

1992

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

785016

ACC

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CAS
PAL
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92
CASE OF CORRAVENGO (WOUNDING OF AMERICAN SAILOR AT
PALERMO)
MAR. - MAY 1944

MINISTERO DELLE CORPORAZIONI

GABINETTO

Num. _____

Cat.

Declassified E.O. 12356 Section 3.3/NND No

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1995

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

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CONTAINS PARENTS

FOR

FORM

TO

CATALOGUE - 16

1996

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

785016

~~4438/4442~~

~~024652~~

~~24092~~

~~024298~~

~~2800~~



4442 De Luca Teodora

4441 Albano Donato

4440 De Filippo Menno

4439 Quarantillo Carlo

4438 Costantino Angelo

1997

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

785016

4440 De Filippo Premato

4439 Quarantillo Carlo

4438 Costantino Angelo

DATES
FROM 29 May 1964
TO 01 June 1964

1998

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

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REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

3A

ACC/4129/2/L.

/rlp.
28 April 1944.

SUBJECT : Case of CORRAVENGO.

TO : Regional Legal Officer (THRU: Regional Commissioner), Region I.

1. Reference your letter RLE 013.03/FLV dated 12 April 1944.
2. The Chief Commissioner has directed that this case be referred to the appropriate Italian Court for trial.
3. The file which you submitted is returned herewith.

RICHARD H. WILMER,
Lt. Col., CAC,
Deputy Chief Legal Officer.

4083/1
✓
ALLIED CONTROL COMMISSION
SICILY REGION HEADQUARTERS
APO 394

2A

File : RLE 013.03/FLV

12th April 1944

SUBJECT : Appointment of Military Court.

TO : Legal Sub-Commission - A.C.C. Headquarters

1. Enclosed herewith please find the arrest report in the case of CORRAVENGO Giuseppe, together with a letter from Capt. L. Doughty, Jr. U.S. Navy.

2. This case involves an assault with a knife by a Civilian against a member of the Allied Forces. The arrest was made by the Shore Patrol on the 20th February 1944 and their report is also enclosed together with the verbale made by the Italian Police Authorities.

3. This case was examined by my predecessor S/Ldr. H.M. Dickie who recommended that the case be sent to the Italian Courts. Pursuant to this instruction the case was sent to the Procuratore del Re to be set down for trial.

4. In view of Capt. Doughty's letter to the Regional Commissioner I have withdrawn the case from the Italian Authorities and am forwarding it to you for instructions as to whether the case should be tried by the Italian Courts or by an A.C.C. Military Court.

5. Will you please return the file with your instructions.

For Lt. Colonel A.N. HANCOCK :

Frank L. Vecchiolla
FRANK L. VECCHIOLLA
Captain, JAGD.
Regional Legal Officer.

js.

4129 ✓
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5-1736
Legal SC
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ALLIED FORCE HEADQUARTERS
Military Government Section

CMS/CF/thh

1A

MGS 015

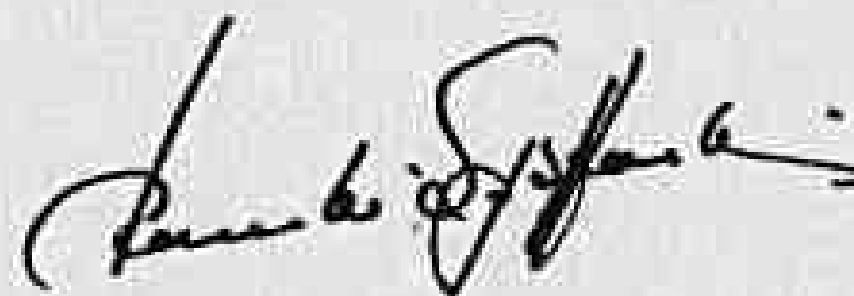
18 April 1944

SUBJECT: Offences by Civilians in Italy

TO : Headquarters, Allied Control Commission

1. Attention is invited to the inclosed letter of the Commander, U. S. Naval Forces, North African waters, subject "Trial by (of) Civilians who Commit Offences against U. S. Military-Naval Personnel", with accompanying papers including copy of reply by the Supreme Allied Commander; also to the inclosed memorandum for the Commander-in-Chief, Mediterranean Station, entitled "War Diary for January, 1944, from the Senior Naval Officer, Eastern Sicily".

2. It is requested that information be supplied to this Section, in order that the respective naval commanders may be informed, each as to the outcome of the matters as to which he made complaint.



CHARLES M. SPOFFORD,
Colonel, G.S.C.,
Chief of Section.

Incl:

as above



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ALLIED FORCE HEADQUARTERS
Office of the Chief of Staff

15 April 1944

AG 000.5-5 C/S-O

SUBJECT: Trial of Civilians who Commit Offenses Against U.S. Military-
Naval Personnel.TO : Commander, U.S. Naval Forces, Northwest African Waters, through
Commander-in-Chief, Mediterranean.

1. Consideration has been given to your File No. A17, Serial: 0453, forwarding the case of an alleged assault by an Italian civilian on a U.S. seaman, submitted by the Commandant, U.S. Naval Operating Base, Palermo, Sicily. The Commandant recommends that the civilian be tried by an Allied Military Court rather than by an Italian Civil Court.

2. The Allied Control Commission for Italy has been set up by the Allied Governments to be their agency for controlling the Italian Government. For political considerations which were found dominant, territory consisting of Sicily, Sardinia and that portion of the mainland south of the northern boundaries of the provinces of Bari, Potenza and Salerno was on February 11 restored to the jurisdiction and administration of the Italian Government, subject to the reserved rights of the United Nations. Allied Military Government accordingly came to an end within such areas. It is intended that so far as possible the Allied authorities will look to the Italian Government to discharge the responsibilities of public administration, including the administration of justice so far as United Nations personnel are not the defendants. Moreover, it is the policy of the Supreme Allied Commander to leave it to the Commander-in-Chief, AAI, and, under him, the Allied Control Commission, to decide on the ground every question arising in Italy which it is feasible and proper to settle there.

3. Accordingly, the Supreme Allied Commander would be unwilling at this time to direct that civilians in Italy charged with offenses against members of the Allied Forces be arraigned before an Allied Military Court. It has not been made to appear that the local courts have failed to do justice in such cases, and in any event the Supreme Allied Commander would be unwilling to act in the matter without consulting the experience of the Allied Control Commission. A copy of the papers in the case will, however, be transmitted to the Allied Control Commission in order that they may be aware of the interest of the United States Navy in the matter.

For the Supreme Allied Commander:

s/ Lowell W. Rooks for
t/ J.A.H. GAMMELL,
Lieutenant General,
Chief of Staff.

CONFIDENTIAL

(COPY)

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1C

24 Mar 1944

4 M.G.S. G-1 24 Mar
19441. Military Government is completely in accord with
the recommendations of the J.A.

2. If these views are adopted, it is prepared to
forward a copy of the informal routing slip to ACC in order that they may be aware
of the interest of the U.S. Navy, and will be happy to explain the situation to
COMNAVNAV.

For the Acting Chief of Section:

CF/jw

CHARLES FAIRMAN
Lt. Colonel, JAGD
Legal Advisor

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785016

Office of the Commander-in-Chief,
Mediterranean Station,
Allied Force Headquarters,
ALGIERS.

18th March, 1944.

No. Med.00329/1. (A)

THE MILITARY GOVERNMENT SECTION.

WAR DIARY FOR JANUARY, 1944.
FROM THE SENIOR NAVAL OFFICER,
EASTERN SICILY.

The following extract from a report by the Senior Naval Officer, Eastern Sicily dated 2nd February, 1944, is forwarded for your information.

" Ten tons of caustic soda, the property of the Royal Air Force was stolen in one night. The ringleader, who was caught due to the perseverance of the Naval Provost Marshal, was sentenced to 12 months imprisonment which was remitted by A.M.G.O.T. authority after this man had served only one month. A strong protest has been lodged. A large quantity of cigarettes was recently stolen from the Naval N.A.A.F.I. storehouse. Some of the culprits were rounded up and energetic action taken to bring them to court.

A sentence of one year's imprisonment was inflicted on six men. A.M.G.O.T. has been requested to arrange that this sentence is served without remission. "

(Sgd.) M.B. Laing

for ADMIRAL.

(COPY)

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INFORMAL ROUTING SLIP

HEADQUARTERS
NORTH AFRICAN THEATER OF OPERATIONS
UNITED STATES ARMY

FILE:

DATE: 18 March

SUBJECT: Trial by Civilians who Commit Offenses against U.S. Military-Naval Personnel

Fill in each column, initial action, and draw a line across the sheet just below initials. Number each memo consecutively in first column. Use entire width of sheet for long memoranda.

NO.	FROM	TO	DATE	
1	AG Ops JC/ew	FMG JAG G-1 (in turn)	18 Mar.	Action desired? JACK CARTER 1st Lt., A.G.D. Asst Adj Gen 1 Basic/w 3 incl.
2	FMG	JA & G-1 (in turn)	19 Mar.	It is believed desirable to retain jurisdiction in the class of cases suggested by the Commander U.S. Naval Forces, Northwest African Waters, and I so recommend. /s/ J. V. Dillon J. V. DILLON Brigadier General, U. S. A. Provost Marshal General
3	JA	G-1 thru AMC MCS	22 Mar 1944	1. By letter dated 7 March 1944 addressed to the Allied Control Commission, the Commandant, U.S. Naval Operating Base reported that on 20 February 1944, Seaman W. G. Moon was "allegedly" attacked and feloniously assaulted by Giuseppe Corravengo in Palermo, Sicily who was taken into custody by the Naval Shore Patrol and turned over to the Civil Police. He stated that an undesirable precedent would be established if this civilian was tried by other than an Allied Military Court (Tab A). By letter dated 8 March 1944, and in response to the letter referred to above, the Regional Commissioner, ACC, Sicily, advised the Commandant of the U.S. Naval Operating Base that based upon instructions received from ACC Headquarters issued after the transfer of territory to the Italian Government, Allied Military Courts had ceased to function and that no cases were to be considered in respect of offenses committed after 11 February; that by reason of such instructions the case referred to had been referred to the Italian Courts for trial and that the progress would be watched by the Legal Division (Tab B).

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INFORMAL ROUTING SLIP

AG LOG O-1966

HEADQUARTERS
NORTH AFRICAN THEATER OF OPERATIONS
UNITED STATES ARMY

JA 6520

DATE: 22 Mar. 1944

SUBJECT: Trial by Civilians who commit offenses against
U. S. Military-Naval Personnel

Fill in each column, initial action, and draw a line across the
sheet just below initials. Number each memo consecutively in
first column. Use entire width of sheet for long memoranda.

NO	FROM	TO	DATE
----	------	----	------

3	JA	G-1 thru AMG MGS	22 Mar 1944 (Continued)
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By letter dated 14 March 1944 the Commandant of
the Naval Operating Base addressed a letter to
the CO, U.S. Naval Forces, Northwest African Waters in which he outlined the
foregoing and recommended:

- a. That this question be taken up with the C in C, Allied Force for a determination of policy, and promulgation of a directive to the effect that all offenses against Naval Military personnel by civilians in former enemy territory should be tried by Allied Military Courts rather than by Civil courts; and
- b. That decision be made before trial of case referred to in Tab A (Tab C).

By letter dated 17 March 1944 the Commander U.S. Naval Forces, Northwest African Waters recommended to the C. in C, AF that all offenses against members of the Allied Forces committed by civilians in former enemy territory be tried by Allied Military Courts rather than by the Civil Courts of such territory (Tab D). In the preceding Minute the Provost Marshal General, this headquarters, concurred in the recommendation contained in letter Tab D.

2. It is assumed that the various documents referred to in Secret Cable 644 SI dated 5 January 1944 are, with a few changes, now in effect. Under paragraphs V and VI. Document C, the Combined Chiefs of Staff provided that the C in C should have the right to convene Allied Military Courts which in his judgment seemed desirable. In addition the C in C vested in the GO, C in C, ACMF certain powers with respect to formulation of policies effecting Italian Territory and has given such officer wide discretion in order that most problems be solved on the ground.

It would seem, considering these directives and documents in relation to the facts stated in the attached correspondence, that the GO, C in C, ACMF has decided as a matter of policy that this particular case would be tried by the Italian Civil Courts rather than by Allied Military Courts. There is no indication in the attached papers that such action would not protect the interests of the Allied Military authorities. It would seem ~~that~~ that generally, all offenses involving the civilian population in Italy or Italian islands should properly be handled by the Italian Civil Courts until such time as it is clearly

INFORMAL ROUTING SLIP

22 March 1944

SUBJECT: Trial by Civilians who commit offenses against
U. S. Military-Naval Personnel.

3 JA G-1 22 Mar (CONTINUED)
thru 1944
AMG
WOS

shown the results of such action injuriously affect the Allied Military plans, in which event Allied Military Courts could then be established. The question of precedent is not involved since action taken at this time may be changed in the light of future experience. At the present time and under the facts presented in the attached papers, there is nothing which would indicate the necessity for changing the action being taken as shown in Tab B.

3. It is therefore the view of this office that:

a. The policies established by the ACC and the GO, C in C, ACMF should not be changed by this headquarters unless such policies are clearly in conflict with the views of this headquarters or are not accomplishing desired results;

b. As it has been determined to permit the Italian Civil Courts to process cases involving Italian civilians, this policy be permitted to be followed until it is definitely determined that Allied Military interests are not being properly protected;

c. In the event Allied Military interests are not being protected by Italian Courts, Allied Military Courts could be appointed to handle such cases as the situation may warrant regardless of the action taken in this case which does not necessarily establish a precedent; and

d. The necessity of appointing Allied Military Courts should be left to the sound discretion vested in the ACC and GO, C in C, ACMF, unless either should call upon this headquarters for a determination of policy in a particular case or unless this headquarters desires such courts be appointed.

4. It is recommended that if the above views are adopted they be presented to the CO, U.S. Naval Forces in Northwest Mediterranean Waters by the appropriate representatives of AMG.

For the Acting Theater Judge Advocate:

/I/ T. H. B.
T. H. B.

File No.
A17

Serial: 0453

CONFIDENTIAL
FIRST ENDORSEMENT to
Com.Nob,Palermo's Conf.
ltr. MB/A17 of 14 March
1944.

17 MARCH 1944

From: Commander U. S. Naval Forces, Northwest African Waters.
To : Commander In Chief, Allied Forces.
Subject: Trial by Civilians who Commit Offenses against U.S.
Military-Naval Personnel.

1. Forwarded.

2. It is recommended that all offenses against members of the Allied Forces committed by civilians in former enemy territory be tried by Allied Military Courts rather than by the civil courts of such territory.

H. K. HEWITT

Copy to:
ComNOB,Palermo
Sr.USNLO, Italy.

COPY COPY

C-O-P-Y

C-O-P-Y

NB/A17

U. S. NAVAL OPERATING BASE
PALERMO, SICILY

NAVY #157, F.P.O., N. Y. C.

rfr

CONFIDENTIAL

14 March 1944.

From: Commandant.
To : Commander U. S. Naval Forces, Northwest African Waters.
Subject: Trial of Civilians who Commit Offenses against U. S.
Military-Naval Personnel.
Reference: (a) My ltr NB/P13/LL of 7 Mar 44.
(b) ACC, Sicily Region Hq. ltr RLE 013.03/HD of
8 Mar 44.
Enclosure: (A) Copy of reference (a).
(B) Copy of reference (b).

1. By reference (a), Commandant Naval Operating Base, Palermo, suggested to Allied Control Commission, Sicily Region Headquarters, that a Sicilian civilian who was alleged to have assaulted a member of the U. S. Naval forces in Palermo, should be tried by an Allied Military Court, rather than by the Sicilian civil courts.

2. By reference (b), Allied Control Commission replied that under existing instructions this could not be done, but that the general matter was under consideration by Allied Control Commission.

3. It is urgently recommended that this question be taken up with Commander in Chief, Allied Force, for a determination of policy, and promulgation of a directive accordingly, if he agrees that, as a matter of principle, all offenses against naval-military personnel by civilians in former enemy territory should be tried by Allied Military Courts rather than by civil courts.

4. It is further recommended that this matter be expedited, in order that the decision be effective before the trial of the case mentioned in reference (a), to avoid setting an undesirable precedent.

/s/ L. DOUGHTY, Jr.

Copy to:
Sr.USNLO, Italy.

ALLIED CONTROL COMMISSION
SICILY REGION HQ.
APO 394

8 March 1944

File: RLE 013.03/HD

SUBJECT: Trial of cases by Allied Military Courts.

TO: Commandant U.S. Naval Operating Base, Palermo.

1. In reply to your letter Serial 1396 dated 7 March 1944, this Headquarters has received instructions from A.C.C. Headquarters that consequent upon the transfer of territory to the Italian Government, Allied Military Courts would cease to operate in this Region and that no cases were to be undertaken in respect of offenses committed after 11th February. All Allied Military Courts have therefore ceased throughout the Island and the majority of the Legal personnel has already been withdrawn except in Palermo where the Courts have continued to operate temporarily for the disposal of certain cases which were pending prior to the hand-over.

2. In these circumstances and in accordance with the instructions received, the charge against Corravengo, Giuseppe of assaulting Moor, W.G., Slt, USNR on 20 February has had to be referred to the Italian Courts for trial and the papers have been forwarded to the Procuratore del Re for this purpose. The progress of the case will be watched by the Legal Division.

3. It is understood that consideration is now being given to A.C.C. Headquarters to the desirability of retaining Allied Military Courts for a limited class of cases and subject to a number of restrictions. No instructions as to this have yet been issued to this Headquarters, but as soon as any are received which modify the present position, you will be informed immediately.

/s/ A. N. HANCOCK.
Lt. Colonel,
Regional Commissioner.

jd

C O P Y

NB/P13/LL

U. S. NAVAL OPERATING BASE
PALERMO, SICILY
Navy #157, F.P.O., N.Y.C.

7 March 1944

Serial: 1396

From: Commandant.
To : Lieutenant Colonel A. N. Hancock, Allied Control Commission.
Subject: Corravage, Giuseppe, Via Tanola Tonda #10, Palermo, Province,
charged with felonious assault on Moon, W.G., Slc, USNR, on 20
Feb. 1944.

1. At about 1600 on February 20, 1944, Moon, W. G., Slc, USNR, was allegedly attacked and feloniously assaulted by Corravengo, Giuseppe. The subject civilian was apprehended, and taken into custody by the U. S. Naval Shore Patrol, and turned over to the Civil police to await trial in a tribunal to be selected by the Allied Control Commission.

2. This command feels, that since the victim of this alleged assault is a member of the Allied Military Forces, that an undesirable precedent would be established if this civilian was tried in other than an Allied Military Court.

L. DOUGHTY, Jr.

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