENTIAL

2219

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

280A

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB COMMISSION

AC/4II9/5/L

MT/ns
31 May 1946.

SUBJECT : War Crimes:
SOKOTA Messe Boris, FRANCHI Ilvio
and others.

TO : AFHQ : G-5

With reference to the inquiries contained in your G-5: 936.121 of 23rd April 1946 a translation of a letter from the Procuratore Generale Militare is enclosed herewith.

For the Chief Commissioner :

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

Incls.

2220

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

TRANSLATION

SUBJECT : War Crimes

ALLIED COMMISSION

APO 394

LEGAL SUB COMMISSION

R O M E

Reference your AC/4119/5/L of 26 April 1946.

1) Nothing could be found at this office to show that a certain DETTI Sergio was arrested and brought to trial

2) The file relating to SANTINI Ireneo, FABBRI Severino, FRANCHI Ilvio, members of the fascist militia and charged with having killed Wright Harry, Hass Lawrence and Degrain George Micheal, British POWs, has been transmitted to the"Uffi-cio del Pubblico Ministero" attached to the Special Section of Grosseto Court of Assize on 23 March 1946 with covering letter N° 1169/Reg Gen. as the case falls within the province of said Court.

3) This office has already asked the Grosseto Court of Assize to supply the information requested by your Sub Commission.

4) It will be the duty of this office to advise your Sub Commission as soon as the reply from the Grosseto Court of Assize will arrive.

156

22211

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

File 411 9/5 1+2

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

738
249A

G-5: 936.121

10 May 1946

SUBJECT: War Crimes - Sokota Boris.

TO : Headquarters, Allied Commission
APO 794.

246A

1. Reference G-5:936.121 dated 23 April 1946 above subject.

2. May a reply to this communication please be expedited?

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

for A. L. HAMBLEN
Brigadier General, G.S.C.
Assistant Chief of Staff, G-5.

SUB-COMMIS
Chief Counsel
C.J.D.
Italian Section
CLERKS
10 May 46

2222

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

Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE E DEL CASELLARIO

Roma, 27 Marzo 1946

Alla COMMISSIONE ALLEATA
Sottocommissione Legale
R O M A

Ufficio I° A.P.

Risposta al f.to del 23.2.1946

Prot. N° 138 Bis/19.2852

Div. AC Le N° 4119/5/L

OGGETTO SORCETTI Corrado e CORNACCHIA Giuseppe.-

e per conoscenza:

ALL'UFFICIO CO[illegible]CAMENTO

S E D E

No action necessary
GHQ already informed

Con riferimento al foglio sopraindicato si informa che il Procuratore Generale presso la Corte di Appello di Ancona ha comunicato a questo Ministero che il detenuto SORCETTI Corrado è stato prelevato dall'Ospedale Psichiatrico di Fermo e CORNACCHIA Giuseppe dalle carceri giudiziarie di Ascoli Piceno il diorno cinque marzo ultimo scorso dal Comando Militare Police 111 Provost Cok di Ancona.-

d'ordine del MINISTRO

CLRKS
3/May 46

2223

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

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

Roma, 27 Maggio 1946

Alla COMMISSIONE ALLEATA
Sottocommissione Legale
R O M A

Ufficio I° A.P.

Prot. N° 138 Bis/19.2852

Risposta al f. del 28.2.1946
Div. AC Sez. N° 4119/5/L

OGGETTO SORCETTI Corrado e CORNACCHIA Giuseppe.-

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

Con riferimento al foglio sopraindicato si informa che il Procuratore Generale presso la Corte di Appello di Ancona ha comunicato a questo Ministero che il detenuto SORCETTI Corrado è stato prelevato dall'Ospedale Psichiatrico di Fermo e CORNACCHIA Giuseppe dalle carceri giudiziarie di Ascoli Piceno il diorno cinque marzo ultimo scorso dal Comando Militare Police 111 Provost Cok di Ancona.-

135

d'ordine del MINISTRO

2224

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

PROCURA GENERALE MILITARE

PRESSO IL

TRIBUNALE SUPREMO MILITARE

N. 1169/Reg. Gen. Roma li 27 maggio 1946

Speciale nota del N. Allegati

241A

Oggetto: Crimini di guerra.-

QUARTIERE GENERALE DELLA COMMISSIONE
ALLEATA AFO 394
SOTTOCOMMISSIONE LEGALE

R O M A

Riferimento foglio n.AC/4119/5/I. del 26 aprile u.s.

1) Non risulta a questo Ufficio sia stato arrestato e processato un italiano chiamato DETTI Sergio.

2) Gli atti relativi a SANTINI Irenco, FABBRI Severino, FRANCHI Ilvio, appartenenti alla milizia fascista e accusati dell'uccisione dei prigionieri inglesi WIRIGHT Harrj, HASS Lewence, DEGRAIN George Michael, sono stati rimessi per competenza all'Ufficio del Pubblico Ministero presso la Sezione Speciale della Corte di Assise di Grosseto il 23 marzo 1946 con foglio n.1169/Reg.Gen.

3) Questo Ufficio si è già rivolto alla Corte di Assise di Grosseto per conoscere le notizie richieste da codesta Commissione.

4) Sarà cura di questo Ufficio di riferire a codesta Commissione la risposta della Corte di Assise di Grosseto, non appena sarà pervenuta.- 154

IL PROCURATORE GENERALE MILITARE
(U.Borsari)

M. D. G. Z.

U 11/5.

Mod. 7

246A

Ministero di Grazia e Giustizia

Gabinetto di S.E. il Ministro — Roma, 25 maggio 1946

Ufficio Collegamento con l'A.C.

Protocollo N. UC/4233-1

OGGETTO Delitti di Guerra

Alla Commissione Alleata
Sottocommissione Legale
R O M A

e, per conoscenza

Alla Sottocommissione per la P.S.
R O M A

E' pervenuta a questo Ministero l'unita lettera della Sottocommissione di P.S. che si allega.

Poichè si tratta di materia di competenza anche di codesta Sottocommissione, in quanto è previsto un processo davanti a una Corte Militare Alleata, si prega dare le seguenti informazioni a chiarimento della lettera:

1) Individui elencati nella lettera anzidetta si trovano nelle carceri a fianco segnate in attesa del proc[illegible] oppure per scontarvi la pena divenuta definitiva.

SUB C

15

2225

Declassified E.O. 12356 Section 3.3/NND No. 759016

R O M A

e, per conoscenza

Alla Sottocommissione per la P.S.

R O M A

E' pervenuta a questo Ministero l'unita lettera della Sottocommissione di P.S. che si allega.

Poichè si tratta di materia di competenza anche di codesta Sottocommissione, in quanto è previsto un processo davanti a una Corte Militare Alleata, si prega dare le seguenti informazioni a chiarimento della lettera:

1) Individui elencati nella lettera anzidetta si trovano nelle carceri a fianco segnate in attesa del proce[illegible] oppure per scontarvi la pena divenuta definitiva.

2) I medesimi si trovano nelle dette carceri per ordine dato dall'autorità giudiziaria italiana oppure in seguito a ordine Alleato.

3) Si prega chiarire di quale imputazione i medesimi sono imputati e se l'imputazione stessa è in connessione con le

../..

SUB

Chief Counsel
CIO
Italian Section
CL RKS

27 May 46

Public Safety S/P is replying.
No action required by Legal S/C

155

Declassified E.O. 12356 Section 3.3/NNO No. 932016

ragioni per le quali essi sitrovano attualmente in carcere.

4) Poichè si tratta di persone che si trovano in differenti carceri non si comprende quale dovrebbe essere il luogo di raccolta per procedere alla consegna a codesta Sottocommissione. In proposito si osserva che sarebbe più semplice tenerli nei luoghi dove si trovano a disposizione della scorta Alleata che potrebbe provvedere direttamente al loro prelevamento.

Si resta in attesa di una sollecita risposta.

L'UFFICIALE DI COLLEGAMENTO
(Dott. Giorgio Bonelli)

Bonelli

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

URGENT

HEADQUARTERS ALLIED COMMISSION
A.F.H.Q. 394
PUBLIC SAFETY SUB COMMISSION
SECURITY DIVISION

REF. : SD/266.01-111

22 May 1946

SUBJECT : War Crimes

TO : Ministry of Interior - General Direction of Public Safety.
Ministry of Grace and Justice.

1. The undermentioned persons are to be brought to trial shortly bef re a British Military Court in connection with a serious war crime. It is understood that they are at present lodged in various civil gaols in Italy as follows:

BORDO Luigi	BOLOGNA Gaol
FABBRIES Otterino	NOVI Gaol
PAGANINI Federico	CAPRERA Island, SARDINIA
TUROLLA Sara	VENICE Gaol
FABBRI Mario	BARI Prison
MACCHIANI Dino	Concentration Camp, AREZZO, Near Milan.
IANUZZI Ugo	FERRARA Gaol
VINCI Giovanni	PISA Gaol
VINCI Sergio	PIACENZA Gaol

2. It is therefore requested that:

a) The woman TUROLLA Sara be transferred to the civil gaol at NAPLES by Italian authorities under strong guard and this HQ informed by telegraph of arrival at NAPLES.

b) Arrangements should be made for the males to be held in readiness for handover to British military custody and this HQ informed by telegram of the dates on which these handovers will take place and the exact locations where the prisoners may be collected. 152

3. It is requested that this matter be dealt with immediately as the crime for which they are to be tried is of a particularly brutal and vicious nature and it is desired to bring them to trial as speedily as possible. Your co-operation is earnestly requested to ensure that this matter be treated

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

Italy as follows:

BORDO Luigi
FABBRIS Ottorino
PAVERINI Federico

TUROLA Sara
FABBRI Mario
MACRAPANI Dino

IANUZZI Ugo
VIGNI Giovanni
VIGNI Sergio

ROMIGO Gaol
ROVIGO Gaol
CAPRERA Island,
SARDINIA
VENICE Gaol
GAIO Prison
Concentration Camp,
BRUZZO, Near Milan.
FERRARA Gaol
PISA Gaol
PIACENZA Gaol

2. It is therefore requested that:

Naples by Hr civil authorities

a) The woman TUROLA Sara be transferred to the civil gaol at NAPLES under strong guard and this HQ informed by telegraph of arrival.

b) Arrangements should be made for the males to be held in readiness for handover to British military custody and this HQ informed by telegram of the dates on which these handovers will take place and the exact locations where the prisoners may be collected. 152

3. It is requested that this matter be dealt with immediately as the crime for which they are to be tried is of a particularly brutal and vicious nature and it is desired to bring them to trial as speedily as possible. Your co-operation is earnestly requested to ensure that this matter be treated as one of the greatest urgency.

for R.J. BYE,
Colonel,
A/Director Public Safety,
Sub Commission.

AMS/lm.

URGENT

3.2

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

2230

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

1) whether the persons listed in said letter (see letter from P. S. S/C) are awaiting trial or whether they are already serving a term of conviction.

2) Whether the persons listed are being held under arrest by order of the Italian or whether by allied authorities.

3) Please indicate what are the charges brought against them and whether they are being kept under arrest in consequence of a conviction deriving from such charges.

4) As these persons are being held in different prisons, it is not clearly understood at what place they will be gathered in order to proceed to the handing over. It is suggested that the allied authorities themselves provide for removing them directly from the prisons.

2231

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

AFO 394
LEGAL SUB COMMISSION

275A

MT/ns.

AC/4119/5/L 27 May 1946.

SUBJECT : War Crimes :
Trial of tenente Caruso and others.

TO : GHQ CMF.

1. Reference your Nº 16171/106/A-3 of 16th May 1946.

2. The Ministry of Justice have informed us today by telephone that they wrote on 30th April last to the Court at Voghera for full details of the trial. They have now sent a signal requesting an immediate reply, on receipt of which the information contained therein will be forwarded to you at once.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

2232

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

M. Bonelli says Ministry has sent a letter to the Court of Vogliera on 30 April. 46. No reply has yet been received. Reply has been expedited to-day by messenger

143

Cpl. Boardman Bring forward on 26th May. A.G.

No action in meantime.

2233

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

LEGAL 729

411-85

SUBJECT :- Trial of Tomonto CARUSO and others.

CONFIDENTIAL

GHQ CMF.

16171/106/A-3.

16 May 46.

HQ Allied Commission.

Copy to :- DJAG., GHQ CMF.

239A

Reference our 16171/106/A-3 of 18 April 46.

May this HQ please be informed of the results of this trial.

148

LEGAL SUB COMMISSION
CLO
DCLO
Chief Counsel

/hs

Brigadier.
DAG.

2234

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

2434

MT/ns.
AC/4119/5/L 27 May 1946.

SUBJECT : War Crimes :
Killing of Martan and Rodrik.

TO : The Ministry of Pardon and Justice.

1. Reference your 1ª A.P. Prot Nº 131. 389.820/46 of 24th April 1946.

2. The P.M. of the Special Section of the Court of Assize of Grosseto has informed the Ministry that the two cases relating to the homicide of Martan and Rodrik have been suspended, as he was in doubt as to the meaning of the instructions contained in two letters from this office to the Ministry dated 11th and 22nd March.

3. After considering the matter with the Military Authorities this Sub-Commission considers that the istruttorie in both cases should be continued and the cases go to trial before the Court of Assize, if the Giudice Istruttore so decides.

4. In the case of the killing of Martan this Sub-Commission particularly requests that it may be informed of the sentence imposed by the Court before it is carried out. Would you therefore please request the P.M. to advise you by telegram of the sentence immediately after it is pronounced.

147

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

2255

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

LEGAL

4119-7544

2 RRA

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 934.30 v3 May 1946

SUBJECT: War Crimes - Killing of Martan and Rodrik.

TO : Headquarters, Allied Commission
APO 794

2568 / 2564 A

Reference your AC 4119/5/L dated 20 May 1946 above subject.

1. In the case of Rodrik, it has been definitely established that this Headquarters has no interest in the trial of the implicated defendants by an Italian Court, and pursuant to CHQ CMF 16171 A3 dated 18 March 1946, no further report need be submitted.

2. In the case of Martan, it has not as yet been definitely established that this Headquarters has no interest in the case. An inquiry is being pressed and you will be finally advised. However there is no objection to the trial of those implicated by the Italian Courts as indicated in paragraph 3 of your letter AC 4119/5/L of 2 May 1946. In view of the possible interest in the case you are requested to advise this Headquarters of the sentence imposed by the court, prior to its execution.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

LEGAL SUB COMMISSION
CLO
DCLO
Chief Counsel
CID
Italian Section
CLERKS
25 May 46

A. L. HAMBLEN
Brigadier General, G.S.C.
Assistant Chief of Staff, G-5.

146

2236

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

2-41A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/cdn.

AC/4119/5/L. 23 May 1946.

SUBJECT : War Crimes:
PIEMONTESI Massimo and PONTIANI Friedel.

TO : A.F.H.Q., G-5.

1. Reference your 16171/131/A-3 of 19th March 46, and 16171/A/ of 13 October 1945.

2. I enclose a translation of a letter from the Ministry of Justice stating that the two above-named persons have been found guilty of homicide by the Tribunale Militare of Florence and sentence to 24 and 21 years imprisonment respectively; and further that the Procuratore militare has made an appeal against the judgment.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

145

2237

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

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

Roma, 9 Maggio 1946

Uffizio I° A.P.
Prot. N° 131.780.2485.45

Registro del foglio 22.3.1946
Div. AC. Le N° 4119/5/L

Al la COMMISSIONE ALLEATA
Sottocommissione Legale
ROMA

OGGETTO Procedimento a carico di PETRELLI Nazzareno e FREDIANI Friedel imputati di aiuto al nemico e di concorso in omicidio volontario.-

e.p.c. ALL'UFFICIO COLLEGAMENTO - S E D E

Si comunica che il Procedimento a carico di FREDIANI Friedel e di PETRELLI Nazzareno, imputati di aiuto al nemico e di omicidio volontario, è stato definito in data 20 marzo u.s. dal Tribunale Militare di Firenze che ha assolto gli imputati dal reato di collaborazionismo, perchè il fatto non costituisce reato, e li ha ritenuti colpevoli del reato di omicidio, condannando il PETRELLI ad anni 24 di reclusione, il FREDIANI ad anni 21.-

Avverso la sentenza il Procuratore Militare ha interposto ricorso per annullamento.-

Il Procuratore Generale Militare nel comunicare quanto sopra, con lettera del 10 aprile

./.

14

2238

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

u.s. ha rilevato il ritardo con cui ha dat[illegible] notizia dell'esito del procedimento, facendo presente l'opportunità che le richieste di codesta Commissione Alleata - che si riferiscano a procedimenti di competenza dell'Autorità Giudiziaria Militare presso il Tribunale Supremo affinchè possa essere ad esse data risposta nel più breve termine possibile.-

IL MINISTRO

LEGAL SUB-COMMISION
CLO
DCLO
Chief Counsel
CJO
Italian Section
CLERKS
13 May 46

2239

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

27014

TRANSLATION

MINISTRY OF PARDON AND JUSTICE

Rome, 9 May 1946

TO THE ALLIED COMMISSION
LEGAL SUB COMMISSION

R O M E

Office: I° AP

File N° 131.780.2485.45

Ref. your AC/4119/5/L
of 22 March 1946

SUBJECT : Penal proceedings against Petrelli Nazzareno and Frediani Friedel charged with having given assistance to the enemy and with voluntary homicide.

Please be advised that the penal proceedings against Frediani Friedel and Petrelli Nazzareno, charged with having given assistance to the enemy and with voluntary homicide has been decided on 20 March ult. by a Military Tribunal sitting at Florence. The two accused were acquitted on the charge of collaboration and found guilty on the charge of homicide. Petrelli was sentenced to 24 years imprisonment and Frediani to 21 years.

The Procuratore Militare has appealed against the judgment.

The Procuratore Generale Militare in communicating the above, with letter dated 10 April 1946, has also noticed that the information was given by him with a certain delay due to the fact that the requests relating to proceedings under the province of the Military Judicial authorities should be transmitted directly to the Procura Generale Militare attached at the "Tribunale Supremo" in order that they could be replied at an early date.

143

Mod 402

Roma 15 Maggio 46

n. 2698

Ministero di Grazia e Giustizia

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

L.F.S.C. - AC (M.M.I.A)

S E D E

Ufficio I° A.P. Prot. N. 291.16/985/46 Risposta al f. N. del 12.3.1946 N° A.215

OGGETTO Criminali di guerra: COSCI Furio Aphos ricercato come criminale di guerra e CRISTIANINI Nello ricercato come testimone.-

e per conoscenza:

AL MINISTERO DELLA GUERRA - Gabinetto -
(Rif. nota 30.3.1946 n.207192/II/235.5.1)

ALLA COMMISSIONE ALLEATA
Sottocommissione Legale

R O M A

ALL'UFFICIO COLLEGAMENTO

S E D E

In relazione alla nota sopra distinta in cui contenuto fu comunicato a questo Ministero dal Dicastero della Guerra, si trascrive integralmente il foglio 26 u.s. n° 4966 della Procura Generale del Regno presso la Corte di Appello di Venezia concernente gli individui in oggetto indicati:

"""Il Capo dell'Ufficio del P.M. presso la Sezione Speciale di Corte di Assise di Rovigo, comunica quanto segue: 142

"""In riscontro alla nota sopra distinta pregiomi comunicare che presso questo Ufficio pende istruttoria a carico di CRISTIANINI Nello fu Pietro imputato di collaborazionismo. Gli atti del procedimento

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

AL MINISTERO DELLA GUERRA - Gabinetto
(Rif. nota 30.3.1946 n.207192/II/235.5.1)

ALLA COMMISSIONE ALLEATA
Sottocommissione Legale
R O M A

ALL'UFFICIO COLLEGAMENTO
S E D E

In relazione alla nota sopra distinta in cui contenuto fu comunicato a questo Ministero dal Dicastero della Guerra, si trascrive integralmente il foglio 26 u.s. n° 4966 della Procura Generale del Regno presso la Corte di Appello di Venezia concernente gli individui in oggetto indicati:

""Il Capo dell'Ufficio del P.M. presso la Sezione Speciale di Corte di Assise di Rovigo, comunica quanto segue: 142

""In riscontro alla nota sopra distinta pregiomi comunicare che presso questo Ufficio pende istruttoria a carico di CRISTIANINI Nello fu Pietro imputato di collaborazionismo. Gli atti del procedimento a carico di COSCI Furio Athos sono stati trasmessi all'archivio per mancanza di elementi di reato con provvedimento in data 5.3.1946 ed in pari data l'imputato è stato scarcerato"".-

""Quest'Ufficio a seguito di formale richiesta avuta ha messo a disposizione dell'autorità alleata il detenuto CRISTIANINI Nello chiedendo che lo stesso dopo soddisfatta giustizia avanti quell'autorità venga rimesso a disposizione di questo Ufficio.-

Consta che il COSCI Furio Athos, rimesso a Pisa, trovasi già a disposizione della Commissione Militare Alleata di P.S."".-

d'ordine del MINISTRO

Declassified E.O. 12356 Section 3.3/NND No. 795616

2242

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

URGENT

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

MT/pa.
AC/4119/5/L. 20 May 1946.

SUBJECT : War Crimes: Killing of MARTAN Antonio and Rodrik.

TO : APHQ, G-5 .

1. Reference your G-5: 934.30 of 15th May 1946.

2. Your letter states that there is no objection to the trial in the above two cases proceeding provided the instructions contained in para 1 of your letter No.16171/A3 of 2nd March 1946 are carried out. This letter referred only to the killing of Rodrik and asked that no sentence be carried out without reference to GHQ. In your letter of the same number of 18th March it is stated that these instructions no longer apply, and the Italian judicial authorities were accordingly so informed, and that they could therefore proceed with the trial if they thought fit.

3. The provisions of your letter of 2nd March therefore still stand, but only with regard to the case of MARTAN Antonio.

4. In the circumstances this Sub-Commission considers that the course proposed in para 3 of its letter of 2nd May should be followed, provided that, if in the case of the killing of MARTAN Antonio a sentence of death should be imposed by the Court, such sentence should not be carried out without prior reference to GHQ.

5. Please advise this Sub-Commission as early as possible whether the course proposed in para 4 is approved.

141

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

2243

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

AB 5-1497

Pg. 264A

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 934.30

15 May 1946

SUBJECT: War Crimes - Killing of Martan and Rodrik.

254A

TO : Headquarters, Allied Commission, APO 394.

Reference your AC 4119/5/L dated 2 May 1946.

1. There is no objection to the continuance of these cases as indicated in paragraph 3 of the above letter.

2. Your attention is, however, invited to paragraph 1 of letter 16171/A3 dated 2 March 1946 from GHQ CMF to your Headquarters, the provisions of which still stand.

200A

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

for A. L. HAMBLEN
Brigadier General, G.S.C.
Assistant Chief of Staff, G-5

LEGAL SUB COMMISION
CLO
DCLO
Chief Counsel
CJO
Italian Section
CL RKS
16 May 46.

2244

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

Legal S/C 266A GC/ZS

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
13 CORPS

LEGAL DIVISION

TELEPHONE No. -

Date 10 May 1946

REFERENCE No. 13 Corps/AMG/LD/193/1/52

SUBJECT General ESPOSITO.

TO ALLIED COMMISSION APO, 394, (for Legal Sub-Commission, Attention: G.G.Hannaford, Deputy Chief Legal Advisor).

1. Receipt is acknowledged to-day of your letter of 6 May 1946, your file AG/4119/5/1. enclosing a letter from the Vatican and Memorandum.

2. The trial of General Esposito and others before the Special Court of Assize (Proclamation 5), began on 24 April 1946. Summations are now in progress and it is expected that the Court will pronounce judgment during the early part of next week.

3. It is therefore felt advisable to defer a report until the trial is concluded.

For the Senior Civil Affairs Officer,

Received
A.E. GOLD
Major, A.U.S.
CHIEF LEGAL OFFICER

LEGAL SUB-COMMISION
CLO
DCLO
Chief Counsel
CJO
Italian Section
CL RKS
13 May 46

Trial is not concluded
Await report
No action at present
Ack.

135

15/5

2245

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

4119/5 7075 SECRET LEGAL

SECRET

CHQ CMF 26ñA

16171/21/A-3

10 May 46

SUBJECT : War Crimes -
Trial of D'AELLO, OOLO and DALLA PRIA.

HQ Allied Commission,
Legal Sub Commission.

Copy to : - DJAG, CHQ CMF. 249A

Reference your letter AC/4119/5/L dated 29 April 46.

On the conclusion of the proceedings in the Italian Court against the above named alleged war criminals may the information requested at para 2 of this HQ letter of even number dated 7 Jan 46 please be forwarded by signal to this HQ, repeated to JAG, Naples.

CLO
DCLO
Chief Counsel
CLO 13 May 46

SECRET

wc.

Brigadier,
DAG. 138

2246

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

4119/5

Refce. CMF, CMF
16414/A-3 of 26/4/46.

264A

Navy Sub-Commission

Re : Trial of Lieut. [redacted], Italian Navy.

The Navy Sub-Commission is requested to obtain statements from Lt.Col. PARSON, and Capt. LEVIDES, RN, and forward them to this Sub-Commission for transmission to the Italian authorities.

With regard to the form of the statements (see para 4 of CMF letter of 26 April) I would suggest that each officer make a statement in narrative form mentioning every relevant fact within this recollection connected with the incident of being handed over to the Germans, and especially everything done and said by Lt. [redacted]. The particulars of Lt. [redacted]'s conduct are relevent, and of considerable value from the point of view of the trial, and should be set out in as much detail as each officer's recollection will allow.

As the correspondence refers to the important fact that Lt. [redacted] has part of a finger of his right hand missing, each officer should be asked to mention any special physical facts about the officer who handed them over which he noticed at the time, and which would serve to identify the officer. This point is mentioned because, if the question of the accused's identity is raised at the trial, as is very probable, evidence of any physical peculiarities would be of great value.

It is desirable that the proposed statements should be signed before a Senior Allied Officer in Greece who should certify that the signature was written in his presence and is that of the person of whom it purports to be.

[redacted]
Legal Sub-Commission.

137

14 May 1946.

2247

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

6531

CONFIDENTIAL.

2654

Subject:- TREACHERY OF Lt BECHI, Italian Navy.

CONFIDENTIAL

GHQ CMF.
1644/A-3.
26 Apr 46.

HQ Allied Commission
(Navy Sub-Commission).

221A

Copy to - HQ Allied Commission (Legal Sub-Commission)
(GHQ letter 1644/A-3 of 25 Mar 46 refers).

Reference your NSC/4833 dated 1 Apr 46 and attached copy of Senior British Naval Officer, Greece signal.

1. You are informed that this case was handed over in Nov 45 to the Italian authorities for trial, and from correspondence which has since been received at this GHQ it appears that BECHI will be prosecuted in the Italian Assize Court at VARESE.

2. The Italian authorities have requested that statements relating to this incident be obtained from Lt Col PAWSON and Captain LEVIDES, RNN, who, according to the signal referred to above, are now in Greece.

3. May arrangements please be made for statements by these officers to be taken and forwarded to HQ Allied Commission (Legal Sub-Commission) for onward transmission to the Italian authorities concerned.

4. It is thought that you may consider it advisable to ascertain, in conjunction with Legal Sub-Commission, the form which the statements should take.

CONFIDENTIAL

for Brigadier,
DAG.

130

CLO
DCLO
Chief Counsel
CJO
Italian Section
CLERKS

29 Nov 46

2248

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

262A

FA 419/5

19 May 46

(1) A.A.F.H.Q. "A" MILITARY, SECT.

3038

UNCLASSIFIED

PARA ONE TO READ THUS SIX SIX ZERO THREE EIGHT DATED ELEVEN MAY FD

PARA TWO TO READ SECOND AIRCRAFT LEAVING FOR ROMAN DESTINATION MAY NOT AVAILABLE

FOR TRIAL TO FILLING TO BE INTERROGATED IT HAVE NOT LATER THAN WEDNESDAY MAY FD

PARA THREE TO FAILING INTERROGATION FILE LEAVE WHETHER STATEMENT WITH THIS

QUESTIONING CEASE TO DEPARTURE

135

Priority

Legal H/Q

302

4/19/5

INCOMING MESSAGE

Legal 2c

261A

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: FX 6603 8
Date/Time of Origin: 10MAY1936B

Message Centre No: H72838
Date Time Rec'd: 11MAY0930
Precedence: ROUTINE

FROM: A AFHQ "A" BRANCH CMF
TO: ALCOM "A" [redacted] INFO: DISTHREE

RESTRICTED.

RESTRICTED

243A

SUBJECT IS TRIAL OF ORCED LO. OUR 16021/3/43 OF 19 APRIL REFERS. TRIAL TAKES PLACE 20 MAY. REQUEST STATE WHETHER RIBERI AVAILABLE.

AC DIST

ACTN: LEGAL SC
INFO: CHIEF COMMISSIONER
FLOAT 2
FILE

ACTION

RESTRICTED

LEGAL SUB-COMMISION
CLC

HEADQUARTERS 134

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

2249

SUBJECT IS TRIAL OF OROZ LO. OUR 16021/3/A3 OF 19 APRIL REFERS. TRIAL TAKES PLACE 20 MAY. REQUEST STATE WHETHER RIBERI AVAILABLE.

AC DIST

ACTN: LEGAL SC
INFO: CHIEF COMMISSIONER
FLOAT 2
FILE

ACTION

RESTRICTED

LEGAL SUB-COMMISION
CLO
DCLO
Chief Counsel
CJO
Italian Section
CL RKS
11 May 46

HEADQUARTERS
11 MAY 1946
U.S.C.

134

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

2250

2251

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

260A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

AC/4119/5/L

MT/ns
7 May 1946.

SUBJECT : War Crimes.

Le 235

TO : APHQ., G-5.

I enclose herewith two Petitions regarding Col. Turco who was sentenced to death by a War Crimes Tribunal in Milan on 10th April last for onward transmission to the appropriate authorities.

For the Chief Commissioner:

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

2252

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

2594

HEADQUARTERS ROME AREA MTOUSA
APO 794 US ARMY

CBM/eb
25 April 1946.

SUBJECT: Colonel TURCO Francesco Paolo

TO : Allied Commission
Legal Sub-Commission
(Attention: Colonel ATKINSON)

1- Attached petition has been received in this HQ.

2- It is forwarded to you for any action you may deem necessary.

BY ORDER OF COLONEL DASHER:

C.B. MURPHY
Major AGD
Adjutant General

LEGAL SUB COMMISION
CLO
DCLO
→ Chief Counsel ✓
CJO
Italian Section
CL RKS
3 May 46

132

2253

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

278A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AP/mda.

AC/4119/5/L. 6 May 1946.

SUBJECT : General ESPOSITO.

TO : SCAO (Attn: Major GOLD)
VENEZIA GIULIA.

1. The enclosed letter and documents have been received here from the Vatican.

2. Would you please be good enough to let us have your opinion in order that we may give a suitable reply to the Holy See.

By Command of Rear Admiral STONE :

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

Incls.

2254

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

Mod 302

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

Uffizio I°
Sez. I^a
Risposta al foglio del

I°
I3I 430=888
A.C.4II9/5/I.

Roma, 30 Aprile 1946

Alla Commissione Alleata
Sottocomm.Legale
R O M A

OGGETTO

Processo Durello Natale ed altri.

p.conoscenza :
All'Ufficio Collegamento
S E D E

Il Procuratore Generale presso la Corte d'Appello di Venezia informa che non è stato assolutamente possibile definire il procedimento penale indicato in oggetto, entro il mese volgente e che sarà discusso all'udienza del 16 maggio p.v. dinnanzi la sezione speciale della Corte di Assise di Padova.

d'ordine del MINISTRO

LEGAL SUB-COMMISION
CLO
DCLO
Chief Counsel
CJO
Italian Section
CL RKS

No action required

1311

2255

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

U-N-C-L-A-S-S-I-F-I-E-D

256A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/mdh.

AC/4112/5/L. 4 May 1946.

SUBJECT : War Crimes Trials: Defence Counsel.

TO : The Ministry of Pardon and Justice.

See 245A

1. Reference your UC/4241-3 of 11th March 46.

2. I enclose a copy of a letter from Army Headquarters asking this Sub-Commission to obtain the names of Italian counsel who are suitable to act as defence counsel in War Crimes trials to be held in Milan, Naples, Bologna, and Ancona.

3. I should be obliged of the Ministry will take the necessary steps to obtain the information requested, and at the same time confirm that the Italian Government would be ready to pay counsel's fees where the accused is unable to do so.

4. As the matter is an urgent one, a reply at the earliest possible date would be appreciated.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

129

2256

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

4119/5/1

Legal

H/2573 255A

F 65634

MAY 0216588

CIPHER

MAY 030915

IMPORTANT

FREEDOM SIGNED SACMED

AIGOM ROME

SECRET

SECRET.

1. REQUEST ARRANGEMENTS BE MADE WITH ITALIAN GOVERNMENT FOR MAJOR FISHER DJAG OFFICE NAPLES TO INTERROGATE MARSHAL GRAZIANI IN CONNECTION WITH THE TRIAL OF KESSELRING.

2. ADVISE EARLIEST POSSIBLE TIME AND PLACE FOR INTERROGATION.

AC DISA

ACTION: PUBLIC SAFETY S/C

INFO: CHIEF COMMISSIONER

EXEC COMMISSIONER

C A SEC

LEGAL S/C

FILE

SKELETON

HEADQUARTERS
3 MAY 1946
A. C.

SECRET

U.S. COMMISION

CLO

DCLO

Chief Counsel

CJO

Italian Section

C RKS

Red 3 May 46

CIPHER TELEGRAM

This [illegible] be distributed outside [illegible] Department [illegible] Headquarters [illegible] without [illegible] paraphrased).

128

2257

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

2544

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/mdn.

AC/4119/5/L. 2 May 1946.

SUBJECT : War Crimes :
Killing of MARTAN Antonio and
ROTEIK Lorenzo.

TO : A.F.H.Q., G-5.

1. Reference your 16171/A3 of 2 March 1946.

2. I enclose a copy of a letter from the Ministry of Justice regarding two charges that are being inquired into concerning the murder of the above-named persons. Both cases were being inquired into by the Giudice Istruttore at Grosseto, but the proceedings have been suspended.

3. Unless A.F.H.Q. gives any instructions to the contrary, this Sub-Commission proposes to inform the Pubblico Ministero of the Special Section of Assise Court at Grosseto that the istruttorie in both cases should be continued and the cases go to trial before the Court of Assize if the Giudice Istruttore so decides.

For the Chief Commissioner.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

127

4119/5

Roma, 24 Aprile 1946

253A

Ministero di Grazia e Giustizia

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

Alla COMMISSIONE ALLEATA
Sottocommissione Legale
R O M A

Ufficio Iº A.P. Rif. N. 131.389.620/46 Risposta al foglio N. AC.4119/5/L.
del 1º11 marzo 1946

204A

OGGETTO Delitti di guerra - Assassinio di MARTAN Antonio e RODRIK Lorenzo.-

215A
207A

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

Si informa che l'ufficio del P.M. presso la Sezione Speciale della Corte di Assise di Grosseto cui era stata comunicata per competenza, copia della nota sopra distinta, ha in data 11 c.m. così riferito in merito all'oggetto:-

"""I procedimenti penale relativi agli omicidi in persona di MARTAN Antonio e RODRIK Lorenzo sono tuttora in istruttoria.-

Per l'omicidio del MARTAN, che venne consumato il 4.4.1944 presso Montebuono di Sorano si procede contro gli ex militi della g.n.r. FORTI Mario, FREDDINI Antonio, PASTORELLI Luigi e MATTEONI Neutrale.-

Per l'uccisione del RODRIK che avvenne in uno scontro fra un reparto di g.n.r. ed un gruppo di partigiani il 7.4.1944 in località Montecucco si procede contro CIABATTI Vittorio, CAPORALI Alfredo, LORENZINI Pompilio, VIGNOLI Vittorio, SOLIMENO Franco, MORI Siro e CENNI Elso.-

215A 207A

Per quanto riguarda l'omicidio del RODRIK si fa presente che con nota N. AC.1419/5/I. del 22.3.1946 la Sottocommissione Legale Alleata ha concesso a questo Ufficio autorizzazione a procedere .-

Siccome il tenore del foglio 11 Marzo 1946, unito alla nota cui

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

ALL'UFFICIO CORRISPONDENZA

S E D E

Si informa che l'ufficio del P.M. presso la Sezione Speciale della Corte di Assise di Grosseto cui era stata comunicata per competenza, copia della nota sopra distinta, ha in data 11 c.m. così riferito in merito all'oggetto:-

"""I procedimenti penale relativi agli omicidi in persona di MARTAN Antonio e RODRIK Lorenzo sono tuttora in istruttoria.-

Per l'omicidio del MARTAN, che venne consumato il 4.4.1944 presso Montebuono di Sorano si procede contro gli ex militi della g.n.r. FORTI Mario, FREDDINI Antonio, PASTORELLI Luigi e MATTEONI Neutrale.-

Per l'uccisione del RODRIK che avvenne in uno scontro fra un reparto di g.n.r. ed un gruppo di partigiani il 7.4.1944 in località Montecucco si procede contro CIABATTI Vittorio, CAPORALI Alfredo, LORENZINI Pompilio, VIGNOLI Vittorio, SOLIMENO Franco, MORI Siro e CENNI Elso.-

Per quanto riguarda l'omicidio del RODRIK si fa presente che con nota N. AC.1419/5/I. del 22.3.1946 la Sottocommissione Legale Alleata ha concesso a questo Ufficio autorizzazione a procedere .-

Siccome il tenore del foglio 11 Marzo 1946, unito alla nota cui si risponde, è in contrasto con l'autorizzazione predetta si gradirebbe conoscere come questo Ufficio debba comportarsi. Intanto il processo viene sospeso.-

Per quanto riguarda l'uccisione del MARTAN la predetta Sottocommissione ha richiesto dettagliate informazioni che le sono state fornite in data 31 marzo a.c.-

Anche questa procedura viene sospesa in attesa di eventuale autorizzazione"""".-

Si prega codesta On.le Sottocommissione di voler, con cortese sollecitudine, far conoscere all'indicato Ufficio del P.M. le sue

./.

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

definitive determinazioni sullo svolgimento dei processi, attualmente sospesi, contro i responsabili dell'omicidio in persona di RODRIK Lorenzo e di MARTAU Antonio, informando al riguardo anche questo Ministero.-

per il M I N I S T R O

LEGAL SUB-COMMISION
CLO
DCLO
Chief Counsel
CJO
Italian Section
CL RKS
29 Agosto 46

2260

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

per il MINISTRO



LEGAL SUB-COMMISION
CLO
DCLO
Chief Counsel
CJO
Italian Section
CL RKS
29 Agosto 46

22611

Declassified E.O. 12356 Section 3.3/NND No. 78501 6

2262

4119/5

252A

Mod 2

Ministero della Giustizia e Grazia

Gabinetto di S.E. il Ministro

Roma 27. 4. 1946 /9

Protocollo / UC/42 48-1

OGGETTO Delitti di guerra - Processo di Durello Natale, Colo Luigi, Dalla Pria.

ALLA COMMISSIONE ALLEATA
Sottocommissione Legale
ROMA

Lee 249 A

Con riferimento al foglio AC/4119/5/L. del 22.3.46, si comunica che le udienze per il processo a carico dei nominati in oggetto si iniziarono il giorno 16/5 c.a. davanti alla Corte Speciale di Assise di Padova.

L'UFFICIALE DI COLLEGAMENTO
(Dott.G.Bonelli)

SUB-COMMISION

CLO

125

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

ALLA COMMISSIONE ALLEATA
Sottocommissione Legale

ROMA

Lee 249 A

Con riferimento al foglio AC/4119/5/L. del 22.3.46, si comunica che le udienze per il processo a carico dei nominati in oggetto si iniziarono il giorno 16/5 c.a. davanti alla Corte Speciale di Assise di Padova.

L'UFFICIALE DI COLLEGAMENTO
(Dott.G.Bonelli)

Bonelli

125

SUB COMMISSION
CLO
DCLO
Chief Counsel
CJO
Italian Section
CL RKS
30 Aprile 46.

No action required:
G.H.Q. already informed
Lee 249 A

30/4

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

2263

2262

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

2518

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/mdn.

AG/4119/5/L. 29 April 1946.

SUBJECT : Nuremburg Trials.

TO : The Minister of Pardon and Justice.

1. See your letter 11/4228.3 of 26 April 1946.

2. This office has transmitted your request to higher authority. This was necessary, as the copies of charges are not in our possession. When this office receives the same they will be sent to you.

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

2265

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

250

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

JKW/ns
AC/4119/5/L 29 April 1946.

SUBJECT : Nuremberg Trials.

TO : Allied Forces Head Quarters,
G-5 Section.

1. There is attached hereto a request from the Minister of Grace and Justice for copies of the charges filed in the cases now on trial at Nuremberg. This office does not have such information. May this letter be sent to the proper authority for consideration?

For the Chief Commissioner:

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

123

Inc.: Letter of Ministry of
Pardon and Justice.

2266

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

M I N I S T E R O DI G R A Z I A E G I U S T I Z I A

Gabinetto di S.E. il Ministro — Roma, 26 apr. '946

Ufficio di Collegamento con l'AC
Prot. N. CC/4228-3

Oggetto: Requisitoria del Pubblico Ministero Americano al processo di Norimberga.

ALLA COMMISSIONE ALLEATA
Sottocommissione Legale

R O M A

Per facilitare lo studio di diritto comparato che attualmente questo Ministero sta compiendo in materia di diritto penale internazionale, si prega la cortesia di codesta Sottocommissione di fare avere a questo Ufficio copia della requisitoria del Pubblico Ministero Americano al processo di Norimberga.

L'UFFICIALE DI COLLEGAMENTO

firmato Bonelli

2267

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

2489

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/mda.

AC/4119/5/L. 29 April 1946.

SUBJECT : War Crimes:
Trial of BURELLO Natale, COLO Luigi,
DALLA PRIA.

TO : G.H.Q., CMF.

L. 252A
and 265A

1. Reference your 16171/21/A3 of 24 April 1946.

2. Upon receipt of your letter of 18 March the Ministry of Justice was informed on 22 March that this Sub-Commission had been urgently requested to ensure that the case would be heard before the end of March at the PADUA Assizes, and the Ministry was asked to instruct the P.M. of PADUA by signal to start the trial.

3. Upon inquiry at the Ministry on Saturday last it was learned that the P.M. had been instructed to hold the trial as soon as it was possible, and that the trial has now been definitely fixed for 16 May, which is the earliest possible date after completion of the istruttoria.

12 1

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

2268

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

2442

SUBJECT : War Crimes - Trial of DERELLO, COLO and DALLA FRIA

GHQ CMF

16171/21/A3

HQ Allied Commission

24 Apr 46

May a reply now please be given to this HQ letter of even reference dated 18 Mar 46.

Brigadier,
DAG.

/mw

LEGAL SUBCOMMISSION
CLO
DCLO
Chief Counsel
CIV
War Section
RKS

1211

2269

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4119/5/L. /mdn.
26 April 1946.

SUBJECT : War Crimes:
Sekota Messe Boris, Franchi Ilvio and Others.

TO : Procura Generale Militare, Rome.

1. Reference your No. 1169/Reg.Gen. of 23rd March 1946.

2. This Sub-Commission would be much obliged if the following information could be supplied regarding the above:

a) Has an Italian named DETTI Sergio been arrested or tried in connection with this case ?

b) May this Sub-Commission be informed as soon as possible of the result of the appeal against the acquittal of Santini Ireneo and Santini Unito

c) Has any further trial (other than that held on 22nd March 1945) taken place in connection with this case ?

d) May the details of any major developments which may occur in this case be passed to us as soon as possible.

113

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

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

2270

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

4119/5/L

G.339
Legal
246

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5:936.121

3 April 1946.

SUBJECT: War Crimes - Sokota Boris.

TO : Headquarters, Allied Commission
APO 394.

219A

1. Reference your AC 4119/5/L dated 28 March 1946.

2. In connection with the above, the following information is requested:-

a. Has an Italian named DETTI, Sergio been arrested or tried in connection with this case?

b. May we be informed as soon as possible of the result of the appeal against the acquittal of SANTINI Ireneo and SANTINI Unito.

c. Has any further trial (other than that held on 22 March 1945) taken place on this case?

c. May details of any major developments which may occur in this case be passed to us as soon as possible.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

LEGAL SUB-COMMISIO
CLO
DCLO
Chief Counsel
CJO
Italian Section
CL RKS

for
A. L. HAMBLEN
Brigadier General, G.S.C.
Assistant Chief of Staff, G-5.

B/F History

2271

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

LEGAL

6221
945A

SUBJECT : War Crimes - Defence Counsel

GHQ CMF

16000/A-3

18 Apr 46

HQ Allied Commission

Copy to : G-5 AFHQ
(Conversation Lt-Col MUNNECKE
Capt Holford-Strevens refers)

Reference this HQ letter of even number dated 19 Feb 46 and your AC/4119/5/L of 23 Mar 46.

1. In view of the contents of the reply from the Italian Ministry of Pardon and Justice enclosed with your letter under reference, it is desired to obtain the names and addresses of Italian lawyers who are suitably qualified to act as defence counsel in war crimes trials, and who are available in the centres where such trials are held.

2. The centres in question are the following :

MILAN
NAPLES
BOLOGNA
ANCONA.

3. Will you please advise this HQ whether you are in a position to obtain particulars of such persons from the Italian authorities or, alternatively, what procedure should be adopted to obtain the information required.

4. From the last paragraph of the letter of the Italian Ministry of Pardon and Justice referred to, it appears that the Italian government is willing to bear the expense of counsel's fees when the accused is unable to do so. May this please be confirmed.

CLO
DCLO
Chief Counsel
CJO
Italian Section
CL RKS

P.J. Cahen-Mayer
Brigadier,
DAG.

2272

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

2474

MF/mda.

AC/4119/5/L.

25 Aprile 1946.

OGGETTO : Testimonianza di S.E. l'Arcivescovo RIBERI. (Teste per la difesa).

Ill.mo e Dev.mo Monsignore,

Con lettera in data 19 Aprile c.a. il Quartiere Generale richiedeva a questa Sottocommissione Legale di provvedere affinche', nel superiore interesse della giustizia, venisse assicurata la testimonianza del detto Ecc.mo Arcivescovo in un processo a carico del Colonello Stefano OROPOLO.

Il detto prelato dovrebbe testimoniare sulle condizioni di vita del Campo PG 75 che ebbe a visitare nel marzo e nell'Aprile 1943 e sul trattamento usato nei confronti dei prigionieri dal Comandante Col. OROPOLO.

Questa Sottocommissione sarebbe molto grata alla S.V. se volesse comunicare a Mons. RIBERI questa richiesta pregandolo di mettersi in comunicazione con il nostro Ufficio per ulteriori dettagli.

Se l'Ecc.mo Arcivescovo non potesse rendere la detta testimonianza nel processo la Sua deposizione potrebbe essere raccolta da apposito incaricato.

116

Con perfetta osservanza

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

Ill.mo Rev. Mons.
Pietro MATTIOLI,
Officiale del Vicariato di Roma,
S e d e.

2273

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

CONFIDENTIAL

G255

Legal S/L

GHQ CMF

16021/3/A3

19 Apr 46

243A

HQ ALLIED COMMISSION.

SUBJECT:- War Crimes - Killing of Spr GROGAN
Trial of OROFOLO and CASULLO.

1. The above named subjects will shortly be brought to trial in connection with a war crime which is alleged to have taken place at Camp PG 75 BARI - July 1942.

2. Colonel Stefano OROFOLO has requested that Archivescovo RIBERI a representative of the Papal Nuncio to Italy who is understood to live in the VATICAN City be called to testify to the living conditions at Camp PG 75, which he visited in March and April 1943 and to the prisoners' praise of their treatment by the Commandant, Colonel OROFOLO.

3. It is therefore requested that you ascertain whether Archivescovo RIBERI is still residing in the VATICAN City and whether he will be available and willing to appear as a witness when the trial takes place.

Brigadier,
DAG.

CAO
DCLO
Chief
CIO
Jbs.
Italian SECTION
23 Apr 46

11

2274

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

242A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

MT/ns
AC/4II9/5/L 25 April 1946.

SUBJECT : War Crimes; Petition of Col.F.F.TURCO.

TO : Prof.Avv.Comm.Tancredi GATTI
Via Angelo Brofferio, 3
ROMA.

I have to inform you that your Petition against the sentence of death imposed upon Colonel TURCO on 10th April has been forwarded to Military Headquarters, as the matter is entirely within the province of the Army Commander.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

11

2273

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

2417

AC/4119/5/L T/rs
25 April 1946.

SUBJECT : War Crimes: Col. F.P. TURCO, sentenced to death in Milan on 10 April, 1946.

Sec 235 A

TO : AFHQ: G-5.

The attached Petition against sentence of death upon Colonel Francesco Paolo TURCO is forwarded to you for onward transmission to the appropriate authorities.

For the Chief Commissioner :

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

113

2276

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

240A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4119/5/L. /mda.

24 April 1946.

SUBJECT : War Crimes; Trial of Ten. CARUSO and others before the Assize Court, Voghera.

TO : The Minister of Pardon and Justice.

1. Information has been received that Tenente CARUSO and others are being tried by the Assize Court of VOGHERA on charges connected with the killing on 6th October 1944 of Capt. A.D. MACKENZIE, a British escaped prisoner.

2. This Sub-Commission would like to be informed of (a) the names of the accused, and (b) the charges, the decision of the Court, and the sentences.

3. It is requested that, if any of the accused are sentenced to death, such sentence shall not be carried out without reference to this Sub-Commission; further, that any of the accused who are acquitted should be held in custody at the disposal of the Allied Military Authorities.

4. May the above information be supplied as soon as possible in order that it may be transmitted to Army Headquarters.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

112

See letter from Military Justice
dated 7 Jan 1947
Uff 13° A.D. Fasc. No. 131, 639/1337/46

2277

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

4W/15 ()

CONFIDENTIAL

2391/270

SUBJECT :- Trial of Tenente CARUSO and others at CORTE di ASSISE di VOGHERA.

Legal s/c
GHQ CMF.
16171/106/A-3.
18 Apr 46

HQ Allied Commission

Copy to :- DJAG.GHQ CMF.

1. It has been brought to the notice of this HQ that Tenente CARUSO and others are to be brought to trial by the Italian Authorities at the CORTE di ASSISE di VOGHERA on charges in connection with the killing on 6 Oct 44 of Capt A.D. Mac KENZIE a British evader.

2. If this information is correct, it appears that the case constitutes a War Crime. Whether this is correct or not it is not proposed to interfere with the Italian proceedings at this stage, as it is understood that the trial is to take place within the first 14 days of April.

3. However, it is requested that this HQ may be informed of the following particulars:- (a) Names of the accused (b) The charges, the findings and sentences.

4. It would be appreciated if you would make arrangements for these particulars to be forwarded and also if you would issue instructions that no sentence of death will be put into execution without reference to this HQ. Further, that any of the accused who are acquitted should be held in custody at the disposal of Allied Commission and this HQ.

/hs

LEGAL SUB-COMMISSION
CLO
DCLO
Chief Counsel
CJO
Italian
CLERK
25 Apr 46

Brigadier.
DAG.

2278

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

2 of 4

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/mda.

AC/4119/5/L. 16 April 1946.

SUBJECT : War Crimes - Favetto Paolo.

TO : AFHQ, G-5.

1. Further to this Sub-Commission's letter AC/4119/5/L of 11 April 1946, herewith enclosed copy of the judgment and grounds of appeal in the case of Favetto Paolo.

2. It is regretted that a translation of such documents could not be made due to this Sub-Commission's shortage of personnel.

For the Chief Commissioner.

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

Incls.

110

2279

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

Mod 402

4119/5

Roma 12 aprile 1946 - A

237A

Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE E DEL CASELLARIO

Ufficio IV Grazie

Div. N° 593/45

Alla Commissione Alleata
Sottocommissione Legale
R O M A

Risposta al foglio

Div. N° Sez. N°

OGGETTO PAVETTO Paolo-condannato alla pena capitale

2037

Allegati: 2

In relazione a precedente corrispondenza e da ultimo alla nota di questo Ufficio 5 corrente, pari numero, si trasmettono la copia della sentenza della Suprema Corte di Cassazione 16.1.1946 e dei motivi di ricorso, richiesta da codesta Commissione con la nota del 6.3.U.S.A.C. 4710/5/Z.

IL MINISTRO

CLO
DCLO
Chief Counsel
CJO
Italian Section
CLERKS
15 Aprile 46

10!

2280

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

5-902
4 11 9/5

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 000.5-1 10 April 1946

SUBJECT: War Crimes - Martan Antonio.

TO : Headquarters, Allied Commission,
APO 394.

Reference your AC/4119/S/I dated 8 April 1946 and 29 Jan. 1946.

1. There is no record of any Mexican forces having fought in this theater and no information can be ascertained as to Martan having served as a Mexican ally.

2. It is believed that it would be of no value to the prosecution of the case to run a tracer to determine whether a/m was in custody in an Allied P.O.W. camp.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

for A. L. HAMBLEN
Brigadier General, G.S.C.
Assistant Chief of Staff, G-5.

LEG
CLO
DCLO
Chief Counsel
CJO
Italian Section
CL RKS

108

2281

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

954

AC/4II9/5/L

AP/ns
12 April 1946.

SUBJECT : Col.Francesco Paolo TURCO.

TO : AMHQ, G-5.

1. The enclosed documents are forwarded for your consideration. The appeal of Col.TURCO will now be addressed to Sacmed.

2. You will see from the enclosed newspaper that Col. TURCO is the officer who was given an ovation when he left the Court after being sentenced.

FOR THE CHIEF COMMISSIONER :

G.G. HANNAFORD,
Lt.Colonel, 107
Deputy Chief Legal Advisor.

Incls.

2282

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

234A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

AC/4119/5/-

AC/ns
11 April 1946.

SUBJECT : RAVELLO Paolo

TO : AFHQ, G-5.

1. Reference is made to your letter G-5 000.5-1 of 28 February 1946.

2. Advice has not been received that the death penalty imposed against RAVELLO Paolo has been commuted to life imprisonment by the Supreme Court of Cassation on 16 March 1945.

3. Copy of the judgment and other documents requested will be forwarded as soon as received.

For the Chief Commissioner :

G. G. HARRISON,
Lt.Colonel,
Deputy Chief Legal Adviser.

2283

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

Mod 402

p

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

Roma, 5 aprile 1946

2334

Alla Commissione Alleata
Sottocommissione Legale
ROMA

1034

Ufficio IV GRAZIE
Sez. 1ª 993/46
Ns. rif. 1ª AC/4II9/5/I
del 6.3.1946

OGGETTO FAVETTO Paolo: condannato alla pena capitale.

In relazione alla nota sovraindicata si comunica che la Suprema Corte di Cassazione, con sentenza 16 marzo u.s., in virtù del D.L. 10.8.1944 n.244 articolo unico, ha sostituito alla pena di morte, inflitta a FAVETTO Paolo con sentenza 30.10.1945 della Corte di Assise Straordinaria di Ivrea, quella dell'ergastolo.

Si fa riserva di trasmettere appena perverranno le richieste copie della sentenza e dei motivi del ricorso.

Pel Ministro

CLO
Chief Counsel
CJO
Italian Section
CMRS

11 Copies 46

106

2284

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

2324

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUBCOMMISSION

AP/mda.

AC/4119/5/L.

9 April 1946.

SUBJECT : War Crimes - Soketa Rosso Doria,
Prenchi Aldo et al.

TO : AFHQ, G-5.

1. Reference is made to your G-5: 936.31 of 29 March 1946.

2. As requested herewith enclosed copy of letter 4119/5/L of 26 February 46 with enclosures and translations.

For the Chief Commissioner.

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

Incls.

105

2285

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

5445

231A

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 936.31 29 March 1946

SUBJECT: War Crimes - Boris ILVIO.

TO : Headquarters, Allied Commission,
(Att'n: Legal Sub-Commission),
APO 394.

Reference AC 4119/5/L dated 28 Mar.

1. No record can be found in this office of receipt of your letter AC 4119/5/L dated 26 Feb. Request copy be forwarded.

2. Enclosures of your letter 28 March returned for translation.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

A. L. HAMBLEN
Brigadier General, G.S.C.
Assistant Chief of Staff, G-5

Incls:
Copy of Carabinieri's report.
Covering letter.

LEGAL SUB COMMISSION
CLO
DCLO
Chief Counsel
CJO
Italian Section
CL RKS

2286

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

AC/4119/5/L.

230A

Court of Assise at Grosseto

Extract of sentence imposed against

1) Sokota Hasse Boris di Antonio and Bonnacka Giuseppe
born on 3 July 1913 at Tala . -
Fugitive. - In Absentia. -

2) Fabbri Severino di Carlo and Margherita Calamassi
born on 3 February 1913 at Montieri -
Fugitive - In absentia. -

3) Franchi Aldo alias Ilvo di Orlando and di Innocenti Emilia
born on 1 January 1899 at Follonica -
Held under arrest at Grosseto -

4) Santini Ireneo di Raffaello and Francesca Ferrari
born on 19 October 1917 at Grosseto -
Held under arrest, present at the trial.

5) Santini Unito di Raffaello and Francesca Ferrari
born on 23 December 1911 at Arcidosso.
Held under arrest. -

charged with

a) The crime under article 110 Penal Code, and Art. 5 D.L.L. No. 159 of 27 July 1944 as read with article 58. Military Penal Code of War in that in a period prior to 8 September 1943, in Manciano zone, they did collaborate assist and aid the German invaders, and on or about 3 May 1944 with the assistance of members of the German Forces (Sokota in his capacity of Commissioner Extraordinary of the Fascio of Manciano) the collaboration of Fabbri and Franchi and upon information received from the Santini Brothers they did prepare and carry out the capture of three British prisoners (Wright Harry, Hasse Lawrence, Bagram George Mikael) of Sabbatelli Invio (who was their host) and Rosni Aldo (born in 1925 who had refused to enlist in the Republican Military Army).

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2287

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

b) The crime under articles 110, 112 (n. 1), 575, 577 (n. 3) of the Penal Code in that during the night of 5 May 1944, at Alsora di Montemarno (Manciano) they did with the assistance of members of the German Forces cause the death, by shooting, of three British soldiers and of Santarelli Ivo, more fully indicated above, committing the act with premeditation.

c) The crime under articles 110, 112 (n. 1), 423 (first part) and 1 of the Penal Code in that during the night of 4 May 1944, in the hamlet of San Martino, Manciano Comune did voluntarily put on fire a farm house situated in a place called "Pderino" in which house Santarnecchi sheltered two British prisoners of war.

.... Omitted ....

The Court

Having considered Art. 5 of D.L.L. n. 159 of 27 July 1944 and articles 110, 575, 577, No. 3 and 423 of the Penal Code; Art. 54 of the Military Code of War and Art. 488 Code of Penal Procedure finds Sokoba Manse Boris, Fabbri Severino and Franchi Aldo guilty of the charges, modifying the first charge as read with Art. 54 of the Military Penal Code of War and sentences them to death by shooting and jointly responsible for the payment of damages to the injured parties as well as for the payment of Lire 11316 for expenses incurred.

Having considered Art. 479 Code of Penal Procedure finds Santini Ireneo and Santini Ulisse not guilty and orders their release if not being held for any other reasons.

102

Grosseto 22 March 1945

Signed: BIANCHINI Presidente
LONGIAVE Cons.Estens.
FIORENTINI Canc.

2288

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

2.29A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AG/4119/3/L. AP/mdn.

3 April 1946.

SUBJECT : War Crimes - Martan Antonio.

TO : AFHQ, G-5.

1. Reference your G-5: 000.5 - 1 of 3 February 1946.

2. The following information has now been received from the Court of Assize of Grosseto:

I - Martan Antonio, a Mexican native, had escaped from a POW Concentration Camp situated near Florence (The exact location is unknown).

II - He was killed on the morning of 4 April 1944 near Montebuono di Sarano (Grosseto Province).

III - It is not known whether Martan was a member of the Allied Forces nor to what unit he belonged.

IV - A certain Marzberiti Domenico fu Pietro (a farmer residing in Montebuono di Sarano who had sheltered Martan) has stated that the only thing he could learn from Martan was that he belonged to the Mexican forces and had the rank of staff sergeant.

For the Chief Commissioner.

101

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

SEZIONE DI CORTE D'ASSISE DI GROSSETO

UFFICIO DEL PUBBLICO MINISTERO

Grosseto li 31 Marzo I946 N.IO/45 Reg.Gen. N.

Allegati N. *Risposta a Nota del* N.

OGGETTO: **Uccisione prigioniero messicano Martan Antonio.**

AL COMANDO COMMISSIONE ALLEATA
SOTTO COMMISSIONE LEGALE
ROMA

e p.c. AL MINISTERO DELLA GIUSTIZIA
ROMA

Con riferimento alla Vostra del 22 marzo I946 N.AC/4119/5/L co=
municasi che,per errore di traduzione,alla Vostra precedente del
14=2=I946 é stato risposto in senso negativo.
Riferiamo ora le notizie richieste.

1)Il messicano Martan Antonio era fuggito da un Campo di Concen=
tramento di prigionieri situato nei pressi di Firenze (non si
sa l'esatta località).

2)Fu ucciso il mattino del 4 aprile I944 presso Montebuono di
Sorano.

3)Non si sa se il Martan fosse membro delle forze militari Al=
leate e a quale reparto appartenesse.

4)Al contadino Margheriti Domenico fu Pietro da Montebuono di
Sorano che lo accolse in casa il Martan disse solo di esse
un sergente maggiore messicano.

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

municasi che,per errore di traduzione,alla Vostra [illegible]
14=2=I946 é stato risposto in senso negativo.

Riferiamo ora le notizie richieste.

1)Il messicano Martan Antonio era fuggito da un Campo di Concen= tramento di prigionieri situato nei pressi di Firenze (non si sa l'esatta località).

2)Fu ucciso il mattino del 4 aprile I944 presso Montebuono di Sorano.

3)Non si sa se il Martan fosse membro delle forze militari Al= leate e a quale reparto appartenesse.

4)Al contadino Margheriti Domenico fu Pietro da Montebuono di Sorano che lo accolse in casa il Martan disse solo di esser un sergente maggiore messicano.

IL PUBBLICO MINISTERO

LEGAL SUB COMMISION
CLO
DCLO
Chief Counsel
CID
[illegible] Section
CLERKS
4 April 46

Declassified E.O. 12356 Section 3.3/NND No. 759016

2291

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

2292

HEADQUARTERS ALLIED COMMISSION
AFO 394
LEGAL SUB-COMMISSION

/mda.

AC/4119/5/L.

5 April 1946.

SUBJECT : Italian War Crimes:
Ettore Alberoni and Remo Nardi.

TO : The Central Italian War Crimes Commission.

I enclose herewith a letter applying for the release of the two above named persons which has been received by this Sub-Commission from Allied Force Headquarters for onward transmission.

For the Chief Commissioner.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

.30

2292

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

5606

LEGAL
2264

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 336.31 3 April 1946

SUBJECT: Italian War Criminals.

TO : Headquarters, Allied Commission,
APO 394

The attached letter and translation reference to pending trials of Ettore ALBERONI and Remo MONILI is forwarded for delivery to proper Italian Authorities for their information.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

for K. L. HAMBLEN
Brigadier General, G.S.C.
Assistant Chief of Staff, G-5

Incls:
Ltr fr Ercole ALBERONI
and Filippo MONILI w/trans.

98

LEGAL SUB-COMMISION
CLO
DCLO
Chief Counsel
CJO
Italian Section
CI RIES

5 Aprile 46

2293

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

2254

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

MT/ns
5 April 1946.

AC/4119/5/L

SUBJECT : War Crimes.

TO : AFHQ, G - 5.

I enclose herewith letter and statement relating to a charge against a German, Capt. Herbert, of killing two members of the British Air Force in June 1944 received from the Procuratore Generale Militare for transmission to you.

For the Chief Commissioner :

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Adviser.

2294

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

224A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4119/5/L. AP/pa.
1 April 46.

SUBJECT : War Crimes.

TO : APHQ, G-5.

1. Herewith enclosed the following letters received here from Procura Generale Militare for onward transmission to you :-

1. Letter Prot.No.1185/Reg. Gen. of 28 Mar 1946- War Crime committed by Wilms George. (with 1 enclosure)

2. Letter Prot.No.1186/Reg.Gen. of 28 Mar 45- Killing of Italian Jews (With enclosures).

For Chief Commissioner :

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

30

Incls.

See f. 361 A

2295

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

CONFIDENTIAL 2231

HEADQUARTERS ALLIED COMMISSION
AFO 394
LEGAL SUB COMMISSION

AC/4119/5/4

MT/mc
29 March 1946.

SUBJECT : War Crimes Against Italians.

TO : Italian Central War Crimes Commission.

I enclose herewith for your information a statement made by Staff Sergeant [redacted] of the United States Army in regard to the killing of an Italian family at Amondola in October 1943.

For the Chief Commissioner :

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

53

2296

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

222A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

AC/4113/5/- MT/ns
29 March 1946.

SUBJECT : War crimes : Carlo Pierino BACHI.

TO : Pubblico Ministero presso la Corte di Assise, VARESE.

1. Reference your letter of 18 Feb 1945 addressed to Allied Force Headquarters - Rome.

2. CMC CAF has requested this Sub Commission to advise you of the receipt of your letter, and to inform you that the statements you require will be sent to you as soon as possible, but that it is not possible to estimate how long it will be before the statements are in your hands, as the officers concerned must first be traced.

3. I am also aked to inform you that requests such as contained in your letter should be made through this Sub Commission.

For the Chief Commissioner:

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

2297

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

CONFIDENTIAL

221A

SUBJECT :- Treachery of Lt. BEGHI, Italian Navy.

GHQ CMF.

16414/A-3.

25 Mar 46.

HQ., Allied Commission,
(Legal Sub Com).

Reference the attached copy of a letter from the Prosecutor of the 'Corte d'Assise' VARESE.

1. It would be appreciated if you would please advise the Prosecutor of the receipt of this letter in this GHQ, and that the statements he rquires will be forwarded as soon as possible.

2. It is impossible to estimate how long it will be before the statements are in his hands however/since the officers concerned will have first to be traced.

3. Please inform the Prosecutor at the same time that the proper channel for requests of this kind is through your HQ.

LEGAL SUB-COMMAND
CLO
DCLO
Chief Counsel
GSO
Italian Section
8 March 46.

R.D. Chenmayer
Brigadier.
DAG.

HS.

Encl 1.

2298

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

TRANSLATION

221B

Varese, 18 February 1946
Log: 169

Subject : War criminal Carlo Fiorino Beghi

From : The Prosecutor of the "Corte d'Assise" of Varese.

To : Allied Force Headquarters - Rome -

Ref: 2634 S/C

With reference to the letter of the SCC - CMF 15200/A3, dated 28 November 1945, and forwarded to Mr. Spartaco Cameron, "General Secretary of the High Commissioner for Sanctions against Fascism", we beg your Command to forward, at the earliest possible, directly to our office, furnished with their translations in Italian, the statements of Lt. Col. Pawson, Major Furisch and Cap. Levides, who on 18 September 1943, being aboard the Mas # 522, commended by Lt. Beghi, were turned over to German Authorities.

Since the fact has been admitted by Beghi himself, the statements of the above mentioned persons should regard mainly the responsibility of each man of the crew and must specify whether and which member of the crew has committed any violence or threat.

As it results from a list of the Ministry of the Italian Navy, the crew was composed of the following persons:

2nd Lt. Beghi, skipper, detained.
Sgt. Motorist Carmine Martini, detained.
Pilot Sergio Ferraro, a fugitive.
Radio operator Salvatore Addo, a fugitive,
and other men who are either dead or unknown.

With a note acknowledging receipt of my letter, will you, please, inform me of how much time it will take to obtain said statements. 92

The Prosecutor

s/ (illegible)

2291

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

4/19/5 CONFIDENTIAL

5327

CONFIDENTIAL

Legal 220A

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 936.31

27 March 1946

SUBJECT: War Crimes Against Italians

TO : Headquarters, Allied Commission
APO 394

Attached SPJCI report No. 16-419-1 is herewith transmitted to you as being of possible interest to Italian authorities.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

for A. L. HAMBLEN
Brigadier General, G.S.C.
Assistant Chief of Staff, G-5.

Incl:
as above.

REG. SUBDIVISION
CLO
DCLO
Chief Counsel
CJO
Italian Section
CLERKS

91

CONFIDENTIAL

CONFIDENTIAL

2300

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

219

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

AC/4119/5/L

AP/ns
28 March 1946.

SUBJECT : War Crimes - Sokota Mesane Boris, Franchi Ilvio et al.

TO : GHQ, C.M.F. G-5.

1. The Procura Generale Militare has forwarded the attached copy of a report from the Carabinieri of Livorno on this case advising this Sub Commission at the same time that the case would be referred to the Court of Assize of Grosseto for trial.

2. This Sub Commission is of opinion that no action should be taken on this report as the case has already taken place. (This Sub Commission's letter AC/4119/5/L of 26 Feb. 1946 refers).

3. Copy of Carabinieri's report and covering letter from Procura Generale Militare are enclosed for information.

For the Chief Commissioner :

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

Incls.

2301

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

4089/5 Liasse 0

PROCURA GENERALE MILITARE

PRESSO IL

TRIBUNALE SUPREMO MILITARE

N. 1169/Reg. Gen. di Prot. Roma li 23 marzo 1946

Risposta a nota del N. Allegati 2

Oggetto: Trasmissione stralcio di denuncia a carico di criminali di guerra tedeschi e fascisti.

ALLA COMMISSIONE ALLEATA

R O M A

^^^^^^

In un elenco di crimini di guerra, pervenuto a questo Generale Ufficio è stata segnalata la uccisione dei prigionieri di guerra Inglesi WIRIGHT Harry, HASS Lewance, DEGTAIN George Michael, e dell'Italiano SANTARELLI Ilio che aveva ospitato in casa i predetti prigionieri.

Il fatto avvenuto in Montemerano, località "Ainzana" il 5 maggio 1944, è da addebitarsi ai militari tedeschi, SOKOTA Hesse e tale BORIS delle S.S., ed agli Italiani FABBRI Severino, FRANCHI Ilvio, SANTINI Irmen della guardia nazionale repubblicana fascista.

Si trasmette una copia del rapporto dei CC.RR. di Ilverno, per quanto di competenza dell'Autorità Giudiziaria Militare Alleata.-

A carico dei militari fascisti procederà la Sezione Speciale della Corte di Assise di Grosseto, cui in pari data viene trasmessa la denuncia.

IL PROCURATORE GENERALE MILITARE
(U. Borsari)

Chief Counsel

Cl

Ito 26 Marzo 46

W. D. 7.2.

Justifiche eseguite nella risposta la data e i numeri precedenti.

2302

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

COPIA

2198

I3) I3/5/I944 ore 23	AINZARA di Saturnia (Grosseto)	SANTERELLI Ilio fu Giuseppe classe I896 WIRIGHT Harry HASS Lewenoe DEGRAIN George Michael	SOKOTA Messe BORIS FABBRI Severino FRANCHI Ilvio SANTINI Irenen Altri tedeschi e fascisti sconosciu

F A T T O

Vennero uccisi il 5/5/I944 in località "Ainzara".

n.b.) testimoni del fatto : SCALABRELLI Vincenza.

PER COPIA CONFORME

88

C O P I A

LEGIONE TERRITORIALE DEI CARABINIERI REALI DI LIVORNO
Stazione di Saturnia

2190

N°54 del verbale.
Oggetto: Verbale d'interrogatorio di SCALABRELLI Vincenza fu Gaetano e fu Scioni Maria Santa, nata il 24/II/1902 a Manciano frazione S.Martino sul Fiora, ivi residente, casalinga, circa gli atti di barbarie commessi da tedeschi e fascisti durante la loro dominazione.

L'anno 1944 addì del mese di dicembre in Ufficio della Stazione dei CC.RR. di Saturnia, Avanti a Noi Brigadiere GARAU Giovannangelo comandante della stazione suddetta e Carabiniere Pieroni Antonio è presente Scalabrelli Vincenza generalizzata in oggetto, la quale interrogata circa quanto e cenno in oggetto a domanda risponde.----------

"""La sera del 3 maggio 1944, verso le ore 23, diversi tedeschi e fascisti che io non conoscevo, chiamarono dalla mia abitazione, il mio marito Santarelli Ilio fu Giuseppe e fu Biondi Francesca, della classe 1895; agricoltore. Mio marito si alzò dal letto ed aprì la porta d'ingresso, gli chiesero dove stavano gli Inglesi. Egli non volle dirlo, ed allora venne condotto forzatamente da alcuni di detti tedeschi e fascisti, al podere di nostra proprietà sito in località "Cavallini", mentre altri rimasero a svaligiare la nostra casa. Nel podere trovarono due dei tre militari Inglesi che si trovavano a S.Martino. Vennero tutti catturati, compreso mio marito e condotti a Manciano. Prima di lasciare il podere appiccarono fuoco al medesimo distruggendo una caldaia da fare il formaggio-una tavola da stendere il formaggio-un tavolo delle funi-vari arnesi agricoli-una cassa di legno-due sacchi e due balle ed armature per le bestie. Asportarono invece: un paio di buoi ed un paio di vacche da lavoro-una scrofa con 8 porchetti-un lettino dove dormivano i due militari Inglesi-un coltrone di lana e due coperte pure di lana e due lenzuola.----------

Dalla nostra abitazione portarono via: una radio marca "Minerva"-IO coperte di seta e velluto-IO lenzuola-una tovaglia-I2 tovaglioli-una tenda da camera tre dozzine di fazzoletti-due vestiti di lana da uomo-una paio di stivali da uomo-due paia di scarpe da uomo-quattro camicie da uomo-un paio di scarpe da donna-un orologio d'argento da uomo-un orologio d'oro da donna-tre anelli d'oro K.I8 da donna con pietre preziose-tre quintali di grano-due prosciutti di Kg IO ciascuno-Kg 6 di salcicce e due valigie di fibbra, il tutto di un valore che attualmente non sono in grado di stabilire.----------

[illegible] fascisti e tedeschi mi sorvegliarono con il fucile [illegible]

Declassified E.O. 12356 Section 3.3/NND No. 939014
2303

2304

...elli Ilio fu Giuseppe e fu Bronci Francesca, [illegible]
Mio marito si alzò dal letto ed aprì la porta d'ingresso, gli chiesero dove stavano gli Inglesi. Egli non volle dirlo, ed allora ve ne condotto forzatamente da alcuni di detti tedeschi e fascisti, al podere di nostra proprietà sito in località "Cavallini", mentre altri rimasero a svaligiare la nostra casa. Nel podere trovarono due dei tre militari Inglesi che si trovavano a S.Martino. Vennero tutti catturati, compreso mio marito e condotti a Mancia... Prima di lasciare il podere appiccarono fuoco al medesimo distruggendo una caldaia da fare il formaggio-una tavola da stendere il formaggio-un tavol... delle funi-vari arnesi agricoli-una cassa di legno-due sacconi e due balle... ed armature per le bestie. Asportarono invece:un paio di buoi ed un pai... vacche da lavoro-una scrofa con 8 porcelli-un lettino dove dormivano i d... militari Inglesi-un coltrone di lana e due coperte pure di lana e due len... zuola.----------
Dalla nostra abitazione portarono via: una radio marca "Minerva"-IO coper... di seta e veluto-IO lenzuola-una tovaglia-I2 tovaglioli-una tenda da cam... tre dozzine di fazzoletti-due vestiti di lana da uomo-una paio di stivali da uomo-due paia di scarpe da uomo-quattro camicie da uomo-un paio di scarp... da donna-un orologio d'argento da uomo-un orologio d'oro da donna-tre anel... d'oro K.I8 da donna con pietre preziose-tre quintali di grano-due prosci... di Kg IO ciascuno-Kg 5 di salciccie e due valigie di fibbra, il tutto di un valore che attualmente non sono in grado di stabilire.----------
Durante tale operazione fascisti e tedeschi mi sorvegliarono con il fucil... spianato comprese tre mie figlie presenti, minacciandoci di ammazzarci se ci muovevamo.----------
Nella notte catturarono anche il terzo Inglese che condussero pure a Man... ciano.----------
La sera del 5 maggio successivo, mio marito ed i tre Inglesi, vennero u... cisi da tedeschi e fascisti, nei pressi della frazione di Montemerano, lo... calità "Ainzana".----------
Non ho altro da aggiungere ne da modificare.----------
Di quanto sopra compiliamo il presente processo verbale.----------
Fatto, letto e confermato ci sottoscriviamo insieme alla Scalzorelli.------

F/to Scalzorelli Vincenza
" Pieroni Antonio
" Garau Giovannangelo

PER COPIA CONFORME

Declassified E.O. 12356 Section 3.3/NND No. 775016

2305

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

(218)

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AP/mdm.

AC/4076/3/L. 26 March 1946.

SUBJECT : Interrogation of POWs - War Crimes.

TO : CCG - CMF.

1. For the purpose of bringing to trial a certain Luciano Anita, the Prosecutor of the Extraordinary Court of Assise of Lucca wishes to interrogate the following individuals who are supposed to be held as POWs in Allied Concentration Camps:

Ganser - Officer of the SS - 3d Battalion.
Putze - " " " " - " " "
Suit - Sergeant " " " - " " "
Abs W. - Private " " " - " " "

2. The Prosecutor also wishes to denounce the above mentioned as war criminals as they are responsible, together with an unknown "maresciallo" of the same unit, for the killing of 13 persons which took place at the hamlets of Balbano and Campigmano, Lucca Comune on 2 September 1944.

For the Chief Commissioner.

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

Copy to AC/4119/3/L.

2306

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

2142

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AP/mda.

23 March 1946.

AC/4119/5/L.

SUBJECT : War Crimes trials -
Defence Counsel.

TO : CHQ, CCF.

1. Reference is made to your 16000/A-3 of 19 February 1946.

2. Herewith enclosed copy with English translation of the reply received here from the Ministry of Pardon and Justice on the above subject.

For the Chief Commissioner.

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

Copy to : G-5, AHQ.

85

Mod.2

Ministero di Grazia e Giustizia

Gabinetto di S.E. il Ministro

Roma, 11. 8. 1946 /2

Protocollo N. oc/4241-3

OGGETTO Processi per i Crimini di guerra – Consiglio di Difesa.

ALLA COMMISSIONE ALLEATA
Sottocommissione Legale

ROMA

Con riferimento al foglio A.C.4119/5/L. del 28 febbraio u.s. si trasmette l'unita relazione della Direzione Generale degli Affari Civili relativa al quesito richiesto.

Si gradirà di conoscere in proposito il pensiero di codesta Sottocommissione.

Declassified E.O. 12356 Section 3.3/NND No. 950016

Sottocommissione Legale

ROMA
1946

Con riferimento al foglio A.C.1119/5/L. del 28 febbraio u.s. si trasmette l'unita relazione della Direzione Generale degli Affari Civili relativa al quesito richiesto.

Si gradirà di conoscere in proposito il pensiero di codesta Sottocommissione.

L'UFFICIALE DI COLLEGAMENTO
(Dr.G.Bonelli)

Bonelli

CJO
DCLO
Chief Counsel
CJO
Italian Section
Cpls

15 March 46

2308

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

Declassified E.O. 12356 Section 3.3/NND No. 985016

(814)

APPUNTO PER IL SIG.CAPO DI GABINETTO

1. - L'Ufficio ha preso notizia di quanto ha comunicato la Commissione Alleata (Sottocommissione legale),con la lettera in date 28 febbraio u.s.,n.AC/4119/5/L.,relativa alla difesa di imputati italiani in processi per crimini di guerra,ed al riguardo si pregà di fare presente quanto segue :

2. - a) Nell'ordinamento giuridico italiano ed,in particolare,nelle leggi che regolano l'esercizio della professione forense,non esiste alcun divieto per gli avvocati di difendere cittadini italiani anche presso tribunali esteri e quindi é da ritenersi che essi possano assumere la difesa di imputati italiani in processi per crimini di guerra,da celebrarsi dinanzi ai tribunali alleati dello scacchiere mediterraneo.Non risulta neanche che gli organi professionali forensi abbiano impartito istruzioni ai professionisti a tale riguardo ;

b) Le tariffe dei compensi per la difesa in materia penale sono fissate,per disposizioni dell'ordinamento forense (art.57 e 63 del R.D.L.27 novembre 1933,n.1578) dagli stessi organi professionali (Consigli degli Ordini) esistenti presso le sedi di ogni tribunale.In tali tariffe la misura degli onorari varia secondo la natura ed il grado dell'Organo dinanzi al quale la difesa viene effettuata (tribunale,corte d'appello,corte d'as-

liani anche presso tribunali esteri e quindi è da ritenersi che essi possano assumere la difesa di imputati italiani in processi per crimini di guerra,da celebrarsi dinanzi ai tribunali alleati dello scacchiere mediterraneo.Non risulta neanche che gli organi professionali forensi abbiano impartito istruzioni ai professionisti a tale riguardo ;

b) Le tariffe dei compensi per la difesa in materia penale sono fissate,per disposizioni dell'ordinamento forense (art.57 e 63 del R.D.L.27 novembre 1933,n.1578) dagli stessi organi professionali (Consigli degli Ordini) esistenti presso le sedi di ogni tribunale.In tali tariffe la misura degli onorari varia secondo la natura ed il grado dell'Organo dinanzi al quale la difesa viene effettuata (tribunale,corte d'appello,corte d'assise,tribunale militare) e secondo l'entità dell'opera effettivamente esplicata.In verun caso di prevedono compensi commisurati a tempo e cioé giornalieri.

La difesa degli imputati di crimini di guerra da svolgersi dinanzi ai tribunali alleati potrebbe forse,ai fini della deter

./.

2310
Declassified E.O. 12356 Section 3.3/NND No. 785016

minazione degli onorari, essere equiparata alla difesa dinanzi ai tribunali militari dello Stato italiano.

3. - La liquidazione del compenso potrebbe essere effettuata più opportunamente previo parere dell'organo professionale e, per gli imputati che non sono in grado di pagare, si conviene che la spesa relativa dovrebbe porsi a carico del bilancio dello Stato.

li 9 marzo 1946

IL DIRETTORE GENERALE

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

TRANSLATION

12 March 1946.

1. This Office has duly examined the contents of your letter AC/4119/5/L of 28 February 1946 relating to defence Counsel for Italian defendants in War Crimes trials. The following should be taken into consideration.

2. Under the Italian system of law and in particular under the laws concerning the legal profession, there does not exist any provision forbidding the Italian lawyers to defend Italian citizens even before foreign Tribunals thus it is clear that such lawyers can even defend persons charged with War Crimes to be tried by Allied Military Courts in the Mediterranean Theatre. Further, it is noted that no instructions have been given by the appropriate authorities to members of the Bar on such question.

3. The fees for such defence in penal matters under the provisions of system of law (Arts. 57 and 63 of RDL 27 November 1933, n.1578) are fixed by legal bodies (Council or Associations) which are attached to every Tribunal.

Said fees are applied in accordance with the grade of the Court before which the trial takes place.

The fees to be paid to defence counsel for persons charged with War Crimes to be tried before Allied Courts could be established on the same basis as the fees paid for defence before Italian Military Tribunals.

The payment of the fees could be made pursuant to the opinion of the professional Body and in cases where the accused cannot afford such expense such fees could be charged to the State.

82

Translation made by Mrs.Pisapia.

Declassified E.O. 12356 Section 3.3/NND No. 788501 6

2313

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

216A

MC/mda.

MC/4119/3/L.

22 March 1946.

SUBJECT : MARTAN Antonio.

TO : Speciale Corte d'Assise di Grosseto,
Ufficio del Pubblico Ministero.

e per informazione:

Al Ministero Grazia e Giustizia - R o m a.

208A

1. Si fa riferimento a Va/ nota del 12 marzo 1946, n. 41, protocollo medesimo oggetto.

68A

2. Con nota 16 ottobre 1945 Prot. 15/45 di cui si allega copia questa Sottocommissione veniva informata da codesto Ufficio del P.M. che era in corso istruzione di un processo contro FORTI Mario e altri per l'uccisione di certo MARTAN Antonio.

3. Si gradirebbe conoscere come conciliare le due note citate.

4. Si resta in attesa di Va/ comunicazioni.

81

All: 1.

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

2314

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

2153

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

MF/mda.

AC/4119/5/L. 22 March 1946.

SUBJECT : War Crimes - Killing of Rodrik Lorenzo.

TO : Ministry of Pardon and Justice. L.c. 210 A

and for information:

Corte d'Assise Speciale di Grosseto,
Ufficio del P.M.

1. Reference our letter AC/4119/5/L of 11 March 1946.

2. This is to inform you that the Italian Judicial Authorities should proceed in the trial as they think fit.

3. The provisions of a/quoted letter no longer apply.

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

2315

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

(214)

MF/mda.

AC/4119/5/1.

22 March 1946.

SUBJECT : War Crimes - Trial of DURELLO Natale, COLO Luigi, DALLA PRIA.

TO : Ministry of Pardon and Justice.

Reference this morning's telephone conversation - (BONELLI - FIORE).

1. This Sub-Commission has been urgently requested by AFHQ to ensure that the trial of the above mentioned will be heard before the end of March at Padua Assizes.

2. Would you therefore instruct the P.M. of Padua by signal to initiate the trial and inform this Sub-Commission of any development which may arise on this matter.

3. Please consider the matter as very urgent.

73.

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

2316

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

action Taken 11/8/45

LEGAL

5056

CONFIDENTIAL.

2134

Subject:- WAR CRIMES - Trial of DURELLO, Natale, COLO, Luigi and DALLA, Pria.

GHQ CMF.

16171/21/A-3.

12 Mar 46.

HQ Allied Commission.

183A

148A

Copy to - G-5 AFHQ
DJAG, GHQ CMF
A-2, GHQ.

Reference this HQ letter of even number dated 7 Jan 46 and your signal 1353 of 21 Feb 46.

1. It was originally agreed that the above mentioned Italians should be tried at the PADUA Assizes towards the end of January, subject to the conditions laid down in this GHQ letter of 7 Jan 46.

2. It is now considered that this agreement can no longer be allowed to stand unless a firm assurance is received that the Italian trial will take place before the end of March.

3. It would be appreciated if you would make the position clear to the Italian Authorities concerned, pointing out at the same time that all arrangements have already been made by this GHQ for the trial of the accused on a war crimes charge.

4. If there is no likelihood of the Italian trial being held before the end of March, you are requested to effect the transfer of the three accused into Allied custody, informing this GHQ when arrangements are completed.

78

C. SUB COMMISION
CLO
DCLO
Chief Counsel
CJO
Italian Section
CLERKS
21 March 46

Seen

men.

W. H. Graves
Brigadier,
DAG.

2317

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

2124

AC/4119/5/L.

MF/mda.

22 March 1946.

SUBJECT : War Crimes.

TO : Ministry of Pardon and Justice.

1763

1. Reference your letter dated 9 February 1946 Direzione Affari Penali Ufficio I AP Prot. No. 131/760/2485/45.

2. May this Sub-Commission please be informed of all details of the circumstances concerning the death of the P.W. Robert Collins.

3. As it is possible that the trial will held before a British Military Court please inform this Sub-Commission when the pre-trial investigations will be accomplished.

4. Please consider the matter as very urgent.

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

2318

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

FIG 1

2114

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

MF/mds.

AC/4119/5/L.

22 March 1946.

SUBJECT : Killing of a Mexican Prisoner - MARTAN Antonio.

TO : Ministry of Pardon and Justice.

1. This Sub-Commission has been informed by the Ufficio del Pubblico Ministero of Grosseto (Special Court of Assise) that a pre-trial proceeding was pending before the same Court against FORTI Mario, FREDDINI Antonio, PASTORELLI Luigi, MATTEONI Nautrale charged with the killing of a Mexican prisoner, a certain MARTAN Antonio.

2. We have now been informed by the same Office that no trace can be found in the judicial records of the Special Court of Assise concerning the above mentioned.

3. It would be very much appreciated if you will approach said P.M. and obtain full details and explanations.

4. Please consider the matter as urgent.

76

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

2319

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

UNCRS. after Tarbes 117

CONFIDENTIAL.

Legal s/c

5030

210A

Subject:- WAR CRIMES.

GHQ CMF.

16171/131/A-3.

18 Mar 46.

HQ Allied Commission (Legal Sub-Commission).

Copy to - DJAG, GHQ CMF.

Reference your letter AC/4119/5/L of 14 Feb 46.

This GHQ has very little information regarding this case and it would be appreciated if you would please obtain from the Ministry of Grace and Justice sufficient details of the circumstances of the death of the PW Robert COLLINS to enable this GHQ to decide whether or not the trial of those implicated should take place before a British Military Court.

DCLO
Chief Counsel
CJO
Italian Section
CLERKS
Rec'd 20 March 46

75

Brigadier,
DAG.

2320

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

5033

Legal

CONFIDENTIAL.

GHQ CMF.

16171/A-3.

18 Mar 46.

2094

Subject:- WAR CRIMES.

To - HQ Allied Commission (Legal Sub-Commission).

Copy to - DJAG, GHQ CMF.
Rear HQ 2 NZEF.

2052

Further to this GHQ letter of even number dated 2 Mar 46.

1. Further evidence has now been obtained in the case of the alleged killing of a New Zealand Officer at CROSSETO and it would appear unlikely that a War Crime was in fact committed.

2. In these circumstances it is considered that the Italian Authorities should proceed with the trial as they think fit and the provisions of this GHQ's previous letter quoted above need no longer apply.

R.J. Cohen Major
for Brigadier,
DAG.

LEGAL SUB COMMISION
CLO
DCLO
Chief Counsel
CJO
Italian Section
CLERKS
Rec'd 20 March 46

2321

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

4/4/15

Podd

SEZIONE DI CORTE D'ASSISE DI GROSSETO

UFFICIO DEL PUBBLICO MINISTERO

Grosseto li 12 Marzo 1946 N.41 Protocollo

Allegati N. *Risposta a Nota del* *N.*

OGGETTO: Killing of a Mexican prisoner, Martan Antonio.

HEADQUARTERS ALLIED COMMISSION
LEGAL SUB COMMISSION
APO 294

Con riferimento alla nota 14 febbraio 1946 Mt/ns = AC/4119/5/L, si comunica che da nessun procedimento pendente presso questo Ufficio risultano elementi al nome di Martan Antonio. In particolare non risulta che questi sia rimasto ucciso in operazioni condotte in questo territorio dalle forze nazi-fasciste contro formazioni partigiane.

IL PUBBLICO MINISTERO

SUB COMMISSION
CLO
DCLO
Chief Counsel
CIO
Italian Section
CLERKS
16 Mar 46

73

2322

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

2072

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AP/mda.

AC/4119/5/L.

11 March 1946.

SUBJECT : War Crimes - Killing of Martan Antonio and Rodrik Lorenzo.

TO : Ministry of Pardon and Justice.

It would be very much appreciated if you would ensure that no sentences be passed by the Extraordinary Court of Assize of Grosseto in the above mentioned cases without prior agreement from the General Headquarters.

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

72

4/9/5 File

INCOMING MESSAGE

2064
2064

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: AG 1539
Date/Time of Origin: MAR.091730

Message Centre No: H/428
Date Time Rec'd: MAR.101130A
Precedence: ROUTINE

FROM: 61 AREA

TO : GHQ CMF INFO: DJAG GHQ CMF - HQ ALLIED COMMISSION - DISTHREE - 209 P O W CAMP

RESTRICTED

2064A

RESTRICTED.
Reference this HQ AG1515 of 06 re war crimes. Sorcetti and Cornacchia despatched to 209 Pow Camp 9 March 46.
Eta PM 10 March 46. Civilian medical report of Sorcetti in possession of escort.

INFO - ACTION AC DIST
INFO ACTION LEGAL
INFO CHIEF COMMISSIONER
P.SAFETY
FILE 2
FLOAT

[illegible] HEADQUARTERS
10 MAR 1946

71

LEGAL SUB-COMMISSION
CLO

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

RESTRICTED.

Reference this HQ AG1515 of 06 re war crimes. Sorcetti and Cornacchia despatched to 209 Pow Camp 9 March 46. Eta PM 10 March 46. Civilian medical report of Sorcetti in possession of escort.

INFO - ACTION AC DIST

INFO ACTION LEGAL
INFO CHIEF COMMISSIONER
P.SAFETY
FILE 2
FLOAT

71

RECEIVED
10 MAR 1946

RESTRICTED

LEGAL SUB-COMMISSION
CLO
DCLO
Chief Counsel
CIO
Italian Section
CL RKD
11 March 46

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

2324

2325

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

4435.

Legal 205A

CONFIDENTIAL

SUBJECT: War Crimes.

GHQ CMF

16171/A3

2 Mar 46

HQ Allied Commission (Legal Sub Commission).

Copy to : DJAG, GHQ CMF.

Reference your letter AC/4119/5/L dated 29 Jan 1946.

1. It would be appreciated if you would ensure that no sentences of the Court in this case are carried out without prior agreement from this GHQ.

2. We have no further information on the case at present, but a SIB Section has been requested to carry out an investigation, the results of which shall be communicated to you in due course.

Major General,
DAG.

ghc.

DCLO
Chief Counsel
CIO

L March 46

4715

Legat

INCOMING MESSAGE

2044

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: AG 1515
Date / Time of Origin: MAR. 061600

Message Centre No: H/273
Date Time Rec'd: MAR. 070900
Precedence: ROUTINE

FROM: 61 AREA
TO : GHQ CMF INFO: DJAG GHQ CMF HQ ALLIED COMMISSION DISTHREE 209
POW CAMP

199A

RESTRICTED

RESTRICTED.
Reference your 16171/46/A3 of 20 February 46 re war crimes
Sorcetti and Cornacchia in custody Ancona guard room.
Will be despatched 290 PW Camp soonest. Thi 1930

AC DIST

ACTION LEGAL SC 2
INFO CHIEF COMMISSIONER
P.SAFETY SC
FILE 2
FLOAT

69

ACTION

RESTRICTED

LEGAL SUB-COM...
HEADQUARTERS
7 MAR 19...

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

199A

RESTRICTED

RESTRICTED.
Reference your 16171/46/A3 of 20 February 46 re war crimes Sorcetti and Cornacchia in custody Ancona guard room. Will be despatched 290 PW Comp soonest. Thi 1930

AC DIST

ACTION LEGAL SC 2
INFO CHIEF COMMISSIONER
P.SAFETY SC
FILE 2
FLOAT

ACTION

69.

RESTRICTED

LEGAL SUBCOMMISSION
CLO.
DCLO
Chief Counsel
CIO
Italian Section
CL RKS

HEADQUARTERS
7 MAR 1946
A.C.

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

2327

2328

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

2034

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4119/5/L. AP/pm.
6 March 1946.

SUBJECT : War Crimes - PAVETTO Paolo.

TO : Ministry of Pardon and Justice.

1. It is understood that PAVETTA Paolo sentenced to death by the Extraordinary Court of Assize Ivrea on 30 October 1945 for murder of Pte. MUDGE at Donato, Province of Vercelli, has now lodged an appeal against the sentence, which is to be heard in Rome on 15 March 1946.

2. Please be advised that in the event of his sentence being quashed he will not be released without Allied consent as he may be required for trial on other charges.

3. It would be very much appreciated if a copy of the sentence with the grounds of appeal and results of the same could be obtained.

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

68

23291

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

4 V G 5 L -

A 376 LEGAL

202A

ALLIED FORCE HEAD QUARTERS
C-5 Section
APO 512

C-5: 000.5-1

28 February 1946

SUBJECT: FAVETTO Paolo.

TO : Headquarters, Allied Commission
APO 394

1. Paolo FAVETTO is at present in the Civil Prison, IVREA, under sentence of death for the murder of Pte. MUDGE at DOMATO, Province of VERCELLI, on 13 November 1943, and for other crimes. The date and place of his trial are not known. He has lodged an appeal against the sentence, which is to be heard in ROME on 15 March 1946.

2. You will please notify the Italian Government that in the event of his sentence being quashed he will not be released without Allied consent as he may be required for trial on other charges.

3. Please obtain and forward after appeal, a statement of the charges and original verdict and sentence as to each; the grounds of the appeal and the results on each.

BY COMMAND OF LIEUTENANT GENERAL MCNARNEY:

H. A. PARSONS,
Brigadier,
Acting Assistant Chief of Staff, C-5.

67

Chief Counsel
CIO
Section

4 March 46

2330

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

AG/4119/5/L.

12 01 A

FROM : Lt.Col. C.G. HANNAFORD

LEGAL SUB-COMMISSION
HEADQUARTERS
ALLIED COMMISSION
APO 394

5 March 1946.

Dear,

I have pleasure is enclosing the documents is relation to NARDONE's affair . As you will see NARDONE has been released on 14 January 1946 and therefore no further action need be taken on his behalf.

You will no doubt inform his brother who, as a matter of fact, may have already received the news. Trusting all is well with you and the Family.

All best wishes.

Yours

POLETTI, DIAMOND, RABIN, FREIDEN & MACKAY
598 Madison Avenue
New York 22, N.Y.

66

2331

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

4119/5

200A

CONFIDENTIAL

ROME AREA ALLIED COMMAND
Office of the AC of S, G-2
APO No 794, US ARMY

Tel : 66367
2 March 1946

G/Pb464/BR

SUBJECT : NARDONE, Giovanni

TO : Legal Sub-Commission,
HQ. ALLIED COMMISSION

Reference your AC/4119/5/L of 26 Jan 46.

1. It is understood that Subject was released from prison on 14 Jan 46.

2. The original documents enclosed in a/q letter are returned herewith.

L.R. Davidson

(L.R.DAVIDSON)
Captain
for Major
AC of S, G-2(CI)

LRD/as

65

2332

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

CONFIDENTIAL.

199A

SUBJECT: War Crimes - SORCETTI Corrado and CORRADOCHIA Giuseppe.

GHQ CMF.

16171/46/A3.

2o Feb 46.

HQ, No 3 District

Copy to:- G1 Area,
HQ, Allied Commission, APO 394, Legal Sub Commission,
DJAG, GHQ CMF.

1. The Italian Ministry of Grace and Justice has authorised the transfer of SORCETTI and CORRADOCHIA into British custody. Enclosed is (3 District only) a copy of a letter to that effect from the Ministry to HQ Allied Commission.

2. You are requested to make arrangements for such transfer to be effected without delay, and to inform this office by signal, copy to DJAG GHQ and HQ Allied Commission as soon as the handover is complete.

3. As SORCETTI and CORRADOCHIA are awaiting trial on a War Crimes charge the usual precautions should be taken to guard against their escape.

4. The accused SORCETTI is believed to be in hospital, and enquiries should be made to ascertain whether he is fit to stand trial. The last known location of the accused CORRADOCHIA was the civilian gaol at ASCOLI PICENO. Present locations may, however, be obtained from the Procurator General of ANCONA court.

LEGAL SUB-COMMISSION
CLO
DCLO
Chief Reporter
CJO
Italian Section
CLERKS
1 March 46.

65

* for Major General,
D.C.

11b.
Engls.

2333

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

C-O-N-F-I-D-E-N-T-I-A-L

198A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AP/mda.

AC/4119/5/L.

28 February 1946.

SUBJECT : War Crimes - SORCETTI Corrado
and CORNACCHIA Giuseppe.

TO : Ministry of Pardon and Justice.

1. Further to conversation (Dr. BONELLI - Sig. PISAPIA) on the above mentioned subject, it is deemed advisable to send a signal to the P.G. of ANCONA requesting him to confirm whether SORCETTI is still in hospital suffering from some mental disability as it appears from the record of his case or is he being held in ASCOLI PICENO, Prison together with CORNACCHIA (your 138 Bis/19/2852 Uff. I A.P. of 7 January 1946 and 138 bis/19/2852 of 4 February 1946 refer).

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

63

C-O-N-F-I-D-E-N-T-I-A-L

C-O-N-F-I-D-E-N-T-I-A-L

1944

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/mdh.

AC/4119/5/L.

28 February 1946.

See 21 B

SUBJECT : War Crime Trials - Defence Counsel.

TO : Ministry of Pardon and Justice.

1. Owing to the continually decreasing numbers of British personnel in this theatre, increasing difficulty is being experienced in finding officers with the necessary legal qualifications to act as defence counsel for Italian defendants in War Crimes trials.

2. In has been suggested that members of the Italian Bar may be willing and available to act in this capacity. It is therefore requested that the following information be supplied to this HQ:

(a) Whether the Italian Bar is willing for its members act as defence counsel on behalf of Italian nationals who may be defendants in War Crimes trials to be held in this theatre, and

(b) What would be considered a reasonable sum as remuneration for such services (if possible a daily rate should be stated).

3. It is appreciated that the majority of Italian War Criminals who are to be tried will not be able to afford to pay for legal assistance themselves. An early reply will be appreciated, since in the event of the answer to para 2(a) being in the affirmative, it is proposed to ask the War Office to consider giving authority for the expenses of employing Italian barristers to be borne out of public

62

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

be willing and available to act in this capacity. It is therefore requested that the following information be supplied to this HQ:

(a) Whether the Italian Bar is willing for its members act as defence counsel on behalf of Italian nationals who may be defendants in War Crimes trials to be held in this theatre, and

(b) What would be considered a reasonable sum as remuneration for such services (if possible a daily rate should be stated).

3. It is appreciated that the majority of Italian War Criminals who are to be tried will not be able to afford to pay for legal assistance themselves. An early reply will be appreciated, since in the event of the answer to para 2(a) being in the affirmative, it is proposed to ask the War Office to consider giving authority for the expense of employing Italian barristers to be borne out of public funds. 62

It is anticipated that the War Office will require an accurate estimate of the cost of employing such lawyers and it is therefore requested that the answer to para (b) above may be as detailed as possible.

4. Will you please include with your reply any observations that you may have to make in this matter.

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

C-O-N-F-I-D-E-N-T-I-A-L

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

4024.

4/19/5

CONFIDENTIAL

CONFIDENTIAL

196A

Legal s/c

SUBJECT : War Crimes Trials - Defence Counsel

GHQ CMF

16000/A-3

19 Feb 46

HQ Allied Commission

Copy to : G-5 AFHQ

1. Owing to the continually decreasing numbers of British personnel in this theatre, increasing difficulty is being experienced in finding officers with the necessary legal qualifications to act as defence counsel for Italian defendants in War Crimes trials.

2. It has been suggested that members of the Italian Bar may be willing and available to act in this capacity. It is therefore requested that the following information be supplied to this HQ :

(a) Whether the Italian Bar is willing for its members to act as defence counsel on behalf of Italian nationals who may be defendants in War Crimes trials to be held in this theatre, and

(b) What would be considered a reasonable sum as remuneration for such services (if possible a daily rate should be stated).

3. It is appreciated that the majority of Italian War Criminals who are to be tried will not be able to afford to pay for legal assistance themselves. An early reply will be appreciated, since in the event of the answer to para 2(a) being in the affirmative, it is proposed to ask the War Office to consider giving authority for the expense of employing Italian barristers to be borne out of public funds.

61

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

qualifications to act as defence counsel [illegible]
in War Crimes trials.

2. It has been suggested that members of the Italian Bar may be willing and available to act in this capacity. It is therefore requested that the following information be supplied to this HQ :

(a) Whether the Italian Bar is willing for its members to act as defence counsel on behalf of Italian nationals who may be defendants in War Crimes trials to be held in this theatre, and

(b) What would be considered a reasonable sum as remuneration for such services (if possible a daily rate should be stated).

3. It is appreciated that the majority of Italian War Criminals who are to be tried will not be able to afford to pay for legal assistance themselves. An early reply will be appreciated, since in the event of the answer to para 2(a) being in the affirmative, it is proposed to ask the War Office to consider giving authority for the expense of employing Italian barristers to be borne out of public funds. 61

It is anticipated that the War Office will require an accurate estimate of the cost of employing such lawyers and it is therefore requested that the answer to para 2(b) above may be as detailed as possible.

4. Will you please include with your reply any observations that you may have to make in this matter.

UB COMMISION
CLO
DCLO
Chief Counsel
CJO
Italian Section
C SKS
21.2.46

CONFIDENTIAL

(RJ) Cohen Major DAAG
for Major General,
DAG.

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

2338

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

1954

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

AC/4219/3/4 AP/ds
27 February 1946.

SUBJECT : War Crimes.

TO : Ministry of Interior.

1. Herewith enclosed are photostat records of War Crimes Nos. 12, 22 and 2[illegible]0.

2. It is requested that these cases be thoroughly investigated and a report of progress be sent to this Sub Commission at the earliest possible date.

3. Please consider this matter as strictly confidential.

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

Encls.

G11

2339

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

1941

C-O-N-F-I-D-E-N-T-I-A-L

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AP/mda.

AC/4119/5/L. 26 February 1946.

SUBJECT : War Crimes.

TO : Ministry of Pardon and Justice.

1. Information is being requested on a certain M. RAMERI GIORGIO FERRARI, born in London on 22 September 1924 and living at Roggio from 23 October until his arrest by German soldiers on 17 August 1944.

2. He was accused of having destroyed, with the aid of partisans, documents relating to recruiting in the district of Vagli di Sotto, and of having rifled the depot of the TODT organisation at Corfigliano. He was transferred to Nocchi Di Camaiore on 28 August, and taken to Monte Magno where he was shot in the back and buried. His remains were finally buried in Roggio cemetery.

3. It would appear that three other people, one of them a woman, were killed at the same time as M.R.G. FERRARI.

4. It would be very much appreciated if this Sub-Commission could be advised as to whether:

a) M. FERRARI is considered an Italian subject.

b) The case is being investigated as a war crime against an Italian citizen.

5. Please consider the matter as urgent.

5 51

Anthony P. Nugent
ANTHONY P. NUGENT.
Major, AMS,
Chief Counsel,
for Chief Legal Advisor.

2340

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

4/1/15 1 4130

CONFIDENTIAL

CONFIDENTIAL 1954

SUBJECT : War Crimes

GHQ GCF

16200/39/A-3

22 Feb 46

TO : Allied Commission

Copy to : DJAG GHQ GCF

1. It has been established that a M.RAGGERI GIORGIO FERRARI, born in London on the 22 Sept 1924 was living at ROGGIO from the 23rd Oct until his arrest by German soldiers on the 17 Aug 1944.

2. He was accused of having destroyed, with the aid of partisans, documents relating to recruiting in the district of VAGLI DI SOTTO, and of having rifled the depot of the TODT organisation at CORFIGLIANO. He was transferred to NOCCHI DI CAMAIORE on the 28 August, and taken to MONTE MAGNO where he was shot in the back and buried. His remains were finally buried in ROGGIO cemetery.

3. It would appear that three other people, one of them a woman, were killed at the same time as M. R.G. FERRARI.

4. It would be appreciated if enquiries could be made of the Italian authorities as to whether they consider M. FERRARI an Italian subject, and are therefore investigating the case as a War Crime against one of their nationals.

58

CLO
DCLO
Chief Counsel
CIO
Italian Section
CLERKS
25.2.46

/dw

CONFIDENTIAL

D.H. Cowie Capt SC
Major General,
DAG.

2341

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

1924

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4119/5/L.

AB/mdm.

26 February 1946.

SUBJECT : War Crimes. SORCITTI Corrado and CORNACCHIA Giuseppe.

TO : CHQ, CMF.

1. Reference to your 16171/46/A3 of 12 February 1946 and previous correspondence.

2. Please be advised that this Sub-Commission has taken the necessary steps in order to ascertain the present position of the above mentioned.

3. Further information will be given as soon as available.

For the Chief Commissioner.

ANTHONY P. MUGHT,
Major, AUS,
Chief Counsel,
for Chief Legal Advisor.

57

2342

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

3194. 191A

SUBJECT: War Crimes - SORCETTI Corrado and CORNACCHIA Guiseppe

GHQ CMF.

16171/46/A3.

12 Feb 46.

HQ Allied Commission Legal Sub-Commission

158A 155A

Copy to: DJAG.

Reference your AC/4119/5/L of 17 Jan 46 and 4119/5/L of 15 Jan 46.

1. The file of proceedings referred to therein reveals that the above named SORCETTI is in hospital suffering from some mental disability.

2. Will you therefore please cause enquiries to be made to ascertain SORCETTI's present condition, and whether he will be fit to plead and stand trial.

3. At the same time will you also please state what is the present position regarding CORNACCIA's transfer to British Military custody.

See 171A

Major General,
DAG.

/tl

LEGAL SUB COMMISSION (A)
DCLO
Chief Counsel
War Crimes
11-2-46

2343

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

1904

C-O-N-F-I-D-E-N-T-I-A-L

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AP/mda.

AC/4119/S/L. 26 February 1946.

SUBJECT : War Crimes. Sokota Nesse Boris, Franchi Aldo et al.

TO : CMO, CMF.

1. Reference your 16171/11/43 of 11 January 1946.

2. Advice has now been received from the Ministry of Pardon and Justice that both the Prosecutor and the Defense Counsel have appealed in Cassation against the sentence imposed by the lower Court.

3. The execution of the death sentence imposed against Franchi has not been carried out inasmuch as the accused benefits, under Art. 203 of the Code of Penal Procedure, of the declaration of appeal lodged by the Defense Counsels of other co-defendants, Sokota and Fabbri (who are still fugitives).

4. Copy of the judgment imposed by the Court of Assise of Grosseto is enclosed herewith.

5. Further information will be supplied as soon as available.

For the Chief Commissioner.

ANTHONY P. MCGUNT,
Major, AUS,
Chief Counsel,
for Chief Legal Advisor.

Incls.

55

C-O-N-F-I-D-E-N-T-I-A-L

2344

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

fm

MINISTERO DI GRAZIA E GIVSTIZIA

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

Ufficio Io A.F.
Prot. N° 131.772.2656/45
Risposta al f. N°
del

Roma 20 febbraio 1945

Oggetto Delitti di guerra. Procedimento nei riguardi di SOKOTA MESSE BORIS ed altri.

Al LA COMMISSIONE Alleata - Sotto-commissione Legale
R O M A

e p.c. ALL'UFFICIO DI COLLEGAMENTO
GABINETTO

In risposta alla nota suindicata si comunica che contro la sentenza 22 marzo 1945 della Corte di Assise di Grosseto che condannava alla pena di morte SOKOTA MESSE Boris, FABBRI Severino e FRANCHI Aldo, assolvendo per insufficienze di prove SANTINI Ireneo e per non aver commesso il fatto SANTINI Ubaldo, pende ancora ricorso per cassazione avanzato dal P.M. e dai condannati. La condanna a morte dell'unico detenuto, il FRANCHI (il SOKOTA ed il FABBRI sono latitanti) non è stata eseguita, in quanto, per la norma di cui all'art.203 C.P.P., la dichiarazione di impugnazione proposta dai correi, può giovare anche al FRANCHI, che non è ricorrente. Gli atti processuali trovansi presso il Supremo Collegio.

Si ritiene opportuno inviare un estratto della sentenza suindicata e si fa riserva di ulteriori comunicazioni.

d'ordine del MINISTRO

LEGAL SUB-COMMISSION
SEC
DECO
Chief Counsel
CJO
Italian Section
CLERKS
26.3.46

5

Estratto di sentenza

CORTE DI ASSISE DI GROSSETO

Estratto di sentenza nella causa del P.M. e delle parti civili a procedimento formale contro

1) SOKOTA MESSE BORIS di Antonio e Sommascka Giuseppe nato il 3 luglio 1913 a Tale - Latitante Contumace

2)Fabbri Severino di Carlo e Margherita Salamassi nato il 3 febbraio 1913 in Montieri - latitante - contumace

3) FRANCHI AIDO detto Ilvo di Orlando e di Innocenti Emilia nato il I gennaio 1899 in Follonica - Detenuto a Grosseto

4) SANTINI IRENEO di Raffaello e Francesca Ferrari nato il 19 ottobre 1917 a Grosseto detenuto presente

5) SANTINI UFITO di Raffello e Francesca Ferrari nato il 23 decembre 1911 in Arcidosso detenuto

imputati

a) del delitto di cui agli art. 110 C.P. 5 D.L.L. 27 luglio 1944 n.159 in relazione all'art. 58 C.P.M.G. perchè nella zona di Manciano posteriormente all'8 settembre 1943 collaborarono col tedesco invasore prestandogli aiuto e assistenza e la sera del 5 maggio 1944 in concorso con alcuni militari tedeschi (il Sokota nella sua qualità di Commissario straordinario del Fascio di Manciano) il Fabbri ed il Franchi quali suoi collaboratori e i collaboratori fratelli Santini quali suoi informatori prepararono ed eseguirono la cattura di tre prigionieri inglesi (Wright Marrj, Masse Laurence, Bagram George Mikael) e di colui che li ospitava (Santarelli Ilvio) nonchè di Rossi Aldo della classe 1925 inadempiente alla chiamata disposta dal governo repubblicano

b) del delitto di cui agli art. 110 112 n.1 575 577 n.3 C.P. per avere in località Aizora di Montemarano (Manciano) nella notte sul 5 maggio 1944 cagionato in concorso fra loro e di alcuni militari tedeschi la morte mediante fucilazione di tre militari inglesi e del Santarelli Ilvo di cui al n.precedente,commettendo il fatto con premeditazione.

c) del delitto di cui agli art. 110 112 n.1 423 pp e 1 C.P. per avere in frazione di San Martino del comune di Manciano nella notte sul 4 maggio 1944 cagionato volontariamente l'incendio della casa colonica del fondo denominato " Ederino " nel quale il Santarnecchi ospitava due prigionieri inglesi .

omissis

V. gli art. 5 D.L.L. 27 luglio 1944 n.159 in relazione 110 575 577 n.3 e 423 C.P. 54 C.M. di guerra e 488 C.P.P.

53

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

con alcuni militari tedeschi ; il Sokota nella sua qualità di Commissario straordinario del Fascio di Mancianc) il Fabbri ed il Franchi quali suoi collaboratori e i collaboratori fratel i Santini quali suoi informatori ,prepararono ed eseguirono la cattura di tre prigionieri inglesi (Wright Harri, Haase Laurence, Bagram George Mikael) e di colui che li ospitava (Gabbarelli Ilvio) nonchè di Rossi Aldo della classe I925 inadempiente alla chiamata disposta dal governo repubblicano

b) del delitto di cui agli art. II0 II2 n.I 575 577 n.3 C.P. per avere in località Aizora di Montemarano (Mancianc) nella notte sul 5 maggio I944 cagionato in concorso fra loro e di alcuni militari tedeschi la morte mediante fucilazione di tre militari inglesi e del Santarelli Ilvo di cui al n.precedente,commettendo il fatto con premeditazione.

c) del delitto di cui agli art. II0 II2 n.I 423 pp e I C.P. per avere in frazione di San Martino del comune di Mancianc nella notte sul 4 maggio I944 cagionato volontariamente l'incendio delle casa colonica del fondo denominato " Pdarino " nel quale il Santarnecchi ospitava due prigionieri inglesi .

omissis

V. gli art, 5 D.L.L. 27 luglio I944 n.I59 in relazione II0 575 577 n.3 e 428 C.P. 54 C.M. di guerra e 488 C.P.P.

Dichiara Sokota Messe Doris, Fabbri Severino e Franchi Aldo colpevoli dei reati loro ascritti, modificato il primo in relazione all'art. 54 C.P.M.G. e come tali li condanna alla pena di morte mediante fucilazione. Li condanna tutti in solido al risarcimento dei danni alla parte civile da liquidarsi in separata sede ed alle spese liquidate in L.II3I6

V.poi l'art. 479 C.P.P. assolve dall'imputazioni ad essi ascritte Santini Ireneo per insufficienza di prove e Contini Unito per non aver commesso il fatto e ne ordina la scarcerazione se non detenuti per altra causa .

Grosseto 22 marzo I945

FIRMATI Bianchini Presidente- Longiave Cons. Esten. -Fiorentini Canc.

Per copia conforme all'originale

Firenze 16 ottobre I945

IL CANCELLIERE .

CORTE D'ASSISE DI FIRENZE

53

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

2347

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

188A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

AC/4119/3/4 23 February 1946.

SUBJECT : War Crimes. Borsetti Corrado and Cornacchia Giuseppe.

TO : Ministry of Pardon and Justice.

1. Reference ours AC/4119/3/- of 3 Jan. 1946.

2. Would you kindly inform this Sub Commission whether Borsetti is fit to plead and stand trial.

3. May please the handover of Cornacchia to British Military custody be speeded.

4. Please acknowledge receipt.

C.C. BARNARD.
Lt. Colonel.
Deputy Chief Legal Advisor.

5"

2348

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

FM 44195 O

184A

HQ ALCOM 23 Feb 46

(1) GHQ. CMF.

1381 RESTRICTED

PARA ONE FD REFERENCE YOUR CMS SIX ONE SEVEN CMS SLANT FOURTYSIX SLANT A THREE OF TWELVE FEBRUARY

PARA TWO FD REQUESTED ACTION TAKEN CMA LETTER FOLLOWS

51

ROUTINE

LEGAL

302

2349

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

C-O-M-P-I-D-E-N-T-I-A-L

186A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AP/mda.

AC/4119/5/L. 23 February 1946.

SUBJECT : War Crimes.

TO : Ministry of Pardon and Justice.

Herewith enclosed are photostat records of War Crimes cases Nos. 12, 22 and 250 for investigation and report of progress.

ANTHONY P. MACKAY,
Major, AUS,
Chief Counsel,
for Chief Legal Advisor.

Incls.

511

2350

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

Confidential

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 000.5-1

18 February 1946

SUBJECT: War Crimes.

TO : Headquarters, Allied Commission,
APO 394.

Attached are photostat records of War Crimes Cases Nos. 12, 22 and 250. May they please be forwarded to the Italian authorities with a request for investigation and reports of progress.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

F. G. A. PARSONS
Brigadier
Acting Asst. Chief of Staff, G-5.

Encls:
as above.

43

Confidential

2351

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

4119/5 FLC

184A

LWT/dnp

ALLIED COMMISSION
OFFICE OF CHIEF LIAISON OFFICER
VENEZIA

TO : HQ ALCOM (att.Legal Sub-Commission) 19 Feb 46

SUBJECT : War Crimes: Trical of Durello Natale, Collo Luigi and Della Pria Agostino.

FILE No : CLO/V/PS/47

1. Reference your AC/4119/5/L of 15 Feb 46.

2. Enclosed herewith is copy of this HQ letter addressed to Pubblico Ministero, Padova, which it is regretted was not enclosed with our letter of the 13th inst.

Lt. Col
for Brigadier
Chief Liaison Officer

ALLIED MISSION
CLO
DCLO
Chief
CIO
Italian Section
CLERKS
21.2.46

40

2352

13th February 1946.

To: PUBBLICO MINISTERO di PADOVA

Subject: War Crimes, trial of Durelle Natale, Colo Luigi and Delle Pria Agostino.

File: CLO/V/PS/47.

1. With reference to the trial of the above-named accused before the Extraordinary Court of Assize in Padova.

2. Allied Forces Headquarters desire to be informed of the charges and findings of the Court in this case. They also state that should any death sentences be awarded, they should not be put into effect without reference to them. Similarly, should any of the accused be acquitted they should be retained in custody. AFHQ further state that they reserve the right to bring these men to trial after the completion of the case at Padova Assizes.

3. AFHQ have also asked for confirmation that Allegro Antonio and Fontana Silvio are also in Italian custody. This HQ has ascertained that this is so and pending the receipt of further instructions from AFHQ, it is requested that you will regard their cases as being in the same category as those of the three accused enumerated in subject heading.

4. Will you please comply with these instructions when the cases are heard before the [illegible]

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

of the charges and findings of the court [illegible] also state that should any death sentences be awarded, they should not be put into effect without reference to them. Similarly, should any of the accused be acquitted they should be retained in custody. AFHQ further state that they reserve the right to bring these men to trial after the completion of the case at Padova Assizes.

3. AFHQ have also asked for confirmation that Allegro Antonio and Fontana Silvio are also in Italian custody. This HQ has ascertained that this is so and pending the receipt of further instructions from AFHQ, it is requested that you will regard their cases as being in the same category as those of the three accused enumerated in subject heading.

4. Will you please comply with these instructions when the cases are heard before the Assize Court and when sentences are pronounced inform this HQ of the result immediately in order that the information may be transmitted to AFHQ.

5. Please acknowledge receipt of this letter.

for Brigadier
Chief Liaison Officer

Copy to: OC 55 Field Security Section, Int. Corps.
(your S/3 of 17 Jan.46 refers)

2 3 5 3

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

2 3 5 4

13 Febbraio 1946.

Al: PUBBLICO MINISTERO DI PADOVA

Oggetto: Crimini di guerra, processo di Durello Natale, Colo Luigi e Della Pria Agostino.

File: N° CLO/V/PS/47.

1. In riferimento al processo degli imputati di cui all'oggetto davanti alla Corte Straordinaria di Assise a Padova.

2. Il Comando delle Forze Alleate desidera essere informato dei capi d'accusa e di quanto fu scoperto dalla Corte in questa causa. Inoltre dichiara che qualora delle sentenze di pena capitale dovessero essere pronunciate, esse non dovranno essere eseguite senza riferirne previamente a detto Comando. Analogamente, se qualcuno degli imputati dovesse essere assolto, egli dovrà essere trattenuto in detenzione. Il Comando delle Forze Alleate dichiara anche che si riserva il diritto di sottoporre a processo questi uomini dopo che la causa alle Assisi di Padova sarà ultimata.

3. Il Comando delle Forze Alleate ha pure chiesto conferma che Allegro Antonio e Fontana Silvio sono pure essi in detenzione presso le Autorità Italiane. Questo Comando ha accertato che è così ed in attesa che ulteriori disposizioni arrivino dal Comando delle Forze Alleate, si chiede che questi casi vengano considerati come essendo della stessa categoria di quelli dei tre imputati enumerati in oggetto.

4. Vogliate conformarvi a queste istruzioni quando

Declassified E.O. 12356 Section 3.3/NND No. 782016

2. Il Comando delle Forze Alleate desidera essere informato dei capi d'accusa e di quanto fu scoperto dalla Corte in questo caso. Inoltre dichiara che qualora delle sentenze di pena capitale dovessero essere pronunciate, esse non dovranno essere eseguite senza riferirne previamente detto Comando. Analogamente, se qualcuno degli imputati dovesse essere assolto, egli dovrà essere trattenuto in detenzione. Il Comando delle Forze Alleate dichiara anche che si riserva il diritto di sottoporre a processo questi uomini dopo che la causa alle Assisi di Padova sarà ultimata.

3. Il Comando delle Forze Alleate ha pure chiesto conferma che Allegro Antonio e Fontana Silvio sono pure essi in detenzione presso le Autorità Italiane. Questo Comando ha accertato che è così ed in attesa che ulteriori disposizioni arrivino dal Comando delle Forze Alleate, si chiede che questi casi vengano considerati come essendo della stessa categoria di quelli dei tre imputati enumerati in oggetto.

4. Vogliate conformarvi a queste istruzioni quando le cause saranno state ascoltate alla Corte d'Assise, e quando le sentenze saranno pronunciate vogliate informare immediatamente questo Comando dell'esito perchè tale informazione possa essere trasmessa al Comando delle Forze Alleate.

5. Favorite accusarericezione della presente.

_____ Brigadier
Chief Liaison Officer

Copia a: OC 55 Field Security Section, Int.Corps.
(vostra S/3 del 17.Gen.46 ref.)

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

23561

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

Fld 4119/5/6

183A

HQ ALCOM 21 FEB 46

(1) "A" BRANCH CMF, APHQ

1353

RESTRICTED

REFERENCE YOUR SIGNALS NUMBERS FX SIX ZERO EIGHT TWO SEVEN AND FX S
IX ONE ONE EIGHT SEVEN OF FIFTEEN AND TWENTY FEBRUARY ONE NINE
FOUR SIX FD

PARA ONE FD PROSECUTOR EXTRAORDINARY COURT OF ASSISE PADOVA HAS
BEEN ASKED THROUGH CHIEF LIAISON OFFICER VENETIA TO COMPLY WITH
INSTRUCTIONS CONTAINED IN PARAS TWO AND FOUR OF YOUR LETTER
ONE SIX ONE SEVEN ONE SLANT TWENTYONE SLANT A DASH THREE OF
SEVEN JANUARY ONE NINE FOUR SIX FD
PARA TWO FD INFORMATION REQUESTED WILL BE SIGNALED AS SOON AS
OBTAINED

43

ROUTINE

LEGAL SUB COMMISSION

NOE

2337

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

Fiche 4119/5/10

183A

HQ ALCON 21 FEB 46

(1) "A" BRANCH CMF, APHQ

1353

RESTRICTED

REFERENCE YOUR SIGNALS NUMBERS FX SIX ZERO EIGHT TWO SEVEN AND FX SIX ONE ONE EIGHT SEVEN OF FIFTEEN AND TWENTY FEBRUARY ONE NINE FOUR SIX FB

PARA ONE FB PROSECUTOR EXTRAORDINARY COURT OF ASSISE PADOVA HAS BEEN ASKED THROUGH CHIEF LIAISON OFFICER VENEZIE TO COMPLY WITH INSTRUCTIONS CONTAINED IN PARAS TWO AND FOUR OF YOUR LETTER CCZ SIX ONE SEVEN ONE SLANT TWENTYONE SLANT A DASH THREE OF SEVEN JANUARY ONE NINE FOUR SIX FB

PARA TWO FB INFORMATION REQUESTED WILL BE SIGNALED AS SOON AS OBTAINED

43

ROUTINE

LEGAL SUB COMMISSION

302

2358

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

1124

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/mda.

AC/4119/5/L.

21 February 1946.

SUBJECT : War Crimes. Trial of Durello Natale, Collo Luigi and Della Pria Agostino.

TO : Chief Liaison Officer Venezia.

1. Reference your CLO/V/23/47 of 19 February 1946 and previous correspondence.

2. AFHQ desire that a reply to the instructions contained in paragraphs 2 and 4 of this Sub-Commission's letter AC/4119/5/L of 10 January 1946 be signalled as soon as possible due to the fact that the information is essential for the preparation of a War Crime trial.

3. Will you kindly instruct the appropriate Italian authorities accordingly.

By command of Rear Admiral STONE.

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

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Legal AFIA

Originator's Reference: FX 61187

Date/Time of Origin: 202123A

Message Centre No: G/9601

Date Time Rec'd: FEB 210915A

Precedence: PRIORITY

FROM: AFHQ 'A' BRANCH CMF

TO : ALCOM INFO JAG NAPLES

RESTRICTED

RESTRICTED

Reference our signal FX60827 of 15 Fed.Letter referred to is 16111/21/A-3 of 1 Jan 46.

AC DIST

ACTION: LEGAL

INFO: CHIEF COMMISSIONER

1 P W

FILE 2

FLOAT

ACTION

RESTRICTED

HEADQUARTERS 43

21 FEB 1946

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

Reference our signal FX60827 of 15 Feb. Letter referred to is

161/1/21/A-3 of 7 Jan 46.

AC DIST

ACTION: LEGAL

INFO: CHIEF COMMISSIONER

1 P W

FILE 2

FLOAT

ACTION

RESTRICTED

LEGAL DIVISION
CLO
DCLO
Chief Counsel
CLERK
21.2.46

HEADQUARTERS
21 FEB 1946
A. C.

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

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Legal 18017

Originator's Reference: EX 60827

Date/Time of Origin: FEB 151858A

Message Centre No: G/9368

Date Time Rec'd: FEB 160900

Precedence: ROUTINE

FROM: "A" BRANCH CMF AFHQ

TO : ALCOM, INFO: JAG NAPLES

RESTRICTED: RESTRICTED

148A

Reference our letter of even reference dated 7 January 46. Please signal reply soonest to paras 2 and 4. This information essential for preparation War crimes trial.

AC DIST

ACTION *LEGAL

INFO* CHIEF COMMISSIONER

I P W

FILE 2

FLOAT

ACTION

LEGAL SUB COMMISSION

CLO

HEADQUARTERS

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

2361

Reference our letter of even reference dated 7 January 46.Please signal reply soonest to paras 2 and 4.This information essential for preparation War crimes trial.

AC DIST

ACTION *LEGAL

INFO* CHIEF COMMISSIONER

I P W

FILE 2

FLOAT

ACTION

LEGAL SUB COMMISIO
CLO
DCLO
Chief Counsel
CIO
Italian
C

Rec 16/2/46.

HEADQUARTERS
12

RESTRICTED

2362

Declassified E.O. 12356 Section 3.3/NND No. 835016

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: FX 61186
Date/Time of Origin: FEB 202124A

Message Centre No: G/9600
Date Time Rec'd: FEB 210900A
Precedence: OP PRIORITY

FROM: AFHQ A BRANCH CMF

TO : ALCOM, INFO : DISTHREE 211 SUB AREA NAPLES AREA

CONFIDENTIAL.

CONFIDENTIAL

Request your assistance in obtaining attendance at Warcrime trial on Capt SOMMAVILLA now in progress at Naples of General ADAMI ROSSI required as witness for defence. Adami is held in civil custody in Florence by Procuratore Generale del Regno who has refused all efforts by 211 Sub Area (Florence) to secure his attendance. If Minister of Grace and Justice will authorize it Adami can be sent to Naples in military vehicle under British Military Escort and returned to Florence within 4 days. As trial is likely to end on 22 February request you take most urgent action with civil Authorities and if successful signal this HQ repeated 211 Sub Area for necessary action.

AC DIST

ACTION - LEGAL
INFO - CHIEF COMMISSIONER
CAS
FIL
SKELTON

ACTION

Feb 21 2 Gen

CONFIDENTIAL

HEADQUARTERS

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

SOMERVILLE now in progress at Naples of General ADAMI ROSSI required as witness for defence. Adami is held in civil custody in Florence by Procuratore Generale del Regno who has refused all efforts by 211 Sub Area (Florence) to secure his attendance. If Minister of Grace and Justice will authorize it Adami can be sent to Naples in military vehicle under British Military Escort and returned to Florence within 4 days. As trial is likely to end on 22 February request you take most urgent action with civil Authorities and if successful signal this HQ repeated 211 Sub Area for necessary action.

AC DIST

ACTION - LEGAL
INFO - CHIEF COMMISSIONER
CAS
FIL
SKELTON

ACTION

CONFIDENTIAL

HEADQUARTERS
21 FEB 1946
A.F.H.Q.

Tel 11.20 am
21st 246

Col Hamilton, Dir

I Receive a telephone Call from a Capt Gibbs (AFHQ) that no action was necessary now on this cable.

WB.

2364

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

2363

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/mdn.

AC/4119/5/L.

15 February 1946.

SUBJECT : War Crimes: Trial of Durello Natale, Collo Luigi and Della Pria Agostino.

TO : Chief Liaison Officer, VENEZIA.

1. Reference your CLO/V/P3/47 of 13 February 1946.

2. We should like to see the copy of a letter to the Publico Ministero, Padova, referred to in para 2, which was not enclosed in your letter.

By command of Rear Admiral STONE.

BURGRAVE THOMAS,
Italian Branch,
for Chief Legal Adviser.

Incl.

ALLIED COMMISSION
OFFICE OF CHIEF LIAISON OFFICER
VENEZIA

°°°

VILLA TAVERNA
PREGANZIOL
NEAR TREVISO

13th February 1946.

To: HQ Alcom (att. Legal Sub-Commission)

Subject: War Crimes, trial of Durello Natale, Colo Luigi and Della Pria Agostino.

File No: CIO/V/PS/47.

1.- Reference your AC/4119/S/L of 10 Jan 46 addressed to the Regional Commissioner, Venezie Region, which was received at this HQ after the offices in Padua had been closed.

2.- Enclosed for your information is copy of a self-explanatory letter which has today been addressed to the Pubblico Ministero, Padova, in Confirmation of verbal instructions given a few days ago.

& Copy arrived with this letter.

3.-You will note that Allegro Antonio and Fontana Silvio are in Italian custody and that provisional instructions have been given to the Pubblico Ministero that their cases should be dealt with in the same manner as those of the three accused enumerated in subject heading. Will you please confirm that this is the action AFHQ desire should be taken?

4.-As soon as the Pubblico Ministero furnishes the necessary information as to the charges and results of these cases, this HQ will pass same to you for transmission to AFHQ.

32

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

To: HQ AFHQ (CLO) - G-5

Subject: War Crimes, trial of Durello Natale, Dolo Luigi and Della Pria Agostino.

File No: CLO/V/PS/47.

1.- Reference your AC/1119/5/L of 10 Jan 46 addressed to the Regional Commissioner, Venezia Region, which was received at this HQ after the offices in Padua had been closed.

2.- Enclosed for your information is copy of a self-explanatory letter which has today been addressed to the Pubblico Ministero, Padova, in confirmation of verbal instructions given a few days ago.

Lt Love arrived with this letter.

3.-You will note that Allegro Antonio and Fontana Silvio are in Italian custody and that provisional instructions have been given to the Pubblico Ministero that their cases should be dealt with in the same manner as those of the three accused enumerated in subject heading. Will you please confirm that this is the action AFHQ desire should be taken?

4.-As soon as the Pubblico Ministero furnishes the necessary information as to the charges and results of these cases, this HQ will pass same to you for transmission to AFHQ.

32

Lt Love Capt
for Brigadier
Chief Liaison Officer

CLO
DCLO
Chief Counsel
CIO
Italian Section
CLERKS

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

2368

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

1761A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

[illegible]/5/4 MT/ns
14 February 1946

SUBJECT : War Crimes : Murder of British P/W, Robert Colline, PETRELLI Nazzareno.

: AFHQ : A Branch.

1. Reference 1617/1/4 3 of 13th October 1945.

2. I enclose a copy of a letter from the Minister of Justice stating the present position of the proceedings against PETRELLI Nazzareno.

For the Chief Commissioner:

[illegible] TSOUDS,
Italian Branch,
for Chief Legal Advisor.

38

93A

2369

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

176A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

AC/4113/3/L

MI/ns
14 February 1946

SUBJECT : War Crimes : Murder of British PW, Robert Collins. PATRELLI Nazzareno.

TO : AMG : A Branch.

1. Reference 161/1/A 3 of 13th October 1945.

2. I enclose a copy of a letter from the Minister of Justice stating the present position of the proceedings against PATRELLI Nazzareno.

For the Chief Commissioner:

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

38

45A

2370

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

4/19/5

Ministero di Grazia e Giustizia

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

Ufficio 1° A.E.
Pos. 1° 131/780/2485/45

Roma 9 Dicembre

146B Mod. 40

All'Ufficio Collegamento
presso il Comando Supremo
R O M A

Risposta al foglio del 22/10/1945
N. AC. Pos. 1° 4129/5/

OGGETTO Procedimento a carico di PERELLI Mazzarino e FINDIANI Friedel militi fascisti, imputati di aiuto al nemico, di concorso in omicidio volontario.-

73A

e, p.c. per conoscenza:
ALL'UFFICIO COLLEGAMENTO
S E D E

Si porta a conoscenza di codesto On.le Commissione che il Procuratore Generale del Regno presso il Tribunale Supremo Militare ha comunicato a questo Ministero che il procedimento in oggetto, già in corso presso il Tribunale Militare di Macerata, fu rimesso al Tribunale Militare di Firenze il 17/6/1945. E' tuttora in corso l'istruttoria e si attende l'esito delle ulteriori ricerche per l'arresto del correo FINDIANI che è latitante.-

Il Procuratore Militare di Firenze ha dato assicurazione circa la sollecita definizione della procedura. A suo tempo sarà comunicato direttamente a codesta Commissione la data del giudizio.

31

d'ordine del Ministro

2371

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

1752

HEADQUARTERS ALLIED COMMISSION
AFO 394
LEGAL SUB COMMISSION

AG/4119/5/-

MT/ns
14 February 1946.

SUBJECT : Killing of a Mexican prisoner, MARTAN Antonio

TO : Ufficio del Pubblico Ministero presso la
Corte d'Assise Straordinaria.
GROSSETO.

1. Reference your letter of 15th October 1945.

2. This Sub Commission would be glad to have some further information regarding MARTAN Antonio :

(a) Did he escape from an Allied or Enemy Prisoner of War Camp?

(b) The date on which MARTAN was killed;

(c) If MARTAN was a member of the Allied Forces, to what force and service is he believed to have belonged.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

Copy to the Minister of Pardon and Justice.

30

2372

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

3312.
"WCWCS file

0 1948
Intel

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 000.5-1 3 February 1946

SUBJECT: War Crimes - MARTAN Antonio.

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

168A

Reference your AC/ 4119/5/L of 29 January 1946.

+ in 168B he is described as a German prisoner

1. From your letter it is not clear whether Martan was an Allied soldier who was killed while in or after escaping from an enemy POW camp, or whether he was a POW held in an Allied POW camp. Until this point is cleared this Headquarters has no indication where it should start enquiry.

2. Please state whether the POW camp in question was an Allied camp or an enemy camp. If this is not known, the date of the crime may give some indication.

3. If Martan is believed to have been a member of any Allied Force can it be stated to which force and service he is believed to have belonged.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

H. G. A. PARSONS
Brigadier
Acting Asst. Chief of Staff, G-5

35

SECRET

Chief Counsel

CIC

Legal Section

RKS

→ Ho Ludnam
4 Feb 46.

2373

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

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 000.5-1 3 February 1946

SUBJECT: War Crimes - MARTAN Antonio.

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

Reference your AC/ 4119/5/L of 29 January 1946.

1. From your letter it is not clear whether Martan was an Allied soldier who was killed while in or after escaping from an enemy POW camp, or whether he was a POW held in an Allied POW camp. Until this point is cleared this Headquarters has no indication where it should start enquiry.

2. Please state whether the POW camp in question was an Allied camp or an enemy camp. If this is not known, the date of the crime may give some indication.

3. If Martan is believed to have been a member of any Allied Force can it be stated to which force and service he is believed to have belonged.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

F. G. A. PARSONS
Brigadier
Acting Asst. Chief of Staff, G-5

34

2374

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

4119/5

1.73A

Roma 1 Febbraio 1946

Ministero di Grazia e Giustizia

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

Ufficio I° A.P.
Pos. N° 131/772/2556/45

Alla COMMISSIONE ALLEATA
Sottocommissione Legale
R O M A

1-73A

Risposta a foglio del 27/1/1946
Div. Sez. N°

OGGETTO Delitti di guerra: procedimenti nei riguardi di SOKOTA Messe Botia, FAERI Severino, SANTINI Ireneo e Unito, DETTI Aldo e FRANCHI Flavio.-

e per conoscenza:

ALL'UFFICIO COLLEGAMENTO

S E D E

In relazione al foglio suindicato, si porta a conoscenza di codesta On.le Commissione che, in data odierna, è stato scritto al Procuratore Generale del Regno di Firenze, invitandolo a favorire le informazioni richieste.-

Si fa riserva di ulteriori comunicazioni.-

SUBCOMMISSION
CLO
DCLO
Legal
Chief Counsel
CIO
Prisoners Section

d'ordine del MINISTRO

→ John Thomas
4 Feb 46

Ricevuto in 20726.

42

33

LL 1195

Pub. Safety

172A

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: FX 60494
Date/Time of Origin: FEB 111508 A **RESTRICTED**
Message Centre No: G/9120
Date Time Rec'd: FEB 121045 A
Precedence: ROUTINE

FROM: AFHQ 'A' BRANCH CMF

TO : ALCOM, INFO: 3 DISTRICT 61 AREA

---

7 Dec

RESTRICTED.

Reference our 16171/46/A-3. Request you report progress soonest as handover essential to preparation of case.

AC DIST

ACTION P SAFETY
INFO CHIEF COMMISSIONER
FILE 2
FLOAT

Subject - War Crimes
ER

ACTION

Action already taken by letter 8 Feb 46

HEADQUARTERS
12 FEB 1946
A. C. 333

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

2375

RESTRICTED.

Reference our 16171/46/A-3. Request you report progress soonest as handover essential to preparation of case.

AC DIST

ACTION P SAFETY
INFO CHIEF COMMISSIONER
FILE 2
FLOAT

Subject - War Crimes
ER

ACTION

Action already taken by letter 8 Feb 46.

HEADQUARTERS
12 FEB 1946
A. C.

RESTRICTED.

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

2377

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

1414

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

AC/4119/5/L

MT/ne
8 February 1946.

SUBJECT : War Crimes : SORCITTI Corrado and CORNACCHIA Giuseppe.

TO : GHQ, CMF.

1. Reference your No. 16171/A - 3 of 5th November 1945.

2. I enclose copy of a letter received today from the Ministry of Justice regarding the handing over of SORCITTI Corrado and CORNACCHIA Giuseppe to a British military escort.

For the Chief Commissioner

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

31

2378

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

Mod 40

Roma, 4 - Marzo 1946

Ministero di Grazia e Giustizia

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

Ufficio 1° A.P.
Pos. 1ª 43° div. / 19/2852

Risposta al f. del 7 Gennaio 46

Al 2ª COMMISSIONE ARMATA
Sottocommissione Legale
R O M A

OGGETTO: SORCITTI Corrado e CORNACCHIA Giuseppe.-

146A

e per conoscenza:

ALL'UFFICIO COLLEGAMENTO
S E D E

Sciogliendo la riserva di cui alla nota sopradistinta si informa che il Procuratore Generale di Ancona, con telegramma del 20 gennaio u.s. ha comunicato a questo Ministero di aver disposto la consegna dei detenuti SORCITTI Corrado e CORNACCHIA Giuseppe alla nostra militare giurisdizione, nonchè la documentazione di rilievarli, nonchè la trasmissione del processo a codesta Sottocommissione Legale.-

p. ordine del MINISTRO

8.2.46

310

2379

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AP/mfe.

AC/4119/5/L.

4 February 1946.

SUBJECT : War Crimes.

TO : F.S.S. Via Sicilia 59 - ROME.

1. Enclosed herewith is a memorandum relating to NARDONI Giovanni who was arrested by a British F.S.S. unit on 16 November 1945 and is presumably held in Allied custody at MACERATA.

2. Could any information be obtained in order that this Sub-Commission can advise the Ministry of Pardon and Justice on the situation against him.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

Incls.

2380

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

2833 4/1195/1

SUBJECT : War Crimes - Shooting of Nathan LEACH

LEGAL 109A

GHQ CMF

16171/15/A-3

DJAG 21 Jan 46

Copy to : HQ AC Legal Sub Commission
Your MJ/4119/5/L of 17
Dec 45 refers

1. Reference your JAG/M/16171/15 of 15 Jan 46 enquiring if any action has been taken by the Italian authorities in respect of SANTILLI.

2. HQ AC have stated that McKIE's report is being forwarded to the Procuratore Generale Militare in Florence.

3. Notification of any decision reached will be forwarded.

LEG SUB COMMISSION
CLO
DCLO
Chief
CJO
Rec'd 3 Jan 46

No action called for at this time

C.J. Stoltenhoff-Stevens
Major General,
DJAG.
Capt
A/26

2381

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

Confidential

1698

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/es

AC/4119/5/L. 17 December 1945

SUBJECT : Coccia Usberto : Charged with causing death of ex-Prisoner of War.

TO : GHQ , CMF.

1. Reference your No. 16171:15/A-3 of 11 December 1945.

2. The Affidavit of Pte. William John McKie is being forwarded to the Procuratore Generale Militare in Florence who has again been asked to advise this Sub-Commission when a decision of this case can be expected.

For the Chief Commissioner

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

2382

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

1688

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

AC/4119/5/L

AP/ne
29 January 1946

SUBJECT : War Crimes - Killing of MARTAN Antonio

TO : AFHQ, G - 5

1. The Extraordinary Court of Assize of Grosseto is bringing to trial FONTI Mario, FREDDINI Antonio, PACIONELLI Luigi and MATTONI Nouvrale charged withhaving killed a POW named MARTAN Antonio.

2. The Procuratore has but slight information of the victim. It is only known that he was a native of Mexico and that the murder took place at Montebono di Sorano, Province of Grosseto where MARTAN had been discovered after his escape from an unknown POW Camp.

3. Would you be kind enough to see if any further information could be obtained.

For the Chief Commissioner :

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

Corte d'Assise Straordinaria di Grosseto

Ufficio del Pubblico Ministero

Grosseto 16 ottobre 1945

Oggetto: Uccisione del prigioniero Messicano Martan Antonio.

Alla Commissione Alleata

Roma

15/45 1.- Questo Ufficio istruisce processo contro [illegible] Forti Mario, Preddini Antonio, Pastorelli Luigi, Matteoni Neutrale, ex militi della guardia repubblicana per l'ex prigioniero di origine messicana Martan Antonio, che era evaso l'8 settembre 1943.

2.- Egli si era rifugiato presso un contadino a Montebono di Sorano ed ivi fu scoperto ed ucciso dai predetti.

3.- Si gradirebbero più precise generalità del prigioniero.

4.- Si attendono eventuali istruzioni ove il processo interessi codesta Commissione.

Il Pubblico Ministero
(Avv. Pasquale de Leone)

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

15/45 1.= Questo [illegible]

Forti Mario, Freddini Antonio, Pastorelli Luigi, Matteo=
ni Neutrale, ex militi della guardia repubblicana per
l'ex prigioniero di origine messicana Martan Antonio,
che era evaso l'8 settembre 1943.

2.= Egli si era rifugiato presso un contadi=
no a Montebono di Sorso ed ivi fu scoperto ed ucciso
dai predetti. / precede

3.= Si gradirebbero più precise generalità
del prigioniero.

4.= Si attendono eventuali istruzioni ove il
processo interessi codesta Commissione.

Il Pubblico Ministero
(Avv. Pasquale de Leone)

25

29 Oct.
Checked with Secretary
Commission (Chief Clerk);
Further information requested.

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

2385

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

592/2

LEGAL

Corte d'Assise Straordinaria di Grosseto

Ufficio del Pubblico Ministero

47/45 RG PM CAS

Grosseto 15 ottobre 1945

Oggetto: Uccisione del ten. Rodrik.

Alla

Commissione Alleata

Roma

1.- Questo Ufficio procede contro varie persone per l'uccisione di un prigioniero che viene indicato come "Ufficiale neozelandese Rodrik (o Rostrik o Rorik Lorenzo" facente parte di una formazione partigiana, avvenuto il 17 aprile 1944.

2.- Ritengo doveroso darne notizia a codesta Commissione anche perchè voglia fornirmi gli eventuali dati che possano identificare meglio la persona dell'ucciso.

3.- Avverto che l'istruttoria è quasi ultimata ed il processo dovrebbe essere fissato nella seconda quindicina di Novembre p.v.

LEGAL SUB COMMISSION
CLO
DCLO
Chief Counsel
CJO
Italian Section
CA RKS
24 OCT 1945

Il Pubblico Ministero
(avv. Pasquale de Leone)

24

2386

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

1674

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/L119/5/L. AP/1625.

29 January 1946.

SUBJECT : War Crimes.

TO : APHQ, G-5.

1. The Extraordinary Court of Assise of CROTONE is bringing to trial various persons charged with having killed a New Zealand Officer whose name is Rodrik (or Rostrik or Rork) Lorenzo.

2. Nothing is known of the victim only that he belonged to partisan formations and that the murder took place on 17 April 1944.

3. Would you be kind enough to see if any further information could be obtained.

For the Chief Commissioner.

MILCHAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

Ca 205 A

2387

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

166A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/mla.

AC/4119/5/L. 29 January 1946.

SUBJECT : War Crimes shooting of Pte. PERRY.

TO : G. HQ., C.M.F.

I enclose for your information copy of a letter with enclosure from the Procuratore Generale Militare, Rome, relating to the shooting of Pte. PERRY in a train at Ala.

For the Chief Commissioner.

MUNGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

22

2388

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

COPY

PROCURA GENERALE MILITARE
presso il

TRIBUNALE SUPREMO MILITARE

N. 205 Reg. Gen.

Roma, 23 gennaio 1946.

Carte annesse 1

Oggetto: Trasmissione stralcio di denuncia a carico di criminali di guerra tedeschi

ALLA COMMISSIONE ALLEATA
Sotto Commissione Legale

R O M A

e.p.c. LEGIONE TERRITORIALE DEI CC. RR.
(Ufficio Servizio)

B O L Z A N O

(Rif. elenco del 5/10/1945)

In un elenco di crimini di guerra commessi da tedeschi, pervenuto a questa Procura Generale, e' stata segnalata la uccisione da parte di ignoto militare tedesco del prigioniero di guerra alleato PERRI, con matricola C.M. 42 C.A.C.X. 4635, il quale durante una sosta allo scalo di Ala del treno che lo trasportava, si era sporto da un finestrino.

Trattandosi di reato di competenza dell'autorita' giudiziaria militare alleata, si trasmette uno stralcio dell'elenco su riferito, inviato dalla Legione Territoriale dei CC.RR. di Bolzano, tramite il Ministero degli Affari Esteri.

IL PROCURATORE GENERALE MILITARE
(U. Borsari)

21

2389

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

C O P I A

13/9/1943	Scalo ferr. Ala (Trento)	Prigioniero di guerra alleato PERRY C.H. 42 O.Z.C.X. 4636	Militare tedesco non identificato

F A T T O

Essendosi sporto con la testa da un finestrino della vettura di un treno in sosta allo scalo di Ala, da una sentinella di scorta al convoglio veniva ucciso con un colpo di fucile.

n.b.) testimoni del fatto sono: MASON Olindo fu Lorenzo e TAPPA Francesco di G.Batta, ferrovieri addetti allo Scalo ferroviario di Ala.

2390

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

PROCURA GENERALE MILITARE

PRESSO IL

TRIBUNALE SUPREMO MILITARE

N. 205 Prot. Reg. Gen. Roma, li 23 gennaio 1946

Risposta al foglio del N. Carte annesse N. 1

Oggetto: Trasmissione stralcio di denuncia a carico di criminali di guerra tedeschi.

ALLA COMMISSIONE ALLEATA
- Sotto Commissione Legale -

R O M A

e.p.c. LEGIONE TERRITORIALE DEI CC.RR.
(Ufficio Servizio)

B O L Z A N O

(rif. elenco del 5/IO/1945)

In un elenco di crimini di guerra commessi da tedeschi, pervenuto a questa Procura Generale, è stata segnalata la uccisione da parte di ignoto militare tedesco del prigioniero di guerra alleato PERRY, con matricola C.H.42 C.E.C.X. 4636, il quale durante una sosta alle scale di Ala del treno che lo trasportava, si era sporto da un finestrino.

Trattandosi di reato di competenza dell'autorità giudiziaria militare alleata, si trasmette uno stralcio dell'elenco su riferito, inviato dalla Legione Territoriale dei CC.RR. di Bolzano, tramite il Ministero degli Affari Esteri.

IL PROCURATORE GENERALE MILITARE
(U.Borsari)

2391

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

3 Copie

C O P I A

12/9/43 ore 19	Scalo ferr.Ala(Trento)	Prigioniero di guerra alleato PERRY C.M.42 C.E.C.X. 4636	Militare tedesco non identificato

F A T T O

Essendosi sporto con la testa da un finestrino della vettura di un treno in sosta allo scalo di Ala, da una sentinella di scorta al convoglio veniva ucciso con un colpo di fucile.

a.b.) testimoni del fatto sono: MASON Olindo fu Lorenzo e TAPPA Francesco di G.Batta, ferrovieri addetti allo Scalo ferroviario di Ala.

COPIA CONFORME

Segn. 18

2392

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

164A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AS/mda.

AC/4119/5/L. 28 January 1946.

SUBJECT : War Crimes. Shooting of Isaach Nathan.

To : G SG., C.M.F.

1. Reference is made to your letter 16171/15/1-3 of 11 December 1945.

2. The Procura Generale Militare has again requested the appropriate Italian authorities to speed up the trial against CUCCIA Umberto.

3. Further information will be supplied as soon as available.

For the Chief Commissioner.

MURRAYS THOMAS,
Italian Branch,
for Chief Legal Advisor.

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

Mod. 40

Ministero di Grazia e Giustizia

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

Roma 16 Gennaio 1946

Ufficio I - A.P.
Sez. 1ª 108/17/308/45

Alla COMMISSIONE ALLEATA
Sottocommissione Legale
R O M A

Risposta al foglio 6/1/1945
Div. AC Sez. 1ª 110/5/I.

OGGETTO Procedimento penale contro COCCIA Umberto imputato di omicidio in persona del militare britannico MACH Matten.-

per conoscenza:

ALL'UFFICIO COLLEGAMENTO

S E D E

In seguito a precedente corrispondenza, si informa che la Procura Generale Militare presso il Tribunale Supremo Militare ha testè comunicato che il procedimento contro Coccia Umberto, detenuto, è tuttora in fase istruttoria.-

Si aggiunto che ne è stata sollecitata la definizione e che, a suo tempo, questo Ministero sarà informato dell'esito del processo.-

Si fa riserva pertanto, di ulteriori notizie.-

JB COMMISION

CLO

DCLO

Maj. Hudson

CIO 4 Jan 46

p. l'ordine del MINISTRO

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P

162A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AP/mdm.

AC/A119/5/1. 26 January 1946.

SUBJECT : Giovanni MARIONE.

TO : F.B.I. - Via Piccola 56 - ROME.

1. Herewith enclosed copy of a plea in behalf of the above mentioned received here from Charles POLETTI.

2. It is understood that the person in question was arrested by your organization on or about 18 November 1945 in connection with a war crime.

3. It would be very much appreciated if any information could be obtained. Will you please return original documents when seen.

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

Incls.

4/19/5
161A

CHARLES POLETTI
MILTON J. DIAMOND
BENJAMIN J. RABIN
JESSE FREIDIN
DAVID MACKAY
BENJAMIN POLLACK
JEROME H. ADLER
RUDOLF M. LITTAUER
DANIEL FORNBLUM
FERDINAND J. WOLF
IRVING P. TURMAN
BENJAMIN B. GOLD

FRANKLIN D. ROOSEVELT, JR.
NATHAN TANEN
SAMUEL A. BLOOM
MURRAY A. GORDON
ROBERT ROSENTHAL

POLETTI, DIAMOND, RABIN, FREIDIN & MACKAY
508 MADISON AVENUE
NEW YORK 22, N. Y.
TELEPHONE PLAZA 5-5300

January 8, 1946

Rear Admiral Ellery Stone
Chief Commissioner
Allied Commission
Rome
Italy

My dear Admiral:

Enclosed is a plea from Emilio Nardone of 2029 Second Avenue, New York City, in behalf of his brother, Giovanni Nardone, a former infantry captain in the Italian Army.

Will you be good enough to have some officer of the Allied Commission look into the matter and assure himself that justice is being done.

Needless to add, this is not being referred to you in my capacity as a lawyer. It results from the fact that I'm a guy that several guys of Italian extraction know. I'd appreciate whatever can be done.

With warm regards.

Yours sincerely,

Charles Poletti

Enclosure

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

Chief Commissioner
Allied Commission
Rome
Italy

My dear Admiral:

Enclosed is a plea from Emilio Nardone of 2029 Second Avenue, New York City, in behalf of his brother, Giovanni Nardone, a former infantry captain in the Italian Army.

Will you be good enough to have some officer of the Allied Commission look into the matter and assure himself that justice is being done.

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With warm regards.

Yours sincerely,

Charles Poletti

Enclosure

Request sent to Y.&C. on 26 Jan for info.

Declassified E.O. 12356 Section 3.3/NND No. 935016

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

4/19/50 file 2746

Copy 160

Subject:- WAR CRIMES.

CONFIDENTIAL.

GHQ CMF.

16410/A-3.

19 Jan 46.

HQ Allied Commission	(2)
HQ BTA	(10)
HQ 13 Corps	(5)
HQ No 2 District	(50)
HQ No 3 District	(15)
HQ 218 Special Area	(10)

Copy to - DJAG, GHQ CMF	(3)
A-2	(1)
GHQ 2nd Echelon	(2)
CS(1)	(1)

1. A list is attached of names appearing the UNWCC Lists. In each case the serial number is stated.

2. Persons listed are thought to have associated with the enemy intelligence services and are urgently required for interrogation.

3. It is requested that the list be checked as far as possible with available records of PW and SEP with particulars of any persons traced, signalled to this HQ in accordance with normal procedure.

4. NIL returns required.

Major General,
DAG.

mom.

Encl.

LEGAL SUB COMMISSION
CLO
DCLO
Chief Counsel
CJO
Italian Section
Mr. Thomas
Rec'd Jan 21/46

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LIST OF WAR CRIMINALS.

LIST No 14.

CHARGES BROUGHT BY BELIUM.

Serial Number	Name	Rank	Position and date of crime.
10	BUSSENSCHUTT, Herman		Member of Gestapo at Couvin (Jul 44).
34	MELE, von		Chief of Einsatzgruppe L der Sicherheitspolizei & des Sicherheitsdienstes (23-25 Dec 44)
36	MULLER, Heinrich		Head of Gestapo office of RSHA (25 Mar 44 - 8 May 44 Gerlitz)
37a	MUMMENTHEY	SS Stumbannfuhrer	Head of Amt WI Wirtschafts und Verwaltungshauptamt. (1941-45 Buchenwald KL)
38	MUSKUSS		Chief of Gestapo (1944-45 Kaiser-garten Camp, Solingen)
44	SCHELLENBERG		Chief of Security, Occupied Territories Dept IV, Reichssicher-heitshauptamt. (1941 to Apr 45 Buchenwald KL)
50	STRECKENBACH	SS Brigadefuhrer	Befehlshaber der Sicherheitspol-izei, Poland (1941 to Apr 45 Buchenwald KL)
51	STURDT, von		Chief of Einsatzgruppe L der Sicherheitspolizei und des Sicherheitsdienstes (23-25 Dec 44 Hauptsturmfuhrer Nadrin)

CHARGES BROUGHT BY FRANCE.

99	ARNOLD	Adjutant	Sicherheitsdienst stationed at Annecy (from 11 Jun 44 to 20 Jul 44. St Jeoire Chatillon s/Cluses, Taninges & Balme, Haute-Savoie)
105	BARTHELMUS	Adjutant-chef of	Of unterabteilung IV(c) Anti-Jews

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			heitshauptamt. (1941 to Apr 45 Buchenwald KL)
50	STRECKENBACH	SS Brigadefuhrer	Befehlshaber der Sicherheitspolizei, Poland (1941 to Apr 45 Buchenwald KL)
51	STURDT, von		Chief of Einsatzgruppe L der Sicherheitspolizei und des Sicherheitsdienstes (23-25 Dec 44 Houffalize Nadrin)

CHARGES BROUGHT BY FRANCE.

99	ARNOLD	Adjutant	Sicherheitsdienst stationed at Annecy (from 11 Jun 44 to 20 Jul 44. St Jeoire Chatillon s/Cluses, Taninges & Balme, Haute-Savoie)
105	BARTHELMUS	Adjutant-chef of the SS	Of unterabteilung IV(c) Anti-Jews (27 Jul 44 Place Bellecourt, Lyon)
109	BEGUSCH, von		Member of Gestapo, Drancy KL.
110	BEHR, Willy		Gestapo agent in Argeles-Gazost (1943)
111	BERCK, Jean		Chief of Gestapo, Arles-s/Tech (Aug and Sep 43 Velmanya)
113	BERKER		Chief of Gestapo in Bourg-Madame (1943-44)
118	BICKLER or BICKERT	SS Standartenfuhrer	Chief of Section VI of the Sicherheitspolizei in Paris (13 Jun 44 11 Blvd Flandrin, Paris)

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Serial Number	Name	Rank	Position and date of crime
119	BIEBERBICK, Dr		Gestapo HQ Section, Fine Arts, Paris (1944)
122	BISENNIUS, Leo; dit Dubois, Jean		Member of Sicherheitsdienst, Clermont-Ferrand (27 Apr 44)
123	BOEDICKER, Alfred	Adjutant-Chef	Member of Gestapo at Nancy (18 Aug 44)
134	BUCHBERGER, Fritz		Officer of Gestapo in Chambery. Had to leave 23 Aug 44 via Mont Cenis (8 Jan 44)
138	BUHLER, Hermann	Unterscharfuhrer	Member of Vichy Gestapo (Abteilung IV 2a) operating at Bourg-Lastic, P.de D (9-15 Jul 44)
142	COPP		Gestapo agent in Bourg-Madame (1943-44)
161	FINTMAN, Luc		Gestapo at Rodez (6 Aug 44)
166	FRANTZ	SS Serjeant	Member of Unterabteilung IV(A) Anti-Communist (27 Jul 44 Place Bellecourt Lyon).
171	FURSMANN		Gestapo Interpreter, Drancy KL (Jun 43)
181	GOFFERT		Gestapo agent at Drancy KL.
187	HAMMAN, Georges	Serjeant	Gestapo in Cannes (1944)
188	HANOT, Leon		Formerly policeman in Eupen-Malmedy region. Gestapo agent in Douai (6 Mar 44)
194	HECTOR, Martin	Unterscharfuhrer	Gestapo of Paris. Belonging to IDS (9-15 Jul 44 Bourg-Lastic)
202	HERMANN, Hans	SS Sturmbannfuhrer	Gestapo at Foix, Ariege (29 Jun 44)
215	HOFMANN, Rudolf (Rudi)		Member of Sicherheitsdienst in Chambery (8 Jan 44)

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			Anti-Communist (27 Jul 44 Place Bellecourt Lyon).
171	FURSMANN		Gestapo Interpreter, Drancy KL (Jun 43)
181	GOPFERT		Gestapo agent at Drancy KL.
187	HALSMAN, Georges	Serjeant	Gestapo in Cannes (1944)
188	HANOT, Leon		Formerly policeman in Eupen-Malmedy region. Gestapo agent in Douai (6 Mar 44)
194	HECTOR, Martin	Untersharfuhrer	Gestapo of Paris. Belonging to SDS (9-15 Jul 44 Bourg-Lastic)
202	HERMANN, Hans	SS Stumbannfuhrer	Gestapo at Foix, Arieges (29 Jun 44)
215	HOFMANN, Rudolf (Rudi)		Member of Sicherheitsdienst in Chambery (8 Jan 44)
219	"JACQUES" (nom de guerre)	Captain	Attached to Kommandant of Sicherheitsdienst, Aussendienst-stelle of Mende (27-19 May 44 La Parade, Baradoux, Lozere. 17 Aug 44 Mende)
223	JODKUN		Gestapo agent at Drancy KL
228	KANIOK	Adjudant-Chef	Gestapo in Argeles- Gazost(1943)
238	KIRSTEN, Heinrich	NCO	Gestapo agent in Argeles-Gazost (1943)
240	KLEIBAUER, Henri	NCO, SS	One of principal Sicherheits-dienst agents in Chambery (8 Jan 44)
243	KNAB, Dr		Chief of Lyon Gestapo (27 Jul 44)

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Serial Number	Name	Rank	Position and date of crime
246	KOACHER	Adjutant	Sicherheitsdienst at Mende (27-29 May 44 La Parade, Bardoux, Lozere. 17 Aug 44 Mende)
254	KORN	Captain	Gestapo of Montauban (26 Jul 44)
261	KROENPRING		Member of Gestapo, Chief of Forced Labour Camp at Anrath (Germany) (1941-45)
271	LANGENBACH @ ALTMANN	Hauptsturmfuhrer	German Chief of French Kommando of Sicherheitsdienst in Vichy (27 Apr 44)
279	LITZRODT		Chief of Sicherheitsdienst at Chamonix (11 Jun 44 to 20 Jul 44)
287	MALETZI	Adjutant	Sicherheitsdienst stationed at Annecy (11 Jun 44 to 20 Jul 44)
291	MARTIN, Hector	Unterscharfuhrer	Paris Gestapo (10-16 Jun 44)
298	MISCHKER, Rudi @ MISCHKA	SS Sergeant	Unterabteilung IV(D), False Papers and Identity Cards Dept (27 Jul 44 Lyon)
306	MULLER	Adjutant	Belonging to Sicherheitsdienst stationed at Annecy (11 Jun 44 to 20 Jul 44)
308	NAGLER	Untersturmfuhrer	Chief of Gestapo at Gerardmer (Sep Oct and Nov 44)
311	NICOLAI	Unterscharfuhrer	Member of Vichy Gestapo (Abt W2a) operating at Bourg-Lastic (9-15 Jul 44)
314	NOHL, Dr		Gestapo HQ Section 6 or 7, Paris (1944)
315	NOWAK	Adjutant-Chief	Sicherheitsdienst stationed at Annecy (11 Jun 44 to 20 Jul 44)
327	PFLIEGER, Emile		Customs Officer, attached to Sonder Kommando, special branch

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291	MARTIN, Hector	Unterscharfuhrer	Paris Gestapo (10-15 Jun 44)
298	MISCHKER, Rudi @ MISCHKA	SS Sergeant	Unterabteilung IV(D), False Papers and Identity Cards Dept (27 Jul 44 Lyon)
306	MULLER	Adjutant	Belonging to Sicherheitsdienst stationed at Annecy (11 Jun 44 to 20 Jul 44)
308	NAGLER	Untersturmfuhrer	Chief of Gestapo at Gerardmer (Sep Oct and Nov 44)
311	NICOLAI	Unterscharfuhrer	Member of Vichy Gestapo (Abt W2a) operating at Bourg-Lastic (9-15 Jul 44)
314	NOHL, Dr		Gestapo HQ Section 6 or 7, Paris (1944)
315	NOWAK	Adjutant-Chief	Sicherheitsdienst stationed at Annecy (11 Jun 44 to 20 Jul 44)
327	PFLIEGER, Emile		Customs Officer, attached to Sonder Kommando, special branch of Sicherheitsdienst of Chambery, member of Sicherheitsdienst (8 Jan 44)
329	POHL, Osvald	[illegible] Gruppenfuhrer	Verwaltungschef des SS und Sicherheitsdienst Hauptamtes. (1942-45) (Ravensbruck KL)
334	RASECHKE		Belonging to Sicherheitsdienst, stationed at Cluses (11 Jun 44 to 20 Jul 44)
336	REICH, Oscar		Gestapo agent, Drancy KL(from Jun 43)
388	STEDMACHER	Rottenfuhrer	Detachment of Annecy Sicherheitsdienst, stationed at Cluses (11 Jun 44 to 20 Jul 44)

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Serial Number	NAME	Rank	Position and date of crime
391	STOTZ	Sturmscharfuhrer	Commandant of Gestpo of Montauban (26 Jul 44)
412	VACHMIF, Ernst	SS Hauptscharfuhrer	Chef de Service at Gestapo of Pont-Remeu. (Jan-Jul 44)
424	WELMANN		Gestapo at Rodez (6 Aug 44)
431	WILDE	SS Untersturmfuhrer	Section V of Sicherheitspolizei in Paris (13 Jun 44)
433	WIRGES, August		Member of Gestapo at Cannes(1944)
		CHARGES BROUGHT BY LUXEMBURG.	
458	HARTMANN, Fritz	SS Obersturmbann-fuhrer and Ober-regierungsrat	Leiter der Gestapo, Blvd de la Petrusse 57, Luxembourg-ville (Nov 40 to 43)
463	KAYSER, Cornelius		Gestapo agent (6 Sep 44 Flebour, Lipperscheiderdelt, Canton de Diekirch)
		CHARGES BROUGHT BY NORWAY.	
476	GEMNICKE	Obersturmfuhrer	Attached to Gestapo HQ Trondheim (1943 to 44)
480	LIEDKE or KIDTKE	Kriminalsekretar	Attached to Gestapo HQ Trondheim (Autumn 44)
484	OTTO	Hauptscharfuhrer	Attached to Gestapo HQ Trondheim (1941)
487	RITTER	Obersturmfuhrer	Attached to Gestapo HQ Trondheim (1943)
489	SCHUSSMANN	Hauptscharfuhrer	Attached to Gestapo HQ Trondheim (Autumn 44)

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463	KAYSER, Cornelius		Gestapo agent (6 Sep 44 Flebour, Lipperscheiderdelt, Canton de Diekirch)

CHARGES BROUGHT BY NORWAY.

476	GERNICKE	Obersturmfuhrer	Attached to Gestapo HQ Trondheim (1943 to 44)
480	LIEDKE or KIDTKE	Kriminalsekretar	Attached to Gestapo HQ Trondheim (Autumn 44)
484	OTTO	Hauptscharfuhrer	Attached to Gestapo HQ Trondheim (1941)
487	RITTER	Obersturmfuhrer	Attached to Gestapo HQ Trondheim (1943)
489	SCHUSSMANN	Hauptscharfuhrer	Attached to Gestapo HQ Trondheim (Autumn 44)

CHARGES BROUGHT BY THE UNITED KINGDOM.

502	BONN	Commissar	Chief Gestapo agent of Graudenz Area (during 1944)
509	CIESZLIK	Unteroffizier	Member of Sicherheitsdienst in Brussels (May to Sep 44)
517	HAMMEMULLER	Feldwebel	Member of Sicherheitsdienst in Brussels (May to Sep 44)
563	SCHULTZ	Obergefreiter	Gestapo Interpreter at Graudenz Prison (?Of 527th Landschutz Bttn) (During 1944)

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Serial Number	Name	Rank	Position and date of crime
		CHARGES BROUGHT BY JUGOSLAVIA.	
596	APENBURG (?)		Politischer Leiter, or Leiter des Sicherheitsdienstes (Nov 42-Nov 43 Neuengamme KL)
599	BAUMANN	Sonderfuhrer	Pozarevac in 1942 and head of Intelligence Dept (1941-43)
608	BODE, Dr		Chef der Gestapo in Belgrade (during German occupation)
612	BRANDT		Chef der Gestapo in Belgrade (during German occupation, Banjica KL)
615	BRENNER		On duty at Gestapo in Belgrade (during German occupation, Banjica KL)
629	EVERING	Oberscharfuhrer	Gestapo in Belgrade (during German occupation Banjica KL)
652	HINTZE	Oberscharfuhrer	Gestapo in Belgrade, operating at Banjica KL (during German occupation)
653	HOENIG		Volksdeutscher from Banat. On duty at the Gestapo in Belgrade. Operating at Banjica KL(during German occupation)
671	KLANT	Oberscharfuhrer	Gestapo in Belgrade. Operating at Banjica KL (during German occupation)
673	KNAP, Karlo		On duty at Gestapo in Belgrade (during German occupation)
675	KOCH		Beamter der Gestapo, Belgrade (during German occupation)
680	KRAUS, Dr		Chef der Gestapo, Belgrade (during German occupation)
696	MULLER	Obergruppenfuhrer	Beamter der Gestapo (during

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629	EVERING	Oberscharfuhrer	Gestapo in Belgrade (during German occupation Banjica KL)
652	HINTZE	Oberscharfuhrer	Gestapo in Belgrade, operating at Banjica KL (during German occupation)
653	HOENIG		Volksdeutscher from Banat. On duty at the Gestapo in Belgrade. Operating at Banjica KL(during German occupation)
671	KLANT	Oberscharfuhrer	Gestapo in Belgrade. Operating at Banjica KL (during German occupation)
673	KNAP, Karlo		On duty at Gestapo in Belgrade (during German occupation)
675	KOCH		Beamter der Gestapo, Belgrade (during German occupation)
680	KRAUS, Dr		Chef der Gestapo, Belgrade (during German occupation)
696	MULLER	Obergruppenfuhrer	Beamter der Gestapo (during German occupation)
712	RICHTER	Gruppenfuhrer	Inspector of Prisons at Gestapo, Belgrade. Operating at Banjica KL (during German occupation)
719	SATTLER		Chief of Anti Communist Dept in Gestapo, Belgrade, operating at Banjica KL (during German occupation)
725	SCHMITZ, Karl		Befehlshaber der Sicherheits-polizei und des SD in Operations Zone Adriatisches Kustenland. Operating at Gorizia (30 Dec 44)

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Serial Number	Name	RANK	Position and date of crime
728	SCHRELER or SCHEDER		Chief of Anti Communist Dept in Gestapo, Belgrade, operating at Banjica KL (during German occupation)
730	SCHUBERT	Oberleutnant SS	On duty at Gestapo in Belgrade. Operating at Banjica KL (during German occupation)
731	SCHULTT, Hans	Hauptmann	Chef der Gestapo at Krusevac District, Kraljevo (1943)
734	SCHULTZ		On duty at Gestapo in Belgrade. Operating at Banjica KL (during German occupation)
737	STAHL		Officer on duty SD Polizei at Kraljevo (1943)
768	ZAPPE	SS Sturmfuhrer	Gestapo (1941-43 District of Pozarevac, Serbia)
	SUSPECTS. LISTED BY FRANCE.		
35	ANZINGER	Sub-Lieutenant	Section IV, Gestapo at Nancy (15 and 18 Aug 44)
43	BRAUN	Serjeant	Section IV, Gestapo at Nancy (15 and 18 Aug 44)
45	BUCHMANN, Walter		Interpreter at the Gestapo at Foix, Ariege (29 Jun 44)
47	DETANDT, Edmond Helmut called BELMONT		Gestapo agent in Douai (6 Mar 44)
49	DRIESSNER	Adjutant	Section IV, Gestapo at Nancy (15 and 18 Aug 44)
56	FOCKEN	Serjeant-Chef	Section IV, Gestapo at Nancy (15 and 18 Aug 44)
62	GEIGOLAND, Hugo	Adjutant	Belonging to Gestapo in Douai

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768	ZAPPE	SS Sturmfuhrer	Gestapo (1941-43 District of Pozarevac, Serbia)

SUSPECTS - LISTED BY FRANCE.

35	ANZINGER	Sub-Lieutenant	Section IV, Gestapo at Nancy (15 and 18 Aug 44)
43	BRAUN	Serjeant	Section IV, Gestapo at Nancy (15 and 18 Aug 44)
45	BUCHMANN, Walter		Interpreter at the Gestapo at Foix, Ariege (29 Jun 44)
47	DETANDT, Edmond Helmut called BELMONT		Gestapo agent in Douai (6 Mar 44)
49	DRIESSNER	Adjutant	Section IV, Gestapo at Nancy (15 and 18 Aug 44)
56	FOCKEN	Serjeant-Chef	Section IV, Gestapo at Nancy (15 and 18 Aug 44)
62	GEIGOLAND, Hugo	Adjutant	Belonging to Gestapo in Douai (6 Mar 44)
69	HAMMER	Sturmscharfuhrer	Section IV, Gestapo at Nancy (15 and 18 Aug 44)
73	HAWELKA	Serjeant-Chef	Section IV, Gestapo at Nancy (15 and 18 Aug 44)
74	HEINE, Franz	SS Lieutenant	Gestapo at Douai (6 Mar 44)
91	JENTSCH	Serjeant-Chef	Section IV, Gestapo at Nancy (15 and 18 Aug 44)
125	MOLENDA, Kitty		Interpreter at Gestapo in Argeles-Gazost (1943)

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Serial Number.	Name	Rank	Position and date of crime
144	RITTAU		Attorney, German Supreme Military Tribunal (since French Armistice, Berlin and Torgau)
147	ROERICHT	Serjeant-Chef	Section IV, Gestapo at Nancy (15 and 18 Aug 44)
161	SEIDEL	Serjeant	Section IV, Gestapo at Nancy (15 and 18 Aug 44)
162	SELZER	Serjeant-Chef	Section IV, Gestapo at Nancy (15 and 18 Aug 44)
165	SMOCZYK, Thomas		Electrician in Escarpelle Mines, Gestapo agent in Douai (6 Mar 44)

SUSPECTS LISTED BY UNITED KINGDOM.

184	HANSTER, Wilhelm		Commander of Sicherheitspolizei and of Sicherheitsdienst in Italy (19 Mar 45)

PERSONS WANTED AS WITNESSES BY NORWAY.

124	BAUER	Sturmscharfuhrer	Gestapo HQ Trondheim (1943)
124	JECK	Hauptsturmfuhrer	Gestapo HQ Trondheim (1943)

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

165	SMOCZYK, Thomas		Electrician in Bocarpello Mines, Gestapo agent in Douai (6 Mar 44)

SUSPECTS LISTED BY UNITED KINGDOM.

123	HARSTER, Wilhelm		Commander of Sicherheitspolizei and of Sicherheitsdienst in Italy (19 Mar 45)

PERSONS WANTED AS WITNESSES BY NORWAY.

124	BAUER	Sturmscharfuhrer	Gestapo HQ Trondheim (1943)
124	JECK	Hauptsturmfuhrer	Gestapo HQ Trondheim (1943)

Declassified E.O. 12356 Section 3.3/NND No. 778501 6

Serial Number	Name	Rank	Position and date of crime
246	KOACHER	Adjutant	Sicherheitsdienst at Mende (27-29 May 44 La Parade, Bardoux, Lozere. 27 Aug 44 Mende)
254	KORN	Captain	Gestapo of Montauban (26 Jul 44)
261	KROENPRING		Member of Gestapo, Chief of Forced Labour Camp at Amrath (Germany) (1941-45)
271	LANGENBACH @ ALTMANN	Hauptsturmfuhrer	German Chief of French Kommando of Sicherheitsdienst in Vichy (27 Apr 44)
279	LITZRODT		Chief of Sicherheitsdienst at Chamonix (11 Jun 44 to 20 Jul 44)
287	MALETZI	Adjutant	Sicherheitsdienst stationed at Annecy (11 Jun 44 to 20 Jul 44)
291	MARTIN, Hector	Unterscharfuhrer	Paris Gestapo (10-16 Jun 44)
298	MISCHKER, Rudi @ MISCHKA	SS Serjeant	Unterabteilung IV(D), False Papers and Identity Cards Dept. (27 Jul 44 Lyon)
306	MULLER	Adjutant	Belonging to Sicherheitsdienst stationed at Annecy (11 Jun 44 to 20 Jul 44)
308	NAGLER	Unterstaurmfuhrer	Chief of Gestapo at Gerardmer (Sep Oct and Nov 44)
312	NICOLAI	Unterscharfuhrer	Member of Vichy Gestapo (Abt W2a) operating at Bourg-Lastic (9-15 Jul 44)
314	NOHL, Dr		Gestapo HQ Section 6 or 7, Paris (1944)
315	NOWAK	Adjutant-Chief	Sicherheitsdienst stationed at Annecy (11 Jun 44 to 20 Jul 44)
[illegible]	[illegible]		Customs Officer, attached to

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

Serial Number	Name	Rank	Position and date of crime
246	KOACHER	Adjutant	Sicherheitsdienst at Mende (27-29 May 44 La Parade, Bardoux, Lozere. 17 Aug 44 Mende)
254	KORN	Captain	Gestapo of Montauban (26 Jul 44)
261	KROENPRING		Member of Gestapo, Chief of Forced Labour Camp at Anrath (Germany) (1941-45)
271	LANGENBACH @ ALTMANN	Hauptsturmfuhrer	German Chief of French Kommando of Sicherheitsdienst in Vichy (27 Apr 44)
279	LITZRODT		Chief of Sicherheitsdienst at Chamonix (11 Jun 44 to 20 Jul 44)
287	MALETZI	Adjutant	Sicherheitsdienst stationed at Annecy (11 Jun 44 to 20 Jul 44)
291	MARTIN, Hector	Unterscharfuhrer	Paris Gestapo (10-16 Jun 44)
298	MISCHKER, Rudi @ MISCHKA	SS Serjeant	Unterabteilung IV(D), False Papers and Identity Cards Dept (27 Jul 44 Lyon)
306	MULLER	Adjutant	Belonging to Sicherheitsdienst stationed at Annecy (11 Jun 44 to 20 Jul 44)
308	NAGLER	Untersturmfuhrer	Chief of Gestapo at Gerardmer (Sep Oct and Nov 44)
311	NICOLAI	Unterscharfuhrer	Member of Vichy Gestapo (Abt W2a) operating at Bourg-Lastic (9-15 Jul 44)
314	NOHL, Dr		Gestapo HQ Section 6 or 7, Paris (1944)
315	NOWAK	Adjutant-Chief	Sicherheitsdienst stationed at Annecy (11 Jun 44 to 20 Jul 44)
327	PFLIEGER, Emile		Customs Officer, attached t.

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291	MARTIN, Hector	Unterscharfuhrer	Paris Gestapo (...)
298	MISCHKER, Rudi @ MISCHKA	SS Serjeant	Unterabteilung IV(D), False Papers and Identity Cards Dept (27 Jul 44 Lyon)
306	MULLER	Adjutant	Belonging to Sicherheitsdienst stationed at Annecy (11 Jun 44 to 20 Jul 44)
308	NAGLER	Untersturmfuhrer	Chief of Gestapo at Gerardmer (Sep Oct and Nov 44)
312	NICOLAI	Unterscharfuhrer	Member of Vichy Gestapo (Abt W2a) operating at Bourg-Lastic (9-15 Jul 44)
314	NOHL, Dr		Gestapo HQ Section 6 or 7, Paris (1944)
315	NOWAK	Adjutant-Chief	Sicherheitsdienst stationed at Annecy (11 Jun 44 to 20 Jul 44)
327	PFLIEGER, Emile		Customs Officer, attached to Sonder Kommando, special branch of Sicherheitsdienst of Chambery, member of Sicherheitsdienst . (8 Jan 44)
329	POHL, Osvald	SS Gruppenfuhrer	Verwaltungschef des SS und Sicherheitsdienst Hauptamtes. (1942-45) (Ravensbruck KL)
334	RASECHKE		Belonging to Sicherheitsdienst, stationed at Cluses (11 Jun 44 to 20 Jul 44)
336	REICH, Oscar		Gestapo agent, Drancy KL(from Jun 43)
388	STEIMACHER	Rottenfuhrer	Detachment of Annecy Sicherheitsdienst, stationed at Cluses (11 Jun 44 to 20 Jul 44)

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Serial Number	NAME	Rank	Position and date of crime
391	STOTZ	Sturmscharfuhrer	Commandant of Gestpo of Montaubon (26 Jul 44)
412	VACHMIT, Ernst	SS Hauptscharfuhrer	Chef de Service at Gestapo of Font-Romeu. (Jan-Jul 44)
424	WELMANN		Gestapo at Rodez (6 Aug 44)
431	WILDE	SS Untersturmfuhrer	Section V of Sicherheitspolizei in Paris (13 Jun 44)
433	WIRGES, August		Member of Gestapo at Cannes(1944)
		CHARGES BROUGHT BY LUXEMBURG.	
458	HARTMANN, Fritz	SS Obersturmbann-fuhrer and Ober-regierungsrat	Leiter der Gestapo, Blvd de la Petrusse 57, Luxembourg-ville (Nov 40 to 43)
463	KAYSER, Cornelius		Gestapo agent (6 Sep 44 Flebour, Lipperscheiderdelt, Canton de Diekirch)
		CHARGES BROUGHT BY NORWAY.	
476	GEMNICKE	Obersturmfuhrer	Attached to Gestapo HQ Trondheim (1943 to 44)
480	LIEDKE or KIDTKE	Kriminalsekretar	Attached to Gestapo HQ Trondheim (Autumn 44)
484	OTTO	Hauptscharfuhrer	Attached to Gestapo HQ Trondheim (1941)
487	RITTER	Obersturmfuhrer	Attached to Gestapo HQ Trondheim (1943)
489	SCHUSSMANN	Hauptscharfuhrer	Attached to Gestapo HQ Trondheim (Autumn 44)

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463	KAYSER, Cornelius		Gestapo agent (6 Sep 44 Flebour, Lipperscheiderdelt, Canton de Diekirch)

CHARGES BROUGHT BY NORWAY.

476	GEMNICKE	Obersturmfuhrer	Attached to Gestapo HQ Trondheim (1943 to 44)
430	LIEDKE or KIDTKE	Kriminalsekreter	Attached to Gestapo HQ Trondheim (Autumn 44)
484	OTTO	Hauptscharfuhrer	Attached to Gestapo HQ Trondheim (1941)
487	RITTER	Obersturmfuhrer	Attached to Gestapo HQ Trondheim (1943)
489	SCHUSSMANN	Hauptscharfuhrer	Attached to Gestapo HQ Trondheim (Autumn 44)

CHARGES BROUGHT BY THE UNITED KINGDOM.

502	BONN	Commissar	Chief Gestapo agent of Graudenz Area (during 1944)
509	CIESZLIK	Unteroffizier	Member of Sicherheitsdienst in Brussels (May to Sep 44)
517	HAMMEMULLER	Feldwebel	Member of Sicherheitsdienst in Brussels (May to Sep 44)
563	SCHULTZ	Obergefreiter	Gestapo Interpreter at Graudenz Prison (?Of 527th Landschutz Bttn) (During 1944)

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LIST OF WAR CRIMINALS.

LIST No 14.

CHARGES BROUGHT BY BELIUM.

Serial Number	Name	Rank	Position and date of crime.
10	BUSSENSCHUTT, Herman		Member of Gestapo at Couvin (Jul 44).
34	MELE, von		Chief of Einsatzgruppe L der Sicherheitspolizei & des Sicherheitsdienstes (23-25 Dec 44)
36	MULLER, Heinrich		Head of Gestapo office of RSHA (25 Mar 44 - 8 May 44 Gorlitz)
37a	MUMMENTHEY	SS Sturmbannfuhrer	Head of Amt WI Wirtschafts und Verwaltungshauptamt. (1941-45 Buchenwald KL)
38	MUSKUSS		Chief of Gestapo (1944-45 Kaiser-garten Camp, Solingen)
44	SCHELLENBERG		Chief of Security, Occupied Territories Dept IV, Reichssicher-heitshauptamt. (1941 to Apr 45 Buchenwald KL)
50	STRECKENBACH	SS Brigadefuhrer	Befehlshaber der Sicherheitspol-izei, Poland (1941 to Apr 45 Buchenwald KL)
51	STURDT, von		Chief of Einsatzgruppe L der Sicherheitspolizei und des Sicherheitsdienstes (23-25 Dec 44 Houffalize Nadrin)

CHARGES BROUGHT BY FRANCE.

99	ARNOLD	Adjutant	Sicherheitsdienst stationed at Annecy (from 11 Jun 44 to 20 Jul 44. St Jeoire Chatillon s/Cluses, Taninges & Balme, Haute-Savoie)
105	BARTHELMUS	Adjutant-chef of the SS	Of unterabteilung IV(c) Anti-Jews (27 Jul 44 Place Bellecourt,

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

44	SCHELLENBERG		Chief of Security, Occupied Territories Dept IV, Reichssicherheitshauptamt. (1941 to Apr 45 Buchenwald KL)
50	STRECKENBACH	SS Brigadefuhrer	Befehlshaber der Sicherheitspolizei, Poland (1941 to Apr 45 Buchenwald KL)
51	STURDT, von		Chief of Einsatzgruppe L der Sicherheitspolizei und des Sicherheitsdienstes (23-25 Dec 44 Houffalize Nadrin)

CHARGES BROUGHT BY FRANCE.

99	ARNOLD	Adjutant	Sicherheitsdienst stationed at Annecy (from 11 Jun 44 to 20 Jul 44. St Jeoire Chatillon s/Cluses, Taningen & Balme, Haute-Savoie)
105	BARTHELMUS	Adjutant-chief of the SS	Of unterabteilung IV(c) Anti-Jews (27 Jul 44 Place Bellecourt, Lyon)
109	BEGUSCH, von		Member of Gestapo, Drancy KL.
110	BEHR, Willy		Gestapo agent in Argeles-Gazost (1943)
111	BERCK, Jean		Chief of Gestapo, Arles-s/Tech (Aug and Sep 43 Volmanya)
113	BERKER		Chief of Gestapo in Bourg-Madame (1943-44)
118	BICKLER or BICKERT	SS Standartenfuhrer	Chief of Section VI of the Sicherheitspolizei in Paris (13 Jun 44 11 Blvd Flandrin, Paris)

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Serial Number	Name	Rank	Position and date of crime
119	BIEBERBICK, Dr		Gestapo HQ Section, Fine Arts, Paris (1944)
122	BISERNIUS, Leo; dit Dubois, Jean		Member of Sicherheitsdienst, Clermont-Ferrand (27 Apr 44)
123	BOEDICKER, Alfred	Adjutant-Chef	Member of Gestapo at Nancy (18 Aug 44)
134	BUCHBERGER, Fritz		Officer of Gestapo in Chambery. Had to leave 23 Aug 44 via Mont Cenis (8 Jan 44)
138	BUHLER, Hermann	Unterscharfuhrer	Member of Vichy Gestapo (Abteilung IV 2a) operating at Bourg-Lastic, P.de D (9-15 Jul 44)
142	COPP		Gestapo agent in Bourg-Madame (1943-44)
161	FINFMAN, Luc		Gestapo at Rodez (6 Aug 44)
166	FRANTZ	SS Serjeant	Member of Unterabteilung IV(A) Anti-Communist (27 Jul 44 Place Bellecourt Lyon).
171	FURSMANN		Gestapo Interpreter, Drancy KL (Jun 43)
181	GOPFERT		Gestapo agent at Drancy KL.
187	HANMAN, Georges	Serjeant	Gestapo in Cannes (1944)
188	HANOT, Leon		Formerly policeman in Eupen-Malmedy region. Gestapo agent in Douai (6 Mar 44)
194	HECTOR, Martin	Unterscharfuhrer	Gestapo of Paris. Belonging to SDS (9-15 Jul 44 Bourg-Lastic)
202	HERMANN, Hans	SS Sturmbannfuhrer	Gestapo at Foix, Arieges (29 Jun 44)
215	HOFMANN, Rudolf (Rudi)		Member of Sicherheitsdienst in Chambery (8 Jan 44)

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171	FURSMANN		Gestapo Interpreter, Drancy KL (Jun 43)
181	GOFFERT		Gestapo agent at Drancy KL.
187	HAUMAN, Georges	Serjeant	Gestapo in Cannes (1944)
188	HANOT, Leon		Formerly policeman in Eupen-Malmedy region. Gestapo agent in Douai (6 Mar 44)
194	HECTOR, Martin	Unterscharfuhrer	Gestapo of Paris. Belonging to SDS (9-15 Jul 44 Bourg-Lastic)
202	HERMANN, Hans	SS Sturmbannfuhrer	Gestapo at Foix, Arieges (29 Jun 44)
215	HOFMANN, Rudolf (Rudi)		Member of Sicherheitsdienst in Chambery (8 Jan 44)
219	"JACQUES" (nom de guerre)	Captain	Attached to Kommandant of Sicherheitsdienst, Aussendienst-stelle of Mende (27-19 May 44 La Parade, Baradoux, Lozere. 17 Aug 44 Mende)
223	JODKUN		Gestapo agent at Drancy KL
228	KANIOK	Adjudant-Chef	Gestapo in Argelos- Gazost(1943)
238	KIRSTEN, Heinrich	NCO	Gestapo agent in Argelos-Gazost (1943)
240	KLEIBAUER, Henri	NCO, SS	One of principal Sicherheits-dienst agents in Chambery (8 Jan 44)
243	KNAB, Dr		Chief of Lyon Gestapo (27 Jul 44)

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Serial Number.	Name	Rank	Position and date of crime
144	RITTAU		Attorney, German Supreme Military Tribunal (since French Armistice, Berlin and Torgau)
147	ROENICHT	Serjeant-Chef	Section IV, Gestapo at Nancy (15 and 18 Aug 44)
161	SEIDEL	Serjeant	Section IV, Gestapo at Nancy (15 and 18 Aug 44)
162	SELZER	Serjeant-Chef	Section IV, Gestapo at Nancy (15 and 18 Aug 44)
165	SMOCZYK, Thomas		Electrician in Escarpelle Mines, Gestapo agent in Douai (6 Mar 44)

SUSPECTS LISTED BY UNITED KINGDOM.

[illegible]	HAHSTER, Wilhelm		Commander of Sicherheitspolizei and of Sicherheitsdienst in Italy (19 Mar 45)

PERSONS WANTED AS WITNESSES BY NORWAY.

124	BAUER	Sturmscharfuhrer	Gestapo HQ Trondheim (1943)
124	JECK	Hauptsturmfuhrer	Gestapo HQ Trondheim (1943)

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

124	BAUER	Sturmscharfuhrer	Gestapo HQ Trondheim (1943)
124	JECK	Hauptsturmfuhrer	Gestapo HQ Trondhei (1943)

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Serial Number	Name	Rank	Position and date of crime
		CHARGES BROUGHT BY JUGOSLAVIA.	
596	APENBURG (?)		Politischer Leiter, or Leiter des Sicherheitsdienstes (Nov 42-Nov 43 Neuengamme KL)
599	BAUMANN	Sonderfuhrer	Pozarevac in 1942 and head of Intelligence Dept (1941-43)
608	BODE, Dr		Chef der Gestapo in Belgrade (during German occupation)
612	BRANDT		Chef der Gestapo in Belgrade (during German occupation, Banjica KL)
615	BRENNER		On duty at Gestapo in Belgrade (during German occupation, Banjica KL)
629	EVERING	Oberscharfuhrer	Gestapo in Belgrade (during German occupation Banjica KL)
652	HINTZE	Oberscharfuhrer	Gestapo in Belgrade, operating at Banjica KL (during German occupation)
653	HOENIG		Volksdeutscher from Banat. On duty at the Gestapo in Belgrade. Operating at Banjica KL(during German occupation)
671	KLANT	Oberscharfuhrer	Gestapo in Belgrade. Operating at Banjica KL (during German occupation)
673	KNAP, Karlo		On duty at Gestapo in Belgrade (during German occupation)
675	KOCH		Beamter der Gestapo, Belgrade (during German occupation)

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615	BRENNER		On duty at Gestapo in Belgrade (during German occupation, Banjica KL)
629	EVERING	Oberscharfuhrer	Gestapo in Belgrade (during German occupation Banjica KL)
652	HINTZE	Oberscharfuhrer	Gestapo in Belgrade, operating at Banjica KL (during German occupation)
653	HOENIG		Volksdeutscher from Banat. On duty at the Gestapo in Belgrade. Operating at Banjica KL(during German occupation)
671	KLANT	Oberscharfuhrer	Gestapo in Belgrade. Operating at Banjica KL (during German occupation)
673	KNAP, Karlo		On duty at Gestapo in Belgrade (during German occupation)
675	KOCH		Beamter der Gestapo, Belgrade (during German occupation)
680	KRAUS, Dr		Chef der Gestapo, Belgrade (during German occupation)
696	MULLER	Obergruppenfuhrer	Beamter der Gestapo (during German occupation)
712	RICHTER	Gruppenfuhrer	Inspector of Prisons at Gestapo, Belgrade. Operating at Banjica KL (during German occupation)
719	SATTLER		Chief of Anti Communist Dept in Gestapo, Belgrade, operating at Banjica KL (during German occupation)
725	SCHMITZ, Karl		Befehlshaber der Sicherheits-polizei und des SD in Operations Zone Adriatisches Kustenland. Operating at Gorizia (30 Dec 44)

Declassified E.O. 12356 Section 3.3/NND No. 487016

Serial Number	Name	RANK	Position and date of crime
728	SCHRELER or SCHODER		Chief of Anti Communist Dept in Gestapo, Belgrade, operating at Banjica KL (during German occupation)
730	SCHUBERT	Oberleutnant SS	On duty at Gestapo in Belgrade. Operating at Banjica KL (during German occupation)
731	SCHULTT, Hans	Hauptmann	Chef der Gestapo at Krusevac District, Kraljevo (1943)
734	SCHULTZ		On duty at Gestapo in Belgrade. Operating at Banjica KL (during German occupation)
737	STAHL		Officer on duty SD Polizei at Kraljevo (1943)
768	ZAPPE	SS Sturmfuhrer	Gestapo (1941-43 District of Pozarevac, Serbia)

SUSPECTS LISTED BY FRANCE.

33	ANZINGER	Sub-Lieutenant	Section IV, Gestapo at Nancy (15 and 18 Aug 44)
43	BRAUN	Serjeant	Section IV, Gestapo at Nancy (15 and 18 Aug 44)
45	BUCHMANN, Walter		Interpreter at the Gestapo at Foix, Ariege (29 Jun 44)
47	DETANDT, Edmond Hellut called BELMONT		Gestapo agent in Douai (6 Mar 44)
49	DRIESSNER	Adjutant	Section IV, Gestapo at Nancy (15 and 18 Aug 44)
56	FOUKEN	Serjeant-Chef	Section IV, Gestapo at Nancy (15 and 18 Aug 44)

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

[illegible]	ZAPP	SS Sturmführer	Gestapo (1941-43) District of Pozarevac, Serbia)

SUSPECTS LISTED BY FRANCE.

33	ANZINGER	Sub-Lieutenant	Section IV, Gestapo at Nancy (15 and 18 Aug 44)
43	BRAUN	Serjeant	Section IV, Gestapo at Nancy (15 and 18 Aug 44)
45	BUCHMANN, Walter		Interpreter at the Gestapo at Foix, Ariege (29 Jun 44)
47	DETANDT, Edmond Helmut called BELMONT		Gestapo agent in Douai (6 Mar 44)
49	DRIESSNER	Adjutant	Section IV, Gestapo at Nancy (15 and 18 Aug 44)
56	FOGKEN	Serjeant-Chef	Section IV, Gestapo at Nancy (15 and 18 Aug 44)
62	GEIGOLAND, Hugo	Adjutant	Belonging to Gestapo in Douai (6 Mar 44)
69	HAMMER	Sturmscharfuhrer	Section IV, Gestapo at Nancy (15 and 18 Aug 44)
73	HAWELKA	Serjeant-Chef	Section IV, Gestapo at Nancy (15 and 18 Aug 44)
74	HEINE, Franz	SS Lieutenant	Gestapo at Douai (6 Mar 44)
91	JENTSCH	Serjeant-Chef	Section IV, Gestapo at Nancy (15 and 18 Aug 44)
125	MOLENDA, Kitty		Interpreter at Gestapo in Argeles-Gazost (1943)

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

Serial Number.	Name	Rank	Position and date of crime
144	RITTAU		Attorney, German Supreme Military Tribunal (since French Armistice, Berlin and Torgau)
147	ROERICHT	Serjeant-Chef	Section IV, Gestapo at Nancy (15 and 18 Aug 44)
161	SEIDEL	Serjeant	Section IV, Gestapo at Nancy (15 and 18 Aug 44)
162	SELZER	Serjeant-Chef	Section IV, Gestapo at Nancy (15 and 18 Aug 44)
165	SMOCZYK, Thomas		Electrician in Escarpelle Mines, Gestapo agent in Douai (6 Mar 44)

SUSPECTS LISTED BY UNITED KINGDOM.

184	HARSTER, Wilhelm		Commander of Sicherheitspolizei and of Sicherheitsdienst in Italy (19 Mar 45)

PERSONS WANTED AS WITNESSES BY NORWAY.

123	BAUER	Sturmscharfuhrer	Gestapo HQ Trondheim (1943)
124	JECK	Hauptsturmfuhrer	Gestapo HQ Trondheim (1943)

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Declassified E.O. 12356 Section 3.3/NND No. 935016

SUSPECTS LISTED BY UNITED KINGDOM.

184	HARSTER, Wilhelm		Commander of Sicherheitspolizei and of Sicherheitsdienst in Italy (19 Mar 45)

PERSONS WANTED AS WITNESSES BY NORWAY.

123	BAUER	Sturmscharfuhrer	Gestapo HQ Trondheim (1943)
124	JECK	Hauptsturmfuhrer	Gestapo HQ Trondheim (1943)

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MISSING ISSUES

NOT AVAILABLE

FILMED AS FOUND

IN COLLECTION

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Declassified E.O. 12356 Section 3.3/NND No. 789016

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Ministero di Grazia e Giustizia

Gabinetto di S.E. il Ministro

Roma, 21. 1. 1946 a.

Protocollo N° 3C/4251

OGGETTO Criminali di Guerra.

Alla Commissione Alleata
Sottocommissione Legale

ROMA

Facendo seguito a precedente richiesta telefonica si prega voler trasmettere il testo ufficiale delle norme che presiedono al processo di Norimberga e al trattamento dei criminali di guerra.

L'UFFICIALE DI COLLEGAMENTO
(Dr. Giorgio Bonelli)

Alla Commissione Alleata
Sottocommissione Legale

ROMA

Facendo seguito a precedente richiesta telefonica si prega voler trasmettere il testo ufficiale delle norme che presiedono al processo di Norimberga e al trattamento dei criminali di guerra.

L'UFFICIALE DI COLLEGAMENTO
(Dr.Giorgio Borelli)

Borelli.

Declassified E.O. 12356 Section 3.3/NND No. 795016

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

ISPD

/mda

17 January 1946.

AC/4119/5/L.

SUBJECT : War Crimes: SORCITTI Corrado
and CORNACCHIA Giuseppe.

TO : AMHQ: A Branch.

1. Reference our letter of 15 January (No. 4119/5/L).

2. The file of proceedings referred to in para 3 has just been received from the Ministry of Justice and is sent herewith.

For the Chief Commissioner.

MUSGRAVE THOMAS
Italian Branch,
for Chief Legal Advisor.

Incls.

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

HEADQUARTERS ALLIED COMMISSION
AFO 394
LEGAL SUB COMMISSION

AC/4119/5/-

MI/ns
17 January 1946

SUBJECT : War Crimes : Proceedings against SORATA Nesse Boris and others.

TO : The Minister of Pardon and Justice.

1. Reference your letter Prot. No. 131/772/2656/1945 of 24th November 1945.

2. Please inform this Sub Commission whether DAITI Sergio has yet been tried, and, if so, what was the finding and sentence.

3. Will you please forward any further information on the following points in connection with this case : -

(a) The apprehension of SORATA Nesse Boris and FABBI Severino;

(b) The result of the appeal by the Procura Generale of Florence against the acquittal of SANTINI Arenco and SANTINI Unito;

(c) Whether the sentence of death passed upon BIANCHI Alvio has been carried out.

4. The above information is urgently required and I should therefore be obliged if a reply can be sent as soon as possible.

MUSGRAVE THOMAS,
Italian Branch,
for Chief Legal Advisor.

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

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4119/5/16 LEGAL

456A

CONFIDENTIAL

Subject : WAR CRIMES - DETTI Sergio and others

GHQ CMF
16171/11/A3
11 Jan 46

HQ Allied Commission
Legal Sub-Commission

Copy to : DJAG.

123A

Reference your AC/4119/5/L dated 7 Dec 45 and this HQ letter 16171/11/A3 dated 30 Oct 45.

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1. Please inform this HQ whether DETTI Sergio has yet been tried and if so what was the finding and sentence.

2. Will you please also forward any further information on the following points in connection with this case :-

(a) The apprehension of SCKOTA MESSE Boris and FABRI Severino

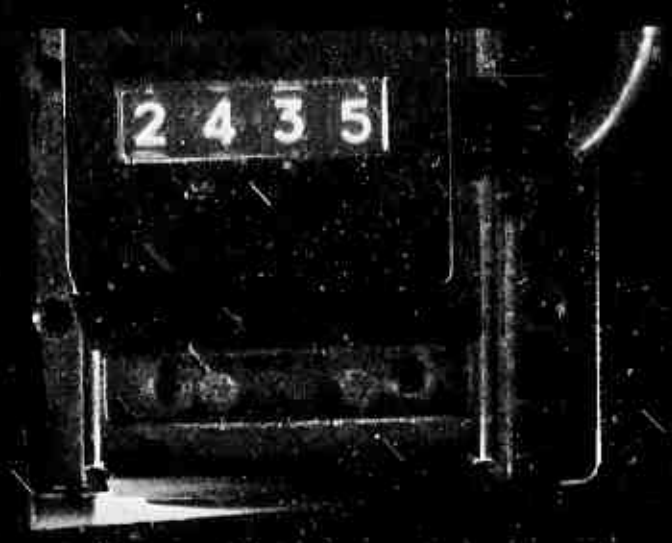
(b) The result of the appeal by the Procura Generale of FLORENCE against the acquittal of SANTINI Erenco and SANTINI Unito.

(c) Whether the sentence of death passed on FRANCHI Ilvio has been carried out.

CONFIDENTIAL

SUB-COMMISSION
DCLO
Chief Counsel
MMW/jaml.
16 Jan 46

Major General,
DAG.


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