

785016

ACC

10000/142/816

TRIAL OF SU
WEISE WILH
JUN. - SEPT.

2/816

TRIAL OF SURRENDERED ENEMY PERSONNEL, KUNZ WALTER &
WEISE WILHELM
JUN. - SEPT. 1946

F. Corilla

Do you have V.G. review cards
on a case against

WEISS Wilhelm

no

KUNZ Walter

no

(R)

Corilla

6/2/47

Memo to Col Wilber - 6.2.47

11A

Sir. We have the attached file which goes up to 16.9.46. However no mention is made that the case was ever finally brought to trial. The case was not brought from AMG, V & in the group brought by Col Carnes. Do you recall if this case was ever tried by AMG & if so why we have no record of it?

(The)

as I understand it,
these accused were not
brought to trial before the
AMG Court.

EW

FILE

HEADQUARTERS ALLIED COMMISSION
APC 794
LEGAL SUB-COMMISSION

FILE

JKW/pa.

16 Sept 46.

AC/4129/55/L.

SUBJECT : Trial of SEP.

TO : HQ, AMG 13 Corps.
(Attn: Chief Legal Officer)

1. See your letter of 7 Sept 46, No. 13C/AMG/LD/137/2658.
2. We have but one copy of the authority for proceedings. A request for a copy for your files no doubt should be sent by your Headquarters to Allied Force Headquarters.

By command of Rear Admiral STONE :

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

**HEADQUARTERS
ALLIED MILITARY GOVERNMENT
13 CORPS**

Legal Division

9A

Reference: 13C/13G/137/2657

Date 7 September 1946

Subject : Trial of JEF

To : HQ. A.G.
Attention Chief Legal Advisor

1. Receipt is acknowledged of your No. AG/4123/55/L.
2. It is requested that copy of Authority for proceeding be forwarded this Headquarters.
3. Lt. Col. Harold J. ATKINSON Cav., OLDFORD, is designated as President.

For the Senior Civil Affairs Officer,

Charles R. Muencke
CHARLES R. MUENCKE
Lt. Colonel
CHIEF LEGAL OFFICER

LEGAL SUB COMMISSION	
CHIEF LEGAL ADVISOR	
DEPUTY CHIEF LEGAL ADVISOR	
CHIEF COUNSEL	
STAFF OFFICER	
ITALIAN SECTION	
MEMBERS REVIEW BOARD	
SEP 12 1946	

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FILE

APD 794
LEGAL SUB COMMISSION

PA

AC/4129/55/L

JKW/ns
13 September 1946.

SUBJECT : Trial of SEP.

TO : HQ 1 Army Group R A.

1. See your letter of 20 August 1946
AQ 150/12.
2. The attached copy of a letter is
for your information.

For the Chief Commissioner :

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

20

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FILE

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HEADQUARTERS ALLIED COMMISSION
APO 794
CIVIL AFFAIRS SECTION

JKW/rm.

3 September 1946.

AG/4129/55/L.

SUBJECT : Trial of SEP.

TO : HQ 1 Army Gp. HA.

1. See your letter of 20 August 1946 AQ 150/12.
2. The statement of the evidence submitted discloses prima facie a case against the two accused, No. 4806 Weiss Wilhelm and No. K 8437 Kunz Walter, and trial by Allied Military Government Court is authorized.
3. In the preparation of charges the prosecuting officer should consult with the Italian legal advisor to the Senior Legal Officer, A.M.G. Trieste.
4. The President of the Court will be furnished from the Staff of the Senior Legal Officer, Lt. Colonel Munnecke, Trieste. Upon being advised by you of the names of two officers to constitute the Court with the President, an order convening the Court will be issued by these Headquarters.
5. The Senior Legal Officer is being requested to designate the President. Arrangement for the time and place of trial can be concluded by agreement between the Prosecuting Officer and the President.

For the Chief Commissioner :

*M. Carr*M. CARR, Brigadier,
V.C. CA Section.

Incl .

13

FILE

FILE

FILE

REAR HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB-COMMISSION

6A

16/4189/55/L.

JHW/rm.
30 August 1946.

SUBJECT : Trial of SER.

TO : HQ AMG 13 Corps
Senior Legal Officer.

1. Rear Headquarters, 13 Corps (A Branch) has submitted a statement of evidence on offences alleged to have been committed by No. 4806 Weiss, Wilhelm and No. E 8427 Kunz, Walter, surrendered enemy personnel, with request that they be tried by an Allied Military Court. A reply has been made as set out in attached copy of letter.

2. Authority for such proceeding is set forth in "Organization and Administration of German Service Units under British control in Italy and Austria" August 1945, Section 11, 3-a pages 9 - 10.

3. Please designate the name of judicial officer to preside as President. The president should confer with the Prosecuting Officer designated by 13 Corps and bring the cases to trial. The record of trial will be submitted to the Legal Sub-Commission for review and return to your office.

4. Please acknowledge receipt of this letter.

By command of Rear Admiral STONE :

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

LEGAL

861

Subject: - Discipline SEP

HQ 1 Army GP RA

AC 150/12 5A

20 AUG 46

MC 29/8.

HQ Allied Commission

Rear HQ 13 Corps ('A' Branch)

No	4806	WEISS	Wilhelm
No	K8437	KUNZ	Walter

Ref your AC/4129/55/L dated 2 Aug 46.

1. It is regretted that the enclosures with this HQ letter or even reference dated 25th July were forwarded to you in error.
2. Enclosed herewith are statements or evidence in the case of the above named German SEP. It is considered that this evidence supports the charge of stealing public property. If you agree that a case against the accused can be presented will you please advise this HQ of the charge to be preferred.
3. It is confirmed that this HQ will have available members for the Court and prosecuting and defending Officers. Accommodation for the Court can also be provided and such administrative arrangements as you require, will be made by this HQ on receipt of your reply.

4. It is appreciated that the general discipline and behaviour of German SEP are not your concern. However the fact remains that serious offences, particularly theft of WD property, committed by German military personnel are revealed with increasing frequency. Under the current GHQ instructions the only effective method of bringing alleged offenders to trial is through the medium of your HQ. British officers administering German Service Units in this area have no authority either to award summary punishments or to convene German Courts Martial. The powers of Area Commander are confined to the authorization of a change in status from SEP to POW. This results in the offenders return to No 1 SEP Holding Centre at RIMINI from where, according to reliable reports reaching this HQ, he is either repostered to an other German Service Unit or repatriated to his homeland. It can therefore be understood that such punishment has little

that a case be advise this HQ of the charge to be preferred.

3. It is confirmed that this HQ will have available members for the Court and prosecuting and defending Officers. Accommodation for the Court can also be provided and such administrative arrangements as you require, will be made by this HQ on receipt of your reply.

4. It is appreciated that the general discipline and behaviour of German SEP are not your concern. However the fact remains that serious offences, particularly theft of WD property, committed by German military personnel are revealed with increasing frequency. Under the current GH instructions the only effective method of bringing alleged offenders to trial is through the medium of your HQ. British officers administering German Service Units in this inn have no authority either to award summary punishments or to convene German Courts Martial. The powers of Area Commander are confined to the authorization of a change in status from SEP to POW. This results in the offenders return to No 1 SEP Holding Centre at RIMINI from where, according to reliable reports reaching this HQ, he is either reposted to an other German Service Unit or repatriated to his homeland. It can therefore be understood that such punishment has little effect in preventing crime.

5. In view of the foregoing observations it is the intention of this HQ to apply to you for the trial of all German SEP against whom offences are alleged, which can be considered as serious crimes against the Allied Military Authorities. Your cooperation in bringing such offenders to trial will be appreciated and, it is believed, effective towards raising the general standard of discipline in German Service Units.

W.H. Lowlands.
Brig
Comd
(D.S.H. Headward.)

LEGAL SUB COMMISSION	
CHIEF LEGAL ADVISOR	
DEPUTY CHIEF LEGAL ADVISOR	
CHIEF COUNSEL	
STAFF OFFICER	
ITALIAN SECTION	
MEMBERS REVIEW BOARD	
AUG 26 1946	

FD
GHC/UC

UA

Ref: AG/4129/55/L.

2nd August, 1946

SUBJECT: Trial SEP.

TO : Headquarters I Army Group, RA.

1. With reference to your AG/50/12 of 25th July 1946 and to the enclosures to that letter which are returned herewith.

2. One of the purposes of submitting the facts of cases of this nature to this Headquarters is to enable the Chief Legal Advisor to determine prima facie if a case is presented in law.

The papers forwarded in this case are;

Appendix "A" which is a general report on the conduct of SEP in a certain area.

Appendix "B" on the subject of security at a REME workshop.

Appendix "C" which is a general report on an alleged attempted theft of a WD vehicle.

The only one of the above documents which is of interest to this Headquarters and concerns the proposed charges is Appendix "C".

The facts given in that Appendix briefly set out that the accused were despatched on a mission; later that they were reported missing and were subsequently arrested in Gorizia in possession of a truck. The possession of the truck was originally lawful, but no particulars are given from which it can possibly be deduced that the accused committed an act amounting in law to an attempted theft.

Full details of the nature of the attempted theft are required as well as an outline of the evidence to be produced in support of the charge.

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- 2 -

To: HQ, I Army Group R.A.

3. Para 11 (h) of the AFHQ instructions lays down that your Headquarters furnish certain personnel for the Court, the President of the Court being found by this Headquarters.

Please confirm that your Headquarters will have available members for the Court and prosecuting and defending officers if a prima facie is found to exist after examination by this Headquarters of the particulars requested in Para 2 above.

FOR THE CHIEF COMMISSIONER.


M. CARR, Brigadier.
VP. CA. Section.

HEADQUARTERS ALLIED COMMISSION.
APO 394.
CIVIL AFFAIRS SECTION.

3A

TO: Director, Legal Sub-Commission.

1st August, 1946

Reference attached. I have drafted ^{attached} a letter to be sent to AFHQ C-5.

We shall have to write to AFHQ because we cannot write direct to Hq. XIII Corps.,

I presume you have a file dealing with procedure in these cases on which this letter can go.

Please check the legal part carefully. Does "A" in para 1 cover all the information we require? Do you want statements of evidence, for instance?

As regards parag 3, I am a bit doubtful about this. ^{and cannot} Supposing officers are detailed for the Court, ~~and~~ they ~~cannot~~ must stand by go on leave etc., Later we write and say we do not consider there is a prima facie case.

It seems to me that as soon as we see there is a case we should wire for the names of members etc., If Para 2 is included in the letter, does "B" request all the names we want?

We ought to get this letter off pretty soon otherwise the trial may be unduly delayed.


M. CARR, Brigadier.
VP. CA. Section.

*A Fresh draft is attached 14
if you will put in the appropriate file
and have letter typed I will sign. I will
have typed if you wish if you will send
file to my office*

2A

Memo to V. P. Civil Affairs Section:

The attached request for a CMB Court to try two S.E.P. alleged offenders is deficient in two respects:

(a) Concerning the facts.

One of the purposes of submitting the facts to the Chief Legal Advisor is ~~to~~ to enable him to determine prima facie if a case is presented in law. The facts briefly set out that the accused were dispatched on a mission; latter^{they} were reported missing, and were subsequently arrested in Georgia in possession of a truck. The possession^{of the truck} was originally lawful, but only by resorting to the imagination can one deduce that the accused did an act ~~making~~ amounting in law to an attempted theft. There

is a vast difference between common law conversion, - a ~~co~~ non-penal act, - and attempted theft, a felonious act. One is a doctrine of damages; the other a law of public department. I am exceedingly in doubt if the undisclosed actual facts will sustain the penal offense of attempted theft. In the absence of all the facts, the whole ^{some} purpose of submitting the case beforehand to the Chief Legal Advisor is nullified.

(13) Paragraph 11 (H) fixes certain duties on the Brigade, etc., commanders of furnishing personnel for the Court. We have ~~but one~~ ^{applicable} the President of the Court, but not the personnel required to be furnished from the combat units. Note that no attempt has ~~to~~ been made to furnish such names. The necessary Court

order must name such missing personnel, etc.

Would it not be in keeping with the letter and spirit of the directive to bring these deficiencies to the attention of the initiating authority?

30 July 46.

Law

ALLIED ~~CONFIDENTIAL~~ COMMISSION
INTER-OFFICE MEMORANDUM

117

SUBJECT: Discipline SEP.

FILE No.

TO : Director, Legal Sub-Commission

30th July, 1946

Reference attached papers, will you please put them on the appropriate file and take all necessary action for the trial of these two SEP. Please return this inter office slip acknowledging receipt of papers.

M. Carr
M. CARR, Brigadier.
VP. CA. Section.

10

9763

HQ 1 Army Gp RA

Subject:- Discipline SEP.

AQ 150/12

25 Jul 46 /B

HQ Allied Commission Italy ✓

AMG Udine Province

No 65137/42 KUNZ Walter
 No 2300/42 WEISS Wilhelm
Both of 939 SEP Fmn Wksp Gp REME

1. Att herewith is a copy of report from OC 939 SEP Fmn Wksp Gp REME alleging a serious offence by the above named German SEP.
2. These SEP have now been charged with stealing public property and it is requested that they be tried in an Allied Military Government Court under the terms of AFHQ Instructions for the Organisation and Administration of German Service Units under British control.
3. It is requested that the necessary court is convened as soon as possible and this HQ notified of the time and place of trial in sufficient time to arrange the attendance of witnesses.

fd
 GHC/ep

G. H. Catell



H.Q. 93 Section S.I.B.

23th June 1946.

STATEMENT of:-

No. 14261532 Sgt. W. THOMAS A/S/Corp. 41,
93 Section S.I.B.
O.M. POLICE.

WED states:-

On Wednesday 19th June 1946 as a result of information received, I interviewed the accused No. 4806, WEISS WILHELM and No. K 8437 KUNZ WALTER and through the medium of my interpreter I cautioned them by saying, "You are not obliged to say anything unless you wish to do so, but anything you do say will be written down and may be given in evidence".

WEISS replied, "We thought we would get back to Germany".

KUNZ replied "I wanted to get back to Germany".

They each elected to make a voluntary statement, which was written down by the official interpreter at their dictation, which they later read over and signed.

This statement I now produce.

On Thursday 20th June 1946 I interviewed the accused VENUTI and RUSSIAN respectively, cautioned them by saying "You are not obliged to say anything unless you wish to do so, but anything you do say will be written down and may be given in evidence." VENUTI replied, "Yes, I know about it". RUSSIAN said, "I only contacted the other man for FERRARI". They both made voluntary statements, which were written down at their dictation, which they read over and signed. Statements I now produce.

On Friday 28th June 1946 I interviewed the accused PUPIL Carlo. I made known to him my identity and the nature of my enquiry. cautioned him by saying "You are not obliged to say anything unless you wish to do so, but anything you do say will be written down and may be given in evidence". He replied, "I only led the vehicle to Romans". He elected to make a voluntary statement, which was written down at his dictation which he read over and signed.

This statement I now produce.

0 4 3 7

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This statement I now produce.

W. Thomas Sgt.

W. THOMAS Sgt.
Special Investigation Branch.

F.S.S. GORIZIA.

19th June 1946.

STATEMENT of:-

WEISS Wilhelm No. 4806,
939 S.E.P. Formation W/Shops,
Group R.E.M.E.

WEISS states:-

I have been cautioned that I am not obliged to say anything unless I wish to do so, but anything I do say, will be taken down in writing and may be given in evidence.

(Sgd.) Wilhelm WEISS

I am a driver and in charge of a 5-ton truck No. 4492536, which has been under my charge for about 3 months. Last Sunday at about 2230 hours, when I was in the main street of Villa Vincentina, I was approached by a civilian, whom I do not know. At this time I was in company with my comrade Walter KUNZ. Whilst I was talking with the civilian, my comrade was standing a short distance away. The civilian asked me, if I would like to go back to Germany and that he would be able to bring me over the border. He also invited me to come to his home and he told me that I could bring my friend too, and that I would be always welcome in his house, but I have never been there. Whilst we were talking the civilian asked me, if I could sell him a truck. I answered him, that I didn't know and also that I could not do this on my own. Then I went back to my comrade and informed him about this matter. We agreed then to have a try, because we wanted to go home, back to Germany. Then we walked back to our camp. Next Monday we were talking again about this and we decided to sell the truck, which is under my charge and then to try to escape to Germany. Next Tuesday, the 18th June 1946 at about 1100 hours my friend KUNZ Walter and I drove with my truck to a place about 5 Km. outside Villa VINCENTINA, where I knew we could probably find the civilian. When we arrived there, we met the civilian and I told him, that I would sell him my truck. The civilian accompanied us for a little while, until we met another civilian. This civilian was a tall, fair haired man. He was riding a bicycle. This civilian told us to wait and rode away on his bicycle. After about 1½ hours he came back with a motorcycle, and told us to follow him with our truck. We didn't speak about money, because our whole interest was to get the necessary documents to go back to Germany. Whilst following the motorcycle we were driving towards Gorizia, not on mainroads, but on little side roads. After driving for about 15 Km. we met the civilian - the short one - with whom I had spoken previously and we stopped. He mounted the truck and sat down together with my friend and me in the front seat. Then the civilian with the motorcycle drove away and the other, who was sitting with us in the truck, directed us. He told us to go on driving.

my friend too, and that I would be always welcome there. The civilian asked me, if I could never been there. Whilst we were talking the civilian asked me, if I could sell him a truck. I answered him, that I didn't know and also that I could not do this on my own. Then I went back to my comrade and informed him about this matter. We agreed then to have a try, because we wanted to go home, back to Germany. Then we walked back to our camp. Next Monday we were talking again about this and we decided to sell the truck, which is under my charge and then to try to escape to Germany. Next Tuesday, the 18th June 1946 at about 1100 hours my friend KUNZ Walter and I drove with my truck to a place about 5 Km. outside Villa VICENTINA, where I knew we could probably find the civilian. When we arrived there, we met the civilian and I told him, that I would sell him my truck. The civilian accompanied us for a little while, until we met another civilian. This civilian was a tall, fair haired man. He was riding a bicycle. This civilian told us to wait and rode away on his bicycle. After about 1 1/2 hours he came back with a motorcycle, and told us to follow him with our truck. We didn't speak about money, because our whole interest was to get the necessary documents to go back to Germany. Whilst following the motorcycle we were driving towards Gorizia, not on mainroads, but on little side roads. After driving for about 15 Km. we met the civilian - the short one - with whom I had spoken previously and we stopped. He mounted the truck and sat down together with my friend and me in the front seat. Then the civilian with the motorcycle drove away and the other, who was sitting with us in the truck, directed us. He told us to go on driving, not very far, about 5 other kms. We didn't drive very far, when the civilian with the motorcycle joined us again. We stopped and a "Landia" car with 3 or 4 civilians arrived and stopped. One of these civilians told me, that he would provide my comrade and me with civilian clothes and would bring us over the frontier. Then this civilian car drove away and shortly afterwards the American Police arrived. My comrade and I firstly went away, but then we thought it would be the best thing to do to go back, which we did.

(Sgd.) WEISS Wilhelm

I have read over the above statement and have had the opportunity to make any alteration or correction, where necessary. It is true and correct and is made voluntarily.

(Sgd.) WEISS Wilhelm

Statement taken down in German, read over and signature witnessed
by M. Gropallo, Official Interpreter, in the presence of Sgt. Thomas,
both of 93 Section S.I.B. C.M.P. on the 19.6.46.

I certify that the above translation of the original statement is
correct and true to the best of my ability.

(Sgd.) M. Gropallo, Official Interpreter
93 Section S.I.B. C.M.Police.

0 4 4 1

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

785016

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- 2 -

F.B.I. GONZALEZ.

19th June 1946.

STATEMENT of:-

Walter KUNZ No. K 8437,
939 S.E.P. Formation w/Shops.
Group R.E.M.E.

WHO states:-

I have been cautioned that I am not obliged to say anything unless I wish to do so, but anything I do say will be taken down in writing and may be given in evidence.

(Sgd.) Walter KUNZ

On Sunday the 16th June 1946 at about 2230 hours when I was in the main street of VILLA VINCENTINA together with my comrade WEISS Wilhelm, my comrade was approached by a civilian whom I do not know. The civilian was speaking with my friend, whilst I was standing a short distance from them. Shortly afterwards my friend came to me and told me that the civilian had asked him if he could sell him a truck, in case he was able to do this, the civilian would help him to pass the frontier and to go to Germany. My comrade and I talked about this matter for a while, but later we agreed to take this risk and to try to escape. The following day when we were talking about this matter, we decided to sell the truck, which my comrade has in his charge. Knowing that the civilian, to whom my friend had spoken, was usually in a certain place just outside Villa Vincentina, my friend and I drove with his truck on the following Tuesday, the 16th June 1946 at about 1100 hours to this spot, where we met the civilian. The civilian accompanied us in the truck for a short while and then we met another civilian with a bicycle. After talking with him, the latter left us promising he would be back shortly. After about 1½ hours he came back with a motorcycle and told us to follow him with the truck. After driving for about 20 minutes, the motorcycle stopped suddenly, because the motorcycle needed some repairs. We started again, but after a while we had to stop, because there was more trouble with the motorcycle. After this we started again and were driving till we arrived in a little village in the near of Gorizia. The civilian with the motorcycle told us then to wait for a while and he left us. Whilst we were waiting there, a civilian car arrived with 3 or 4 civilians. We talked with these civilians. One of them went out of the car and said: "Everything is alright" and then the American Police arrived and the civilian car drove away. My comrade and I firstly ran away but then we decided that it was better to go back, which we did.

F.S.S. GORIZIA.

19th June 1946.

Walter KUNZ No. K 8457,
939 S.E.P. Formation w/Shops.
Group R.E.M.E.

STATEMENT of:-

WHO states:-

I have been cautioned that I am not obliged to say anything unless I wish to do so, but anything I do say will be taken down in writing and may be given in evidence.

(Sgd.) Walter KUNZ

On Sunday the 16th June 1946 at about 2230 hours when I was in the main street of VILLA VINCENTINA together with my comrades WISS Wilhelm, my comrade was approached by a civilian whom I do not know. The civilian was speaking with my friend, whilst I was standing a short distance from them. Shortly afterwards my friend came to me and told me that the civilian had asked him if he could sell him a truck, in case he was able to do this, the civilian would help him to pass the frontier and to go to Germany. My comrade and I talked about this matter for a while, but later we agreed to take this risk and to try to escape. The following day when we were talking about this matter, we decided to sell the truck, which my comrade has in his charge. Knowing that the civilian, to whom my friend had spoken, was usually in a certain place just outside Villa Vincentina, my friend and I drove with his truck on the following Tuesday, the 16th June 1946 at about 1100 hours to this spot, where we met the civilian. The civilian accompanied us in the truck for a short while and then we met another civilian with a bicycle. After talking with him, the latter left us promising he would be back shortly. After about 1½ hours he came back with a motorcycle and told us to follow him with the truck. After driving for about 20 minutes, the motorcycle stopped suddenly, because the motorcycle needed some repairs. We started again, but after a while we had to stop, because there was more trouble with the motorcycle. After this we started again and were driving till we arrived in a little village in the near of Gorizia. The civilian with the motorcycle told us then to wait for a while and he left us. Whilst we were waiting there, a civilian car arrived with 3 or 4 civilians. We talked with these civilians. One of them went out of the car and said: "Everything is alright" and then the American Police arrived and the civilian car drove away. My comrade and I firstly ran away but then we decided that it was better to go back, which we did.

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(Sgd.) Walter KUNZ

I have read over the above statement, and have had the opportunity to make any alterations or corrections where necessary. It is true and correct and is made voluntarily.

(Sgd.) Walter KUNZ

Statement taken in German, read over and signature witnessed by M. Gropallo, Official Interpreter, in the presence of Sgt. W. Thomas, both of 93 Section S.I.B. C.M. Police.

I certify that the above translation from the original statement is true and correct to the best of my ability.

(Sgd.) M. Gropallo
Official Interpreter
93 Section S.I.B.

28th June 1946.

93 Section S.I.B., TRIESTE.

Statement of:-

PUPIL CARLO,
St. NICOLO', Fraz. of RUDIA.

Who states:-

I have been cautioned that I am not obliged to say anything unless I wish to do so, but anything I do say will be taken down in writing and may be given in evidence.

(Sgd) PUPIL CARLO.

On the 17th June 1946, at about 08:30 hrs. VENUTI came to my house at Ste. NICOLO, and told me, that two German soldiers had a military vehicle to sell, which had to arrive at VILLESE on the 18th June 1946, at about 11:30 hrs. as arranged the vehicle arrived at the rendez-vous. I already asked by VENUTI I had to ride on my bicycle and followed by the vehicle show the way to the vehicle which was driven by the two Germans. Arriving at ROMENS by the cemetery, I met VENUTI where I handed over the vehicle. VENUTI promised me a payment, but never mentioned the sum. After this, I went back to Ste. NICOLO. Later on, I heard that VENUTI had been arrested in the neighbourhood of GORIZIA.

(Sgd) PUPIL CARLO.

I have read over the above statement and have had the opportunity to make any alteration or addition where necessary. It is correct and true, and made voluntarily.

(Sgd) PUPIL CARLO.

Statement taken down by Sgt. J. BORG in the presence of Sgt. THOMAS, both of 93 Section S.I.B. at TRIESTE, on the 28th June 1946.

The above translation from Italian is correct and true, and to the best of my ability.

0 4 4 6

Germans. Arriving at ROMENS by the cemetery, I met VENUTI where I handed over the vehicle. VENUTI promised me a payment, but never mentioned the sum. After this, I went back to Ste. NICOLO. Later on, I heard that VENUTI had been arrested in the neighbourhood of GORIZIA.

(Sgd) PUPIL Carlo.

I have read over the above statement and have had the opportunity to make any alteration or addition where necessary. It is correct and true, and made voluntarily.

(Sgd) PUPIL Carlo.

Statement taken down by Sgt. J. BORG in the presence of Sgt. THOMAS, both of 93 Section S.I.B. at TRIESTE, on the 28th June 1946.

The above translation from Italian is correct and true, and to the best of my ability.

(Sgd) J. BORG, Sgt.
Official Interpreter,
93 Section S.I.B.

P.I.D. Office,
88th Division Military Police.

24th June 1946.

STATEMENT of:-

17163423 Cpl. WOLFE J.J.
Police Investigation Department,
88th Division, Military Police.

WHO states:-

Acting on information received at about 1900 hours, Tuesday 18th June 1946 in company with Cpl. BEATTY of my company I proceeded to the town of San ANDREA to investigate the report of a stolen truck being there.

On my arrival at this town I saw a large three ton Leyland Army truck No. 4492536, bearing the lettering GER, which I understood to belong to a German unit. A number of men were around the vehicle, but on our approach they ran away leaving the vehicle, but shortly afterwards two suspicious men came walking back. These two men were interviewed, and were MISS WILHELM and KUNZ WALTER, they both admitted that this vehicle was on their charge, and that they had brought the vehicle from their camp from Villa Vicentina, they stated they were to dispose of the vehicle and then intended going back to Germany. Both these men were arrested and conveyed to Gorizia. The vehicle was driven back to my unit by Cpl. Beatty.

Also among the men around the vehicle was a civilian named VENTURI Giovanni, this man was also arrested and handed over to the civil prison.

I have read over the above statement, it is true and correct.

(SGL.) John J. WOLFE Cpl.
M.P. 88th Div.

Statement written down and signature witnessed by Sgt. THOMAS, 93 Section S.I.B. G.M. Police, on 24th June 1946.

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Also among the men around the vehicle was a civilian named VENTURI Giovanni, this man was also arrested and handed over to the civil prison.

I have read over the above statement, it is true and correct.

(Sgt.) John J. WOLFE Cpl.
M.P. 88th Div.

Statement written down and signature witnessed by Sgt.
THOMAS, 93 Section S.I.B. C.M. Police, on 24th June 1946.

P.I.D. Office,
88th Division Military Police.

24th June 1946.

STATEMENT of:-

16178192 Cpl. DAVID BEATTY,
Police Investigation Department,
88th Division Military Police.

WHO states:-

About 1900 hours Tuesday 18th June 1946, as a result of information received, I in company with Cpl. WOLFE of my unit, proceeded to San ANDREA outside of GORIZIA.

On arrival I there saw a British three ton Leyland Army vehicle No. 4492536, standing near to this vehicle were a number of civilians but the people dealing in this vehicle were in a cafe down the road. I stopped to guard the vehicle, and obtained all particulars, I was then informed that there was a crowd in the cafe and reinforcements were necessary. I drove the vehicle back to our motor pool. I returned to the scene and made a search for a man named RUSSIAN, who had escaped. I went round to his house, but he was not there, observations were kept at his house and about 0030 hours the next day he came home and I arrested him.

I have read over the above statement, it is true and correct.

(Sgd.) DAVID A. BEATTY

Statement written down and signature witnessed by Sgt.
THOMAS, 93 Section S.I.B. on Monday 24th June 1946.

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I have read over the above statement, it is true and

correct.

(Sgd.) DAVID A. BEATTY

Statement written down and signature witnessed by Sgt.
THOMAS, 93 Section S.I.B. on Monday 24th June 1946.

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H.Q. 939 S.E.P. W/Shops.

21st June 1946.

STATEMENT of:-

No. 22720 Lt. HUGHES,
939 S.E.P. FORMATION WORKSHOP GROUP,
R.E.M.E.

WHD states:-

I am the Officer Commanding the 939 S.E.P. Formation Workshop Group R.E.M.E., where I have under my command a number of German Prisoners of War for all duties.

On Tuesday 18th June 1946 at about 1130 hours, a Leyland 6 wheel three ton motor vehicle was detailed to go to the men's billets situated in the workshops area, but to get there the vehicle had to pass through the main gate in the road way to get there. This truck was booked out by the sentry at this time.

The vehicle No. 4492536 was on charge to a German Prisoner of War, WILHELM WEISS, who is a Lance Corporal, who was the driver of this vehicle on this occasion, he was accompanied by KUNZ WALTER, who was detailed with WEISS to collect timber. This detail should have taken approximately half an hour.

About 1700 hours it was observed that the vehicle had not returned to the Workshops, a search was made, and it could not be traced, this matter was reported to the Military Police.

Neither of these two Lance Corporal Prisoners of War had any authority to take this vehicle to any place other than the men's billets to collect timber.

correct.

I have read over the above statement, it is true and

(Sgd.) R.V.A. HUGHES Lieut.

The vehicle No. 4492536 was on charge to a German Prisoner of War, WILHELM WEISS, who is a Lance Corporal, who was the driver of this vehicle on this occasion, he was accompanied by KUNZ WALTER, who was detailed with WEISS to collect timber. This detail should have taken approximately half an hour.

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Neither of these two Lance Corporal Prisoners of War had any authority to take this vehicle to any place other than the men's billets to collect timber.

I have read over the above statement, it is true and correct.

(Sgd.) R.V.A. HUGHES Lieut.

Statement written down and signature witnessed by
Sgt. THOMAS, 93 Section S.I.B. on 21st June 1946.

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