

2484

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

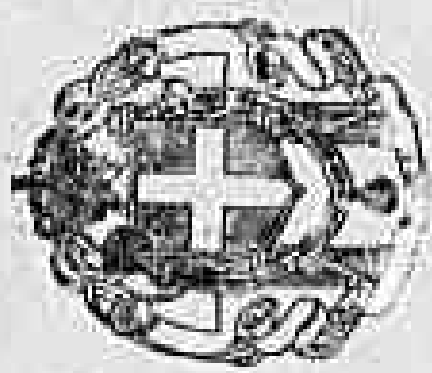
ACC

10000/142/800

CASE
OCT. 1

00/142/800

CASE OF BORRONI ENRICO (SICILIA REGION ESPIONAGE)
OCT. 1944 - MAY 1945



MINISTERO DELLE CORPORAZIONI

Direzione Generale del Lavoro e della Previdenza Sociale

Servizio del Lavoro

10000 | 42 | 800
~~799~~

Posizione del Fascicolo
Sottofascicolo

Ord. 135 - 14-9-42 - XX Roma, Tip. Mantellate (c. 3.000)

2 4 6 8

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

785016

~~4018~~

~~4018~~

~~4018~~

~~4018~~

3126

2 4 6 9

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

785016

1-2

2394

~~1143~~

~~1143~~

1191

2470

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

785016

~~101~~

~~101~~

ACE / 4429/25/1

CASE OF BORRANI ENRICO
(SICILIA REGION ESPIONAGE)

DATE	TO
30/11/44	CA Sec
2/12/44	Legale

2472

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

785016

COPIES	
COPIES	PARERS
FROM	OCT-44
TO	NOV-44
CA	33W 10000/142/800

30/11/44 CASen
2/12/44 Lead

V.P.A.S.

Spy was dropped by parachute in Sicily with a Winchester. A
 clear case. I recommend trial by this court. If you agree, please

sign the order and letter attached

30 Nov 44

W. H. L. H.
 D.C.I.A.

VP. C.A.S.

1. Ref. 10A, there is no further information available but I recommend that the application be granted.
2. The accused with probably be found with "intended" sabotage, but I feel that strong action in this - the first known - can way stop a repetition, avert a second Bassi, and please attend and the military authorities.
3. In view of the shortage of personnel in Regio Sicilia, let her caught and, if necessary, carry the flag to Syracuse.

W. J. J. J. J.
D.C. J. J. J.

18 Nov 44

To Legal Subsection.

Application granted

W. J. J. J. J.
for Chief Commission

4/29/24 File

8A

RESTRICTEDCAT/30
DEC 05/1930DEC 07/0900
ROUTINE

ALLIED COMMISSION CATANIA

HQ ALLIED COMMISSION CMF (ATTENTION LEGAL SUB COMMISSION)

RESTRICTED.

General Court CATANIA arrangements completed for trial on 9 December as instructed. Major COATRE - PRINCE not yet arrived. Your letter with documents to Provincial Commissioner CATANIA not yet received.

RESTRICTED

✓
129/24ALLIED COMMISSION
SICILIA REGION HEADQUARTERS
APO 394

LEGAL SUB COMMISSION

(7A)

FILE: RLE 013.02/EKM

29 November 1944

SUBJECT: Military Court - Catania.
Sabotage Case. Espionage Case.TO : Headquarters, Allied Commission - APO 394.
(Attn: Legal Sub-Commission)Italian Section
C. RKS

4 DEC 1944

1. Reference your letter AC/4129/24/L of 25.11.44 I will endeavour to arrange for the Sabotage Case to be ready for trial by Wednesday 6th December and the Espionage Case by Saturday 9th December as suggested. As the time is so short this is subject to:-

a Receiving back from A.C. HQ. the settled charges against BORRONI in time to allow service of the charge sheet and time for BORRONI to prepare for his defence.

b My being able to get the 14 charge sheets completed and served upon the alleged saboteurs who are at present somewhere in the Syracuse area, so as to allow a reasonable time for them to prepare their defences. I have only today received my first particular in Italian of this case from S.I.B. Catania. I am accordingly settling the charges according to Italian law with the assistance of the Italian Court here.

2. With reference to Para 4 of your letter it is noted that you will supply four officers, including prosecutor and defending officer which leaves two as members of the Court, which I assume will consist of four or five. Neither of the A.C. officers stationed in Catania are available for the proposed dates and it is suggested the remainder of the Court be selected from Major WITHERS (B), Captain TURNBULL (A), 1st Lt O'KEEFE (A), and Lt MASON (B) all of whom are stationed at Palermo but available for the dates in question. I have included defending officer as 204 Sub-Area have already requested that the espionage case be tried in camera. Can I please be notified by signal to reach me by Monday 4th December what officers are selected as they will have to proceed to Catania by train on 5th December. I will confirm these arrangements at the end of the week.

For the Regional Commissioner:

NA

E. K. Matthews Capt
E.K. MATTHEWS, Captain,
Regional Legal Officer.

P.S. Will you please request officers to bring their own bed linen (there is a shortage at Catania) but blankets will be provided.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4023/3/L.

IGHC/ap.
1 December 1944.

SUBJECT : AMG Court of CATANIA.

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

1. Lt. Col. ELDER is required to sit as an Allied Military Court convened at CATANIA on 9 Dec and following days, to try an espionage case and a sabotage case: total estimated duration 5 days: It is understood that there will be no objection to his doing this from your point of view.

2. Arrangements have been made for Lt. Col. ELDER to travel from Naples direct to CATANIA by air on 7 Dec.

3. He should therefore report to Legal Sub-Commission HQ AC on 5 Dec, spend the night 5th-6th Dec in Rome, and proceed to NAPLES on 6 Dec. Arrangements for his accommodation in ROME and for his journey from there to NAPLES will be made by Legal Sub-Commission. He will require to bring bedding for use in CATANIA.

By command of Commodore STONE:

W. E. BOHRENS, Colonel,
Deputy Chief Legal Advisor.

Copy to : AC/4129/24/L
AC/4129/25/L

RESTRICTED

RAC-164

NOV 29

C/2233

NOV 30/0900

ROUTINE

ALLIED COMMISSION SICILIA REGION (CARR)

HEADQUARTERS ALLIED COMMISSION FOR LEGAL SUB COMMISSION

RESTRICTED.

1. Reference your letter of 25 November re espionage and sabotage.
2. Arranging COURT CATANIA on 6 December as suggested.
3. Urgent that espionage papers and settled charges be returned at once.
4. Defending officer espionage required.
5. Select non legal members from WITHERS, TURNBULL, O'KEEFE, MASON.
6. Have written you today.

DISTRIBUTION

Action: Legal S/C (2)
 Info: Chief Commissioner
 CA SEC
 File (2)
 Float

1. Reference your letter of 29 November re espionage and

subotage.

2. Arranging GIUST CATANIA on 6 December as suggested.

3. Urgent that espionage papers and settled charges be returned at once.

4. Defending officer espionage required.

5. Select non legal members from FITHERS, TURNBULL, O'KEEFE,

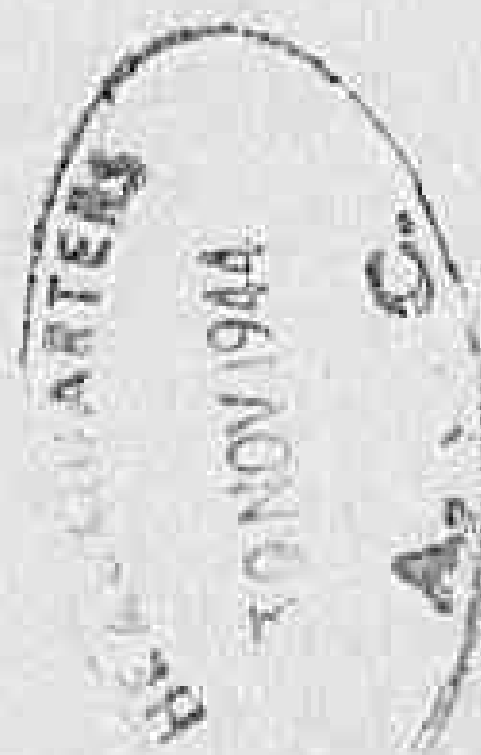
MASON.

6. Have written you today.

DISTRIBUTION

Action: Legal S/C (2)
Info: Chief Commissioner
CA SEC
File (2)
Plout

RESTRICTED



HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

(4A)

AC/4129/24/L.

25 November 1944.

SUBJECT : Military Court in Catania.

TO : Regional Commissioner, SICILIA REGION.
Attention Regional Legal Officer.

1. Your letter RLE 013.01/EXM dated 22 Nov 44 has been received.
2. The letter signed by the Regional Commissioner on subject of BORRONI Enrie has also been received. It appears that this is undoubtedly a case in which an Allied Military Court should sit and I shall recommend appointment of the Court to the Vice President of the Civil Affairs Section. The Vice President is at the moment away and the official letter of appointment of the court cannot be signed pending his return. You say, however, assume that the court will be appointed and make your arrangements accordingly.
3. Colonel Campbell who will sit on the court is most anxious that the trial should finish not later than 12th December. I note that you say that you expect BORRONI'S case to last two or three days. Personally I feel that two days should be the maximum. However, I suggest that BORRONI'S case be fixed for the 9th or 10th and that the case of the 14 saboteurs now in Syracuse gaol be fixed for Catania about the 6th December.
4. I will make arrangements for Colonel Campbell and three other legal officers to be available for the trials. If you could notify me which of the non legal officers in Catania it is desired to include in the court this can also be arranged.
5. I imagine that an application will be made to hold the espionage case in camera. If this is so a defending officer will be required and provision is made for this officer in the four officers above mentioned. However, if it is not desired to hold this case in camera the accused should employ an Avvocato and the number of legal officers will be reduced to three.
6. Please notify this Sub-Commission as soon as possible that these arrangements are satisfactory.

By Command of Commodore STONE.

W. E. BARRERS.
Colonel,
Deputy Chief Legal Advisor.

Copy to : AC/4129/25/L.

4129/24 ✓

ALLIED COMMISSION
SICILIA REGION HEADQUARTERS
APO 394

3A

FILE: RLE 013.01/EKM

22 November 1944

SUBJECT: Military Court in Italian Territory.

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

2A

1. Reference your letter AC/4129/24/L of 19.11.44 neither I nor my Catania Office have any knowledge of the case referred to in your letter. I have today requested information and particulars from 204 Sub-Area (formerly 70 Sub-Area) and will write you again as soon as possible.

No

2. In the meantime if you have a file can it be forwarded to me please.

3. The Regional Commissioner has today forwarded to A.C. HQ. a recommendation for an Allied Court for an espionage case. It is suggested that the above case should be tried at the same time. His letter sets out fully the position with regard to personnel for the Court.

For the Regional Commissioner:

E.K. Matthews Capt

E.K. MATTHEWS, Captain,
Regional Legal Officer.

sf

	LEGAL SUBCOMMISSION
	CLO
→	DCLO
	Chief Counsel
→	CJO
	Italian Section
	CL RKS

file

(2A)

HEADQUARTERS ALLIED COMMISSION
AND
LEGAL ATTACHMENT

NO/4429/24/1.

WJ/pa.
19 Nov 44.

SUBJECT : Military Court in Italian Territory.

TO : Regional Commissioner Sicilian Region.
(also, Regional Legal Officer).

1. With reference to the fourteen Italian civilians now under arrest at Syracuse accused of damaging and stealing certain items of military equipment.

2. Authority has now been given ^{for} ~~that~~ these persons ^{to} be tried before an Allied Military Court.

3. It is appreciated that there may be some difficulty in obtaining suitable personnel to sit on this Court, and therefore Lt. Col. Campbell of this HQ is prepared to come to Sicily for that purpose. Will you please inform us of the proposed date of trial as soon as possible.

4. As regards the charges to be brought against the accused please settle these at your HQ if you can. If not, send all particulars to this HQ and we will frame the charges here.

5. Please let us know if you have any other questions or any other requirements.

By Command of Commander-in-Chief :

W. E. BISHOP.
Colonel,
Deputy Chief Legal Advisor.

Copy to :

ASAC 2-1 (3)
ASAC 2-2
3 District (your 191 & 15 Nov 44 refers)
70 Sub-areas.

Public Safety.

SUBJECT:-

Successful Sabotage

URGENT & IMPORTANT

Security, At ~~Top~~ ~~Secret~~3 District
Ext 16
194A
15 Nov 44.

(1A)

AMHQ G1(Br)

HQ Allied Commission RCM
70 Sub Area

1. Fourteen Italian civilians are now in custody at the Civil Prison SERRAVALLE charged with breaking open 126 2" mortar bombs illuminating and taking therefrom 126 parachutes at the railway goods yard SERRAVALLE on 27 October 1944.

2. In view of the nature of the crime I consider that prompt and exemplary punishment is necessary.
I therefore request that an Allied Military Court be convened to try the case.

TO	INIT	DATE
✓ COL. CHAPMAN	AC	18/11
COL. YOUNG		
LT. COL WILCOX		
MAJ LUCKMAN		
MAJ WILSON		
MAJ HANBURY		
MAJ BALANCE		
CAPT POWEL		
CHIEF CLERK	8	18/11

SEARCHED BY
INDEXED BY
RECORDED 18/11
BOOKED 2978
FILED NO.
ACTION

HEADQUARTERS

18 NOV 1944

Maj Gen
Comd

S-E-C-R-E-T

HEADQUARTERS ALLIED COMMISSION
ALC 394
LEGAL SUB-COMMISSION

27A

/ra.

AC/4129/25/L.

3 May 1945.

SUBJECT : BORRONI Enrico - Disposal of Court Exhibits.
TO : S.I.D.O. c/o 54 Area CEF.

1. A copy of your letter BY/P/144/6 of 14 Apr. 45 addressed to HQ 204 Sub-Area has been forward to this office by the AC Liaison Officer Catania.

2. On 23 Jan. this office instructed the Regional Legal Officer for Sicilia Region to turn over all sterling and lire currency forming exhibits in the case to the District Finance Officer, and an acknowledgment was received from him that this was done.

3. The remaining exhibits form part of the Record of trial in this case and as such, in accordance with instructions received, have to be preserved with the rest of the Record. If there is any special security reason calling for a departure from the normal practice, on receipt of particulars from you the matter can be pursued further.

For

W.B. DEARMING,
Colonel,
Deputy Chief Legal Advisor.

S-E-C-R-E-T

2486

785016

ALLIED COMMISSION LIAISON OFFICER
CATANIA

SECRET.

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

LO/CAT/244

Subject:- BORRONI Enrico - Disposal of Court Exhibits.

1. A request has been received through HQ 204 Area from SILO, c/o 54 Area, for the court exhibits in connection with the trial of the above named Agent. Copy of the request is attached.
2. We have no record at this office of the disposal of these exhibits or of their present location, all documents being held by the Legal Division.
3. In view of the closing down of HQ 204 Sub-Area it is requested that you will forward any information regarding the above exhibits direct to SILO, c/o 54 Area, C.M.F.

Catania
23 Apr 45.

H Bentley
Major,
Liaison Officer.

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief of Staff	
CLO	
Italian Liaison	
CLO	

23 APR 1945

COPY.SECRET.Security Intelligence Liaison
Office.

c/o 54 AREA, C.M.F.

BY/P/144/6
14 Apr 45.

25A

HQ-204 SUB AREA CMF.Copy to:- G-2 (C1), AFHQ.
GSI (E), HQ 3 DISTRICT, CMF.

-----p-----

BORRONI Enrico - Disposal of Court Exhibits.

1. With reference to your 9/14(G) dated 14 Dec 44, will you kindly have the following exhibits in this case, now filed in Court with the case records,

- (a) 1 Novel "Villa Vagabonda".
- (b) 1 topographical map of EASTERN SICILY.
- (c) 1 wallet with 4 photographs.
- (d) 7,558 Italian lire.
- (e) 1 Bank of England five pound note.

returned to this office.

Signed H. GERHOLD
Major R.A.
SILO

4129/05
ALLIED COMMISSION
SICILIA REGION HEADQUARTERS
APO 394

24A

FILE: RLE 013.02/EKM

30 January 1945

SUBJECT: BORRONI Enrico.

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

1. Your letter AC/4129/25/L of 23.1.45 enclosing the record in this case is hereby acknowledged.

2. With reference to the exhibits containing currency action has been taken as requested in Para 2 of your letter.

sf

E. K. Matthews Major
E.K. MATTHEWS, Major,
Regional Legal Officer.

10

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

23A

/rm.

AC/4129/25/L.

23 Jan. 1945.

SUBJECT : Case of BORRONI Enrico.

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

1. The record in the above case including.

(a) The original confirmation of death sentence
on BORRONI Enrico signed by Rear Admiral
STONE

(b) Certified true copy of delegation of authority
by the Military Governor to Rear Admiral
STONE to confirm sentences of death

(c) Report on execution by DAFM, 204 Sub Area;

are returned herewith.

2. Exhibits P 1 and P 9 contain currency (sterling
and lire). This money will be turned over to the District
Finance officer and the receipt therefor will be placed
with the record.

3. Please acknowledge receipt.

By command of Rear Admiral STONE:

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

22A

HQ THREE DISTRICT

378

23 Jan 45

ROUTINE

IN CLEAR BY ANY MEANS PD

PAREN TO HQ THREE DISTRICT FROM HQ ALCON PAREN

YOUR FOUR ZERO FOUR SLANT ONE ABLE OF TWENTY ONE ACKNOWLEDGED

LEGAL SUB-COMMISSION

302

2491

785016

24/25

Subject: Execution of Spies - BORRONI ENRICO

SECRET

3 District,
Ext 17,
404/11,
11 Jan 45.

HQ Allied Commission

APO 394,

Legal Sub Commission

AFHQ APO 512 (your AG 014.53/047 GEG-0 of 18 Jan 45 refers)
'G'

21A

Ref your AG/4129/25 of 11 Jan 45.

1. Enclosed herewith are the following documents: -
 - (a) The original confirmation of death sentence on BORRONI ENRICO signed by Rear Admiral STONE
 - (b) Certified true copy of delegation of authority by the Military Governor to Rear Admiral STONE to confirm sentences of death
 - (c) Report on execution by DAFM, 204 Sub Area.
2. As stated in HQ 204 Sub Area signal AQ115 dated 17 Jan 45, BORRONI was executed at 0720 hrs on 17 Jan 45.
3. Please acknowledge by signal.

AGS/KM

[Signature]
2 Col.
DA & QMG.

SECRET

TO : 'A' Branch HQ 204 Sub Area (2)

FROM : DAFM 204 SUB AREA, CMF.

REPORT ON EXECUTION BY SHOOTING OF:-

No.	Rank	Name	Unit
-	Civilian	BORRONI Enrico di Eugenio	--)

1. Date & Time of Execution	2. Site of Execution	3. Authority for Putting sentence into effect.
17 Jan. 45. 0720 Hrs.	CATANIA, Sicily.	3 District 404/IA dated 13 Jan. 45.

4. Particulars of person identifying prisoner.	TAIBI Vincenzo Carabinieri Reale,	CATANIA.
5. Particulars of person inferring prisoner of charge, confirmation of sentence and informing prisoner when sentence will be carried out.	Major R.W.D. SKENE, DAA & QMG, HQ 204 SUB AREA, CMF.	

6. Particulars of Unit finding the firing party.	70 R.W.K.
7. Particulars of Priest in attendance.	ROMANO Paolo Carceri Giustiziarie, CATANIA.
8. Particulars of Medical Officer in attendance.	Lt. M. LASK, RAMC. att 204 SUB AREA.
9. Whether Morphine Administered. NO.	

4. Particulars of person identifying prisoner. TAIBI Vincenzo CATANIA.
Carabinieri Reale.

5. Particulars of person informing prisoner of charge, confirmation of sentence and informing prisoner when sentence will be carried out. Major R.W.D. SKENE,
DAA & QMG,
HQ 204 SUB AREA,
CMF.

6. Particulars of Unit finding the firing party. 70 R.W.K.

7. Particulars of Priest in attendance. ROMANO Paolo
Carceri Giuseziarie, CATANIA.

8. Particulars of Medical Officer in attendance. Lt. M. LASK, RAMC. att 204 SUB AREA. 9. Whether Morphia Administered. NO.

10. Particulars of Provost Officer responsible for the supervision of proceedings of the execution. Capt. P.C.B. ROWE, MBE.,
DAPM HQ 204 SUB AREA, CMF.

11. Names of Witnesses of the Execution. Major H. BEMLEY, (Allied
Major HUGHES, (Commission.

12. Any other remarks. Execution carried out according to the regulations.

13. Signature of Officer furnishing this report. Capt,
DAPM HQ 204 SUB AREA.

DATE : 17 Jan 45.

Copy to: - DPM HQ No 3 District. (2).

2494

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

785016

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

LEGAL

Originator's Reference: AQ 113

Message Centre No: C/8264

Date/Time of Origin: JAN 17/0910A

Date Time Rec'd: JAN 18/0830

Precedence: PRIORITY

FROM: 204 SUB AREA

TO: 3 DISTRICT INFO: ALCOM (LEGAL) APO 394

19A

SECRET

SECRET.

Your 404/1A dated 13 January. BORRONI ENRICO executed at 0720 hours 17th January. Certificates and other documents follows.

INFO - ACTION

DIST

Info-Action: Legal
 Info: A/President
 Chief Commissioner
 C⁺ SEc
 P Safety
 File (2)
 Float

INFO - ACTION

LEGAL SUB-COMMISSION	
CLO	
DELO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	
18 JAN 1945	

SECRET

Sgt Latka - to file

18A

HQ NUMBER THREE DISTRICT RPTD AFHQ G TWO AND SICILIA REGION

9635

11 JAN 45

ROUTINE

SECRET PD

PARA ONE PD SUBJECT IS ESPIONAGE TRIAL PD

PAREN TO HQ NUMBER THREE DISTRICT RPTD AFHQ G TWO AND SICILIA REGION FROM HQ
ALCOM FROM LEGAL PAREN

PARA TWO PD SENTENCE OF DEATH IMPOSED ON BORRONI EMERICO CONFIRMED PD DOCUMENTS
FORWARDED TODAY FOR EXECUTION TO BE CARRIED OUT IN ACCORDANCE WITH ALLIED FORCE
HEADQUARTERS LETTER OR SLANT FOUR NINE ZERO TWO SLANT G ONE PAREN B R PAREN
OF THIRTY ONE DECEMBER

LEGAL SUB COMMISSION

302

NA

SECRET

HEADQUARTERS ALLIED COMMISSION

APO 394

Legal Sub Commission

17A

AC/4129/25

11 Jan 45

Subject: Case of BORROHI Enrico

To : HQ No. Three District.

1. Reference ALLIED FORCE HEADQUARTERS' letter Gx/4902/01(12) of 31 Dec 44 and this HQ signal 9695 of 11 Jan. 45.

2. Enclosed herewith are the following documents

(a) The original confirmation of death sentence signed by Rear Admiral STONE.

(b) Certified true copy of delegation of authority by the Military Governor to Rear Admiral STONE to confirm sentences of death.

3. As soon as the execution has been carried out please so inform this HQ and return the above mentioned documents so that they may be preserved with the other papers in the case.

4. Please acknowledge receipt.

10.
W. E. BERNARD
Colonel,
Deputy Chief Legal Advisor

SECRET

BF- 1 Feb

2497

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

785016

SECRET

SECRET

Legal S/C
(6A) 6876SUBJECT : Execution of Spies - BORRINI ENRICO

ALLIED FORCE HEADQUARTERS

CR/4902/G1 (Br)

31 Dec 44

Hq No 3 District

The above named enemy agent was tried before an Allied General Military Court at Catania on 9, 11 and 12 Dec 44, found guilty under Article 59 Codice Penale Militare di Guerra, and sentenced to death. It is understood that he has lodged an appeal.

Your HQ has been designated to carry out the execution of the sentence, if this is confirmed, and HQ Allied Commission have been instructed to forward all documents direct to you.

Will you please make the necessary arrangements.

File

12

[Signature]

10610006

Major General,
DAG., G-1 (Br.).

[Signature]

Copy to : Hq Allied Commission
ref this H signal P 75397 of 28 Dec
G-2 (GI)
G-3 (Legal Section).

SECRET

2498

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

785016

OFFICE OF THE CHIEF COMMISSIONER
APO 394

(15A)

31 Dec. 44

RECEIPT IS HEREBY ACKNOWLEDGE OF THE RECORD IN THE PROCEEDINGS
AGAINST BORRONI ENRICO.

13 Henry J. Polowinski
Office of the chief Commissioner

31 Dec. 44

Exhibits P.1 and P. 9 contain the following :

(a) Exhibit P. 1.....7, 1000 lire notes
(banca d'Italia..... 7000

Exhx

(b) Exhibit P.9

- ✓ 4 AMG 100 lire notes 400
- ✓ 1 Ital.50 lire note 50
- ✓ 6 Ital 5 lire notes 30
- ✓ 1 AMG 10 lire note 10
- ✓ 6 Ital 10 lire notes 60
- ✓ 1 AMG 5 lire note 05
- ✓ 1 eng 2 lire note 02
- ✓ 1 AMG 1 lire note 01

- ✓ 1 Bank of England
five pound note
No1 H-99514

- ✓ 2 photos (Lady)

The above said exhibits were placed in an envelope
and sealed this day, 31 Dec. 44

T/4 Letella.

SECRET

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

WEE/351.

AC/4129/25/L.

30 Dec. 44

SUBJECT : Case of BORRONI Enrico.

TO : The Chief Commissioner.

1. Herewith are submitted for your consideration the record and petition for review in the case of BORRONI Enrico, 28 years of age, who was convicted by an AMG Court in Catania Sicily, on 12th Dec. 1944. The trial was held in accordance with Italian law on a charge of espionage, and the accused was convicted and sentenced to death in accordance with the Italian sentence of "morte con degradazione".

2. Prior to the armistice the accused was in the Italian army. After the armistice he was captured by the Germans and deported. He attended a course in radio work and cipher and on 11 June 1944 he dropped by parachute at Floridia near Syracuse, Sicily equipped with a radio transmitting set and a large quantity of money. His instructions were to obtain information about preparations for an invasion of the Balkans.

3. From the 11th June to the time of his arrest at the end of July he lived with a friend in Floridia. He had hidden his wireless set in the attic of the friend's house. The accused admits using the receiving part of the set once for testing purposes but apart from this he denies that he ever used the set either for reception or transmission. There is no further evidence on this point.

4. During the course of his stay in Floridia the accused became intimate with a certain MANDINI Giovanna to whom he stated that he was a German Spy. As she informed him that she wished to serve the Germans he gave her a cipher message for them and said he would communicate with them by wireless.

5. The defence at the trial was that the accused had never intended to carry out his mission, and had never attempted to obtain information or communicate with the Germans.

6. The Court disbelieved the evidence of the accused and convicted him. In my opinion they were fully justified in so doing. I recommend that the conviction be affirmed.

7. The petition, which is at Flag "B", raises no point of substance and amounts to little more than an appeal for clemency.

- 2 -

8. In my opinion both the verdict and sentence of the Court are proper, and I recommend that you confirm the sentence of death. If you agree will you please sign Flag "C".

9. If you wish to commute the sentence to imprisonment for life will you please sign Flag "D".

10. The flags are as follows:-

Flag "A".....Record of case
Flag "B".....Petition for Review
Flag "C".....Confirmation slip
Flag "D".....Commutation slip

Enc: 1 record.

W.E. BISHOP
Colonel
Deputy Chief Legal Advisor.

(13A)

I have considered the evidence in this case and pursuant to authority delegated to me on 15 December 1944 by H.R. ALEXANDER, Supreme Allied Commander and Military Governor. I confirm the sentence of death passed by the Court on the accused BORRONI Enrico di Eugenio and direct that the sentence be executed by the said BORRONI Enrico di Eugenio being shot to death by musketry.

Sgt. Ellery W. Stone

ELLERY W. STONE,
Rear Admiral, U.S.N.R.

10 Jan. 1945

2503

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

785016

INCCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: F75397

Message Centre No: C/5700

Date/Time of Origin: DEC 281449A

Date Time Rec'd: DEC 281908A

Precedence: ROUTINE

FROM: AFHQ SIGNED SACRED CITE FIGBI CITE FIGAP

TO: HQ ALCOM FOR LEGAL

RESTRICTED

RESTRICTED.

Your 8812 of 27th December para 3 refers.

3 DISTRICT is formation concerned, to whom documents should be sent direct.**ACTION**DIST

ACTION: Legal S/C 2
 INFO: Chief Commissioner
 C.A. Sec
 File 2
 Fleet

REG	SUB COMMISSION
Chief Counsel	
CLERK	
Italian Section	
CLERK	
29 DEC 1944	

RESTRICTED

Put on BARONI file

HEADQUARTERS
 29 DEC 1944
 A. C

(12A)

AMHQ. G TWO

8612

27 DEC 64

ROUTINE

SECRET PD

PARA ONE PD SUBJECT IS DOMINIC MENDOZA CONVICTED AT CATANIA OF MURDER IN
PARA TWO AMHQ G TWO FROM HQ ALLIED COMMUNICATIONS ZONE AREA. PENDING

PARA TWO PD ABOVE CASE NOW UNDER REVIEW PD

PARA THREE PD PLEASE INFORM THIS HQ REQUESTION TO CARRY OUT REGISTRATION IN
 SENTENCE CONFIDENTIAL AND ADVISE NECESSARY DOCUMENTS TO BE SENT DIRECT TO
 THAT HQ OR TO YOU

LEGAL SUB COMMISSION

JOC

2505

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

785016

✓ 4129/25
INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Originator Reference: CAT/30
Date/Time of Origin: DEC 06/1030

Message Centre No: 9/3073
Date Time Rec'd: DEC 07/0900
Precedence: ROUTINE

FROM: ALLIED COMMISSION CATANIA
TO: HQ ALLIED COMMISSION CMF (ATTENTION LEGAL SUB COMMISSION)

ACTION

RESTRICTED.

General Court CATANIA arrangements completed for trial on 9 December as instructed. Major COATES - PREEDY not yet arrived. Your letter with documents to Provincial Commissioner CATANIA not yet received.

9A

LEGAL SUB-COMMISSIO
CL
CL
Chief Counsel
CL
Italian Section
CL RKS
7 DEC 1944

Dist
Act: Legal s/c @
msg: Chief Commission
P. A. Sec.
File @
Flat

RESTRICTED



HEADQUARTERS ALLIED COMMISSION

APO 394

LEGAL SUB-COMMISSION

AC/4023/3/L.

IGHC/ap.

1 December 1944.

SUBJECT : AMG Court of CATANIA.

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

1. Lt. Col. ELDER is required to sit as an Allied Military Court convened at CATANIA on 9 Dec and following days, to try an espionage case and a sabotage case: total estimated duration 5 days: It is understood that there will be no objection to his doing this from your point of view.

2. Arrangements have been made for Lt. Col. ELDER to travel from Naples direct to CATANIA by air on 7 Dec.

3. He should therefore report to Legal Sub-Commission HQ AC on 5 Dec, spend the night 5th-6th Dec in Rome, and proceed to NAPLES on 6 Dec. Arrangements for his accommodation in ROME and for his journey from there to NAPLES will be made by Legal Sub-Commission. He will require to bring bedding for use in CATANIA.

By command of Commodore STONE:

W. E. BEHRENS, Colonel,
Deputy Chief Legal Advisor.Copy to : AC/4129/24/L
AC/4129/25/L

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

(9A)

AC/4129/25/L.

WEB/ap.
30 November 1944.

SUBJECT : Case of BORRONI Enrico and others.
TO : Provincial Commissioner Catania.

1. Major P.D. Cotes Preedy is due to arrive in Catania in the immediate future to prosecute in two cases before a Military Court which has been convened in Catania on 9 Dec 44. This letter and the attached documents are intended for Major Cotes Preedy.

2. The attached papers are the documents in the case of BORRONI Enrico. Major Cotes Preedy will be entirely responsible for the arrangements for the trial and the preparation and presentation of the case for the prosecution. He should contact Capt. Matthews, R.L.O., Sicilia Region, to find out what arrangements have so far been made.

3. A further case for trial by this court relates to 14 persons now in gaol at Syracuse charged with sabotage of ammunition. This case will be heard immediately after the BORRONI case and Major Cotes Preedy will be similarly responsible. No documents are available at this HQ but Capt. Matthews can state what steps have already been taken, what charges framed and what witnesses are available.

4. A copy of the order appointing the Court is attached.

By command of Commodore STONE:

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

Copy to : R.C. Sicilia Region (for R.L.O.)
less attachments.

Caporal Maggiore Enrico BORRONI di Eugenio e di Maria Donzelli
nato a Milano il 22 ottobre 1916, ivi residente al n. 18
di Via Grivola. (93)

IMPUTATO DI

spionaggio militare (Art. 59 c.p. mil. G.) per essersi
lanciato con paracadute da un aereo tedesco proveniente
da territorio occupato dal nemico ed aver atterrato nei
pressi di Florida (Prov. di Siracusa) il giorno 11 giugno
1944 allo scopo di raccogliere e fornire al nemico per
mezzo dell'apparecchio radio-trasmittente di cui era sta-
to dotato, notizie sulle zone di adunata e stazione delle
forze armate italiane ed alleate lungo la fascia costiera
sud-orientale della Sicilia, così da compromettere la sicurez-
za di dette zone e di dette Forze Armate

Corporal Major Enrico BORRONI
son of Eugenio and Maria Donzelli,
born in Milan, 22 October 1916, residing there at
18 Via Grivola,

CHARGED

with military espionage (Art. 59 military penal code of war)
for having dropped from a German plane coming from German
occupied territory and having landed near Floridia (Syracuse)
on 11.6.1944, in order to collect and furnish to the enemy,
by means of a radio transmitter with which he had been
equipped, information on the assembly areas and stations of
the Italian and Allied Forces along the south-eastern
coastal belt of Sicily, thus endangering the safety of
the said areas and stations and of said Armed Forces.

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

AD/4129/25/1.

/p.
30 Nov 44.

SUBJECT : Case of BORROMI Enrico.

TO : Regional Commissioner, SICILIA Region.

1. Ref your LHE 013.02/AC of 21 Nov 44, herewith order appointing the court in this case.

2. The papers and charges in this case have been forwarded to P. C. Catania for Major Cotes-Fredy.

By Command of Commodore STONE :

G. R. URJONN, Brigadier,
VP C A Sec
Rep CCG.

HEADQUARTERS ALLIED COMMISSION
APO 394

82

I, Gerald R. Upjohn, Brigadier V.P. of Civil Affairs Section
for or on behalf of the Chief Commissioner Allied Commission hereby
order :-

1. That a Military Court be convened at Catania, Sicily at 0900
hours on 9 December 1944 and such other days as may be necessary for
the trial of the case of BORRINI Enrico and such other cases as may be
brought before it.

2. That the President of the said Court be Lt.Col. I.G.R. Campbell,
and that the members of the said Court be Lt.Col. W.C. Elder and such
other officers, being a member of the Allied Forces, as the said Lt.Col.
I.G.R. Campbell may appoint.

3. That Major P.D. Cotes-Freedy act as prosecuting officer in the
cases to be tried by the said court.

4. That Capt. E.K. Mathews act as defending officer for the said
BORRINI Enrico.

G.R. UPJOHN,
Brigadier,
for Acting Chief Commissioner

30 Nov. 1944

4129/25

(7A)

SOUTHERN REGION

7731

30 NOVEMBER

ROUTINE

RESTRICTED PD

PARA ONE PD SUBJECT IS PROSECUTION OF CASES

PAREN TO SOUTHERN REGION FROM ALCOM FROM LEGAL PAREN

PARA TWO PD WARN COTES PREEDY THAT HE WILL PROSECUTE IN SPY
CASE AND SABOTAGE CASE ARRANGED CATANIA NINE AND ELEVEN DECEMBER
RESPECTIVELY PD

PARA THREE PD ORDERS FOR HIM TO PROCEED CATANIA TEMPORARY DUTY
BEING PREPARED PD

PARA FOUR PD HE WILL BE READY MOVE ON OR AFTER ONE DECEMBER PD
ON ARRIVAL HE WILL CONTACT MATHEWS AT PALERMO BY TELEPHONE PD

PARA FIVE PD PAPERS IN SPY CASE WITH CHARGE SHEET PREPARED
BEING SENT DIRECT FROM HERE TO CATANIA PD

PARA SIX PD HE MUST TAKE BEDDING

LEGAL SUBCOMMISSION

302

LT. COL I. CAMPBELL

4129/25

(6A)

SICILY REGION

7330

30 NOVEMBER

ROUTINE

RESTRICTED PD

PARA ONE PD SUBJECT IS CONFIRMATION CONVERSATION BEHRENS DASH
MATHEWS PD

PAREN TO SICILY REGION FROM ALCOM FROM LEGAL PAREN

PARA TWO PD ARRANGE SPY CASE NINE DECEMBER SABOTAGE CASE
ELEVEN DECEMBER PD

PARA THREE PD MAJOR COTES PREEDY WILL PROSECUTE BOTH CASES
AND PROCEEDS CATANIA WITHIN FEW DAYS TO PREPARE CASES AND WILL
CONTACT YOU ON ARRIVAL PD YOU WILL DEFEND IN SPY CASE PD

PARA FOUR PD THIS HQ ALSO SUPPLIES PRESIDENT AND SECOND LEGAL
MEMBER OF COURT PD YOU WILL NOMINATE THIRD MEMBER BUT NOT
REPEAT NOT WITHERS PD

PARA FIVE PD PAPERS IN SPY CASE WITH CHARGE SHEET PREPARED WILL
BE SENT DIRECT TO CATANIA PD

PARA SIX PD STENOGRAPHER NOT REPEAT NOT REQUIRED PD

PARA SEVEN PD WARN CATANIA FORTHCOMING ARRIVAL COTES PREEDY AND
ARRANGE ACCOMODATION FOR HIM AND COURT

PARA EIGHT PD ABOVE CANCELS ARRANGEMENTS IN YOUR SIGNAL CHARLIE
C SLANT TWO TWO EIGHT EIGHT OF THIRTY NOVEMBER

LEGAL SUBCOMMISSION

302

LT. COL. I CAMPBELL

2514

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

785016

INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

LEGAL (SA)

Originator's Reference: RAG-164
 Date/Time of Origin: NOV 29

Message Centre No: C/2288
 Date Time Rec'd: NOV 30/0900
 Precedence: ROUTINE

FROM: ALLIED COMMISSION SICILIA REGION(CARR)
 TO: HEADQUARTERS ALLIED COMMISSION FOR LEGAL SUB COMMISSION

4129/25

ACTION

RESTRICTED.

1. Reference your letter of 25 November re espionage and sabotage.
2. Arranging CIURT CATANIA on 6 December as suggested.
3. Urgent that espionage papers and settled charges be returned at once.
4. Defending officer espionage required.
5. Select non legal members from WITHERS, TURNBULL, O'KEEFE, MASON.
6. Have written you today.

LEGAL SUB-COMMISSION	
CLO	/
DCLO	/
Chief Counsel	/
CJO	le
Italian Section	
CL RKS	/
30 NOV 1944	

DISTRIBUTION

Action: Legal S/C (2)
 Info: Chief Commissioner
 CA SEC
 File (2)
 Float

RESTRICTED

One copy to file Banoni
 file: one copy to Amst
 file

HEADQUARTERS ALLIED COMMISSION
APO 994
LEGAL SUB-COMMISSION

4A

AC/4129/24/L.

25 November 1944.

SUBJECT : Military Court in Catania.

TO : Regional Commissioner, SICILIA REGION.
Attention Regional Legal Officer.

1. Your letter RLE 013.01/AM dated 22 Nov 44 has been received.
2. The letter signed by the Regional Commissioner on subject of BORNONI Service has also been received. It appears that this is undoubtedly a case in which an Allied Military Court should sit and I shall recommend appointment of the Court to the Vice President of the Civil Affairs Section. The Vice President is at the moment away and the official letter of appointment of the court cannot be signed pending his return. You may, however, assume that the court will be appointed and make your arrangements accordingly.
3. Colonel Campbell who will sit on the court is most anxious that the trial should finish not later than 12th December. I note that you say that you expect BORNONI'S case to last two or three days. Personally I feel that two days should be the maximum. However, I suggest that BORNONI'S case be fixed for the 9th or 10th and that the case of the 14 saboteurs now in Syracuse govt be fixed for Catania about the 6th December.
4. I will make arrangements for Colonel Campbell and three other legal officers to be available for the trials. If you could notify me which of the non legal officers in Catania it is desired to include in the court this can also be arranged.
5. I imagine that an application will be made to hold the espionage case in camera. If this is so a defending officer will be required and provision is made for this officer in the four officers above mentioned. However, if it is not desired to hold this case in camera the accused should employ an Advocate and the number of legal officers will be reduced to three.
6. Please notify this Sub-Commission as soon as possible that these arrangements are satisfactory.

By Command of Commodore STONE.

W. E. SHREWS.
Colonel,
Deputy Chief Legal Advisor.

Copy to : AC/4129/25/L. ✓

~~SECRET~~

4129/75
 ALLIED COMMISSION
 SICILIA REGION HEADQUARTERS
 APO 394

Legal s/c
 0960
 (3A)

HEADQUARTERS
 24 NOV 1944
 A.C.

FILE: RLE 013.02/MC

SUBJECT: BORRONI Enrico.

TO : Headquarters, Allied Commission - APO 394.

1. Request for the appointment of an Allied Military Court settlement of charges etc. is made herewith. Particulars as required by Art. 3 Consolidated Instructions and Executive Memo No 72 are as follows:

a Accused - BORRONI Enrico

18 Via Grivola
 Milan

Age - 28

b Probable Charges - Espionage or Attempted Espionage.

c Facts - Accused equipped with a transmitting set was dropped from a German plane at Floridia Syracuse on 11.6.44. The facts are fully set out in the 3 statements of the accused and 5 statements of the 3 principal witnesses enclosed herewith. English translations are also enclosed.

d The following officers are available for the Court.

Judicial Officers - Captain E.K. MATTHEWS (B) 220695 - R.A.C.

Other Officers

(No Legal Experience)

At Catania -

Lt. Col. H.J. WALKER (B) 142807 - INT Corps
 Major A.G. WITHERS (B) 233045 - Gen. List
 Major D.A. BOYD (B) 163541 - R.E.
 Capt. J.A. TURNBULL (A) C-521473 - S.R.
 Capt. I.M. CALVANESE (A) C-1585241 - QMC
 1st Lt. F.D. O'KEEFE (A) O-1797696 - CMC
 Lt. J.H. POLLARD (A) 202690 - USNR

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Major A.G. WITHERS (B) 233045 - Gen. List

Major D.A. BOYD (B) 163541 - R.E.

Capt. J.A. TURNBULL (A) C-521473 - S.R.

Capt. I.M. CALVANESE (A) O-1585241 - QMC

1st Lt. F.D. O'KEEFE (A) O-1797696 - CMP

Lt. J.H. POLLARD (A) 202690 - USNR

At Catania - F.O. - H.LLOYD (B) RAF

Lt. C.F. MASON (B) 233847 - R.A.

(It is requested that the panel include reserve members to preclude difficulty caused by last minute assignments of Court Members to other Regions)

Interpreter - Not appointed but a civilian interpreter can be supplied in the Region.

Prosecuting Officer - None available in the Region.

Officer for Defence - None available. It has not yet been possible to interview the accused but if he has no advocate arrangements will be made for a civilian lawyer in accordance with Italian Procedure.

As the R.L.O. is the only Legal Officer in this Region it is

requested that he be omitted from the Court if possible, especially as he is already familiar with the case and the opinions of the Allied Authorities.

e Suggested place of Trial - Catania. This is the most convenient place for all witnesses.

f It is estimated that case can be ready for trial by 9.12.44.

g Estimated Duration of Case - 2-3 days.

h After discussing this matter with the R.L.O. I recommend an Allied Military Court having regard to the nature of the charge. This course has been recommended and requested by HQ. AAI and GOC 3 District. See also letter ACC/4129/VF from C.A. Section dated 19.10.44. (The witness referred to in this letter who was sick is now fit to attend the trial).

2. It is suggested that the prosecuting officer when appointed should proceed to Region 1 a few days before the trial in order to prepare the prosecution.

3. May the various statements please be returned in due course.

sf

Encls: Statements.

Mc Carr

McCARR,
Brigadier,
Regional Commissioner

Folio
2A

2. It is suggested that the proceedings should proceed to Region 1 a few days before the trial in order to prepare the prosecution.

3. May the various statements please be returned in due course.

Mc Carr

Mc CARR,
Brigadier,
Regional Commissioner

sf

Encls: Statements.

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

27

WEG/pe.
19 Oct 44.

ACC/4429/25/C

SUBJECT : Allied Military Courts.

TO : Regional Commissioner, SICILIA Region.

1. In reply to your RIB 013.02/EM of 14 Oct 44 it is still a principle of ACC policy that serious cases of the kind mentioned shall be tried by Allied Military Courts.

2. The venue of the trial should be fixed on the basis of the maximum of convenience for all concerned. The trial will have to be postponed until all reasonably essential witnesses can attend. It might be possible in an extreme case to arrange for evidence to be taken "on commission" in the presence of the accused and his defending officer but this is unsatisfactory and will not normally be authorized. If necessary extra legal personnel can be attached to your Region on temporary duty for the trial.

3. The charges will have to be framed under Italian law, but neither in this nor in any other respect has there been any modification in the procedure laid down in the Consolidated Instructions.

BY COMMAND OF COMMODORE STONE

G. R. Lupton

G. R. LUPTON, Brigadier,
VP C & Sec,
Dep CoS.

SECRET

4129
 ALLIED CONTROL COMMISSION
 SICILIA REGION HEADQUARTERS
 APO 394

1A

File : RLE 013.02/EKM

14 October 1944

SUBJECT : Allied Court, BORRONI Enrico.

TO : CHIEF OF STAFF ACC.

copy TO : Legal Sub-Commission.

The file of papers relating to an espionage charge against the A/M Italian have been recently passed to me by HQ. No 3 District with the recommendation from HQ. AAI (Letter 1456/224/GSI (b) of 8.9.44 and signal No 1 (b) 576 of 4.9.44 to No 3 District) that the case should be tried by an Allied Military Court. The accused was in fact arrested on 30 July 44 at Florida, Syracuse where he had previously been dropped by parachute and where the principal facts supporting the charge occurred.

He is at present in custody at BARI. It is thought that nearly all the witnesses possibly 7-8 for the prosecution are in this Region.

At present my RIO is collecting the necessary evidence and other facts to complete the file so that I am not yet in a position to ask for the appointment of an Allied Court, settlement of charges etc.,

In the meantime I should be grateful for information on the following points :-

- (1) Is it still a principle of ACC policy that all cases of this kind should be tried by Allied Courts ?
- (2) It is probable that you will desire an Allied Court trial to be in this Region. In this connection the trial may have to be delayed for some weeks due to the illness of an important witness and I also have in mind the extreme shortage in the Region of ACC personnel particularly those having legal knowledge.

He is at present in custody at BARI. It is thought that nearly all the witnesses possibly 7-8 for the prosecution are in this Region.

At present my RIO is collecting the necessary evidence and other facts to complete the file so that I am not yet in a position to ask for the appointment of an Allied Court, settlement of charges etc.,

In the meantime I should be grateful for information on the following points :-

- (1) Is it still a principle of ACC policy that all cases of this kind should be tried by Allied Courts ?
- (2) It is probable that you will desire an Allied Court trial to be in this Region . In this connection the trial may have to be delayed for some weeks due to the illness of an important witness and I also have in mind the extreme shortage in the Region of ACC personnel particularly these having Legal knowledge.
- (3) Any other information as to general policy or procedure or modifications thereof which may have been recently adopted as a result of the numerous trials of this kind which I believe have taken place in other Regions.

M. Carr

M. CARR
Brigadier
Regional Commissioner.

LEGAL SUBMISSION	
CLO	✓
DCLO	
Chief Clerk	
CLO	
Heff	
CL	

18 OCT 1944

cls.

2 5 2 3

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

785016

4129/25

Case of BORRONI Enrico

not received

2524

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

785016

TARGA	MOTORE	TELAIO	MARCA	CARROZZERIA	PORTATA
N.	N.	N.			T.

ALTRE CARATTERISTICHE: Benzina, Gasolio, Gasogeno, Metano:

STATO ATTUALE:

CONSEGNATARIO:

PROV.:

ENTE ASSEGNANTE:

VERBALE DI CONSEGNA:

ATTO DI NOTORIETÀ:

2 5 2 5