

228

ACC

10000/142/922

AM COURT CASES IN VE  
AUG. 1945 - NOV. 1946

1229

10000/142/922

AM COURT CASES IN VENEZIA GIULIA (CORRESPONDENCE)  
AUG. 1945 - NOV. 1946

8617

4197/1

181

*file*

HEADQUARTERS  
ALLIED MILITARY GOVERNMENT  
VENEZIA GIULIA

*em*

21 NOV 1946  
22 NOV 1946  
5617

REFERENCE : VG/AMG/4

SUBJECT : Appeal for Pardon

TO : LEGAL DIVISION this HQ

*with case record*

1. Attached original letter and translation dated 9 Nov. 46, from Violetta SECCADANARI, Via Soncini 109, Trieste.
2. This correspondence is passed to you as a matter pertaining to your Division for what action you deem necessary.
3. Receipt of attached has been acknowledged by this HQ and the originator informed of the transmission of her letter to you.

By order of Colonel BOWMAN

E.M. PENRITH  
J/Comd, A.T.S.  
Asst. Executive Officer

4193/1 *epst*

*file*

HEADQUARTERS  
ALLIED MILITARY GOVERNMENT  
13 CORPS

18A

LEGAL DIVISION

FILE REF.: 13C/AMG/LD/184/808

Date: 27 December 1945.

SUBJECT: Review of cases against SKORIC Marcello and JASBEC Josef  
(Superior Court, Trieste, No. 91 and 91a).

TO : Chief Legal Adviser, H.Q., Allied Commission APO 394, Rome.

The a/m accused having been sentenced to imprisonment for over two years, the following documents are forwarded here-with for you to review :

- JASBEC Josef, Form 11 and record
- SKORIC Marcello, Record, Judge's notes of the evidence, and an Informal Petition by the accused's parish priest are also enclosed.

For the Senior Civil Affairs Officer.

*Advised*

A. E. GOLD  
Major A.U.S.

Chief Legal Officer

The a/m accused having been sentenced to imprisonment for over two years, the following documents are forwarded herewith for you to review :

JASBEC Josef, Form 11 and record

SKORIC Marcello, Record, Judge's notes of the evidence, and an Informal Petition by the accused's parish priest are also enclosed.

For the Senior Civil Affairs Officer.

*A. E. Gold*

A. E. GOLD

Major A.U.S.

Chief Legal Officer

LEGAL SUBCOMMISSION					
CLO					
DCLO					
Chief Counsel					
CJO					
Itelion Section					
GU RKS					
31 DEC 1945					

Encl.: a/m records and documents.



1812

4193/1/17

HEADQUARTERS  
ALLIED MILITARY GOVERNMENT  
13 CORPS

GMD/GB

17A  
*Legal*

LEGAL DIVISION

Date 21 December 1945.

FILE REF.: 13C/AMG/LD/ 184/46Z

SUBJECT: Cases of VIVODA and others. Superior Mil. Court TRIESTE  
(No. 51 - 51 f).

TO: Chief Legal Adviser H.Q., Allied Commission APO 394.

1. Ref. your A.C. 4193/1/L 17 December 1945.
2. Receipt for record and decision on Review is enclosed herewith.
3. Your remarks relating to the preparation of charges have been passed on to the Area Legal Officer concerned.

For the Senior Civil Affairs Officer.

*A.E. Gold*  
 A.E. GOLD  
 Major AUS  
 Chief Legal Officer

Encl.: a/m Receipt.

C.M.D./W.G.

16A

HEADQUARTERS  
ALLIED MILITARY GOVERNMENT  
13 CORPS

Date 13 Nov. 45.

LEGAL DIVISION

FILE REF: 13C/AMGILD/

SUBJECT:

184/453

Review of Cases against VIVODA Giovanni and others  
( Sup. TRIESTE 51-51f)

Chief Legal Advisor H.O. A.C.

1. As two of the accused in these cases (which were all tried together) received sentences of imprisonment of over two years, the following documents are forwarded herewith for you to review:

Case No.	Accused.	Documents.
51	GABRIELLI Oscar	Form 11 and Record
51 a	PACLIN Attilio	Form 11 and Record
51 b	MATIZ Carlo	Record
51 c	NOVI Mario	Informal Appeal and Record
51 d	VOUK Giusto	Form 11 and Record
51 e	PURINANI Domenico	Form 11, Informal Appeal and Record
51 f	VIVODA Giovanni	Form 11 and Record

Judge's note of the evidence and typed copy are also included.

2. The records have been held back for time for Appeal to expire.

review:

<u>Case No.</u>	<u>Accused.</u>	<u>Documents.</u>
51	GABRIELLI Oscar	Form 11 and Record
51 a	PAOLIN Attilio	Form 11 and Record
51 b	MATIZ Carlo	Record
51 c	NOVI Mario	Informal Appeal and Record
51 d	VOUK Giusto	Form 11 and Record
51 e	PURINANI Domenico	Form 11, Informal Appeal and Record
51 f	VIVODA Giovanni	Form 11 and Record

Judge's note of the evidence and typed copy are also included.

2. The records have been held back for time for Appeal to expire.

For the Senior Civil Affairs Officer

LEGAL SUB COMMISSION

*W. Davis*

A. E. GOLD  
MAJOR A U S  
CHIEF LEGAL OFFICER.

Chief Counsel

CL KING

JANUARY 1946

Enclosures: as above.



1 2 3 6

4193/1

15A

HEADQUARTERS ALLIED COMMISSION  
Office of the Chief Commissioner  
APO 394

TO THE SUPERINTENDENT OF THE PRISON IN TORONTO  
AND TO ALL HIGH COURTS THROUGHOUT CANADA :

WHEREAS on the first day of August, 1945, before a Superior Military Government Court sitting in Toronto JACQUES Giorgio was convicted of the offence of unlawful possession of firearms punishable under Proclamation No 1, Article IV, Section 5 and was thereupon sentenced by the said Court for his said offence to eighteen months imprisonment,

AND WHEREAS it is in my judgment expedient that a pardon should be extended to the said JACQUES Giorgio,

NOW, THEREFORE, I, HELMUT W. STONE, Rear Admiral, USNR, Chief Commissioner, Allied Commission, in exercise of the powers vested in me do hereby grant unto the said JACQUES Giorgio a free and unconditional pardon in respect of the said conviction thereby pardoning, recalling and releasing unto him all pains and punishments whatsoever that from the said conviction may ensue; and I do hereby command all courts and persons whom it may concern that they take due notice hereof.

AND by these Presents do authorize and command the Superintendent of the prison in which the said JACQUES Giorgio is confined to discharge the said JACQUES Giorgio from such prison, and for so doing this shall be a sufficient warrant.

IN WITNESS whereof I have set my name this 5th day of November 1945.

HELMUT W. STONE,  
Rear Admiral, USNR,  
Chief Commissioner,  
Allied Commission.

Recd TOPSEC file 2619/EC. *[Signature]*

5/11/45

1237

4193/1

14A

Ref: 2649/101/BC.

27 October 1945.

My dear Bowman:

I think that if you review the action taken by you over the JAKSETHICH case, culminating in your telegram of 26 October, you will agree that it could have been better handled at your end.

The case was a cause celebre. Your Chief Legal Officer confirmed conviction and sentence but you, rightly, considered that a better perspective of the case could be held here and sent it for review by the C.L.A. and myself. You did not at that time make any recommendation for clemency. The C.L.A. confirmed conviction and sentence and so informed you.

Then came the possibility of JAKSETHICH being nominated for and accepting an appointment in the Consulta and your signalled suggestion for executive clemency based on that possibility.

You were properly told to send me full reasons for your recommendation.

In the meantime, JAKSETHICH did not accept the appointment in the Consulta and has not, so far, put in a petition for clemency.

Your letter of 16 October was duly received here. Eight paragraphs of the letter raise legal points all of which have been dealt with when the case was reviewed by C.L.A. and should, of course, never have been submitted in a petition for executive clemency. Two paragraphs deal with his personal character. You mention psychological and political benefits but do not say what they are.

Next comes your telegram of 26 October in which you cite public relations and political value of the pardon. But you have never told me what this amounts to.

The proper way to have handled this would have been for you to have sent with the papers of the case when they came here for review a recommendation for clemency based on the man's personal character and the psychological and political value of clemency.

I have now instructed you by signal to specify the political and public relations benefits on receipt of which I will consider a pardon.

Sincerely yours,

/s/ Elmer W. Stone

ELMER W. STONE  
Rear Admiral, USNR  
Chief Commissioner

15

Colonel Alfred C. Bowman,  
SCAO, AMC XIII Corps.

Copy to: CA Sec (For Legal S/C) ✓

1238

4193/1

CAS

26 OCT 1945

26 OCT 1945

BA

8/4  
OCT 261130A

HEADQUARTERS  
24 OCT 45  
C.

G/2112  
OCT 261530A  
IMPORTANT

AMG 13 COUPS FROM BOYMAN  
HQ ALCOM

RESTRICTED

Personal for Chief Commissioner.

All public relations and political value of pardon or suspension of balance of sentence of JAKSETICH will be lost unless you act at once, and I urge that you do this.

List

Action - SO to Chief Commissioner 2  
Info - Exec Comm  
CA Sect  
File

WLEO	
Chief Counsel	
CJO	
Station	
CI/RX	

27 OCT 1945

7300

Civil Affairs Section

24 Oct. 45

Received from Legal Sub Commission  
Top Secret File 2619/EC in re  
Venazta Giulia-Legal

*W. H. ...*  
Civil Affairs Section

1240

PARTITO FASCISTA REPUBBLICANO

**Federazione Fascista dell' Urbe**

*Il Sig.* \_\_\_\_\_

*desidera conferire con* \_\_\_\_\_

*Motivo :* \_\_\_\_\_

*Ron.* \_\_\_\_\_ **191 XXII**

FIRMA

19A

SCMD VENEZIA GIULIA REGION

6742

8 OCTOBER 45

ROUTINE

RESTRICTED PD

SUBJECT IS GIORGIO JACSEISICPD

PARA ONE PD REFERENCE YOUR RECOMMENDATIONS FOR CLEMENCY IN THE CASE OF GIORGIO JACSEISIC PD

PAREN TO SENIOR CIVIL AFFAIRS OFFICER VENEZIA GIULIA REGION FROM HQ ALCOM

CITE ACLES PAREN

I HAVE BEEN DIRECTED TO INFORM YOU THAT THE THIRTEEN CORPS SHOULD SEND THEIR FULL REASONS IN WRITING BEFORE THE CHIEF CIVIL AFFAIRS OFFICER CAN TAKE THE STEP OF GRANTING A PARDON

LEGAL SUBCOMMISSION

302

4 OCT 1945

# INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: 8/33

Message Centre No: 3/9951

Date/Time of Origin: OCT 03 1045A

Date Time Rec'd: OCT 04 0915

Precedence: PRIORITY

FROM: AME 13 CORPS

TO: HQ ACCOM FOR CHIEF COMMISSIONER

## SECRET

SECRET.

Advise early and favourable consideration of recommendation for clemency case of GEORGIO JASSETSIQ which I am advised has been passed to you by Chief Judicial Officer.

DIST

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	✓ ←
Relian. Section	

ACTION CA SEC  
 INFO CHIEF COMMISSIONER  
 EX COMMISSIONER 2  
 LEGAL SC  
 FILE 2  
 PROAF

HEADQUARTERS  
 & OFFICES  
 11/15/45

## Confidential

## SECRET

**DOWN GRADED  
 UNCLASSIFIED**

Col. Inf.  
 Chief Judicial Officer  
 for Chief of Prosecution Office

ALLIED COMMISSION  
 CA Section  
 - 11509 -  
 HEADQUARTERS

12

TO: EXEC COMR.

68.

1. Not to be confused with revision of sentence on review is the power to pardon an offender (either before or after conviction) or any offense punishable by law. This power exists in some manner in every type of Government. Generally, it is vested in that branch to which is delegated the duty to elect the political course which that Government must take. There can be no doubt that the power to pardon offenders of occupational law is vested in the Chief Commissioner.

2. In the vast number of cases in which the power is applied, the guilt of the accused is established; in such cases pardon is granted for reasons bottomed on expediency rather than to correct an injustice suffered by the accused. Because of this premise, the power of pardon is universally an executive and not a judicial function.

3. In the instant case, it has been recommended that the Chief Commissioner exercise power of pardon. The reasons advanced are extra-legal and not judicial. The success or failure of occupational government is the responsibility of the Chief Commissioner. If the judiciary in the discharge of its duties occasions a situation wherein the success with the total occupational government may be challenged, the Chief Commissioner is not only authorized, but it becomes his duty to exercise the power of pardon in such manner as will ensure the success of occupational government in all of its parts. A sense of discretion determines the boundaries of its use.

4. The JACOBIO Giorgio case has been revised for legal error; conviction and sentence have been affirmed. If pardon is granted it will be a matter of grace. The pardon should recite that the accused has been lawfully convicted of an offense against occupational law and has been given a sentence in keeping with the offense without condoning the act of the accused, it has been determined as a matter of grace to grant forgiveness of the sentence imposed on the accused for his transgression, with a faith that he will henceforth comport himself in keeping with a reliance placed in him by this act of pardon.

5. In this connection a conditional suspension of the sentence in lieu of an outright pardon is undesirable in this case for two reasons. First, the qualifications of the accused to fill an office of trust and confidence might be subject to challenge as long as a sentence hangs over his head. Secondly, the accused might charge that the reason for the conditional suspension was to accomplish the end above set out and thereby foreclose his future usefulness. A grant of full pardon should eliminate each of these premises.

6. A pardon does not have to be evidence by a particular form. There is attached hereto an instrument in writing which may be used as a pardon in the instant case. If this, or any other form of writing is used in granting a pardon, it is suggested that one original and two copies be executed. This office will attend to the dispatch of these copies.

J.K.W

11



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LEGAL S/C  
24 September 1945  
JKV/vlp.

J.K.W

11

JAMES K. WEBER,  
Colonel, Inf.,  
Chief Judicial Officer,  
for Chief Legal Advisor.

4193/1

1 OCT. 1945

# INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

C.A.S.

Originator's Reference: 8/4/79  
 Date/Time of Origin: SEP 28 NPT

Message Centre No: F/9431  
 Date Time Rec'd: SEP 29 1220A  
 Precedence: IMPORTANT

29 SET 1945

FROM: AMG 13 CORPS  
 TO: FREEDOM CITE FHGEG INFO HQ ALCOM

**SECRET**

SECRET

Ref your FX 45866 of 26 September.

Suggestion for executive clemency in signal to ALCOM based on probability at that time that JACSETSIC would accept appointment to Italian Consulta.

Ref to signal from your Hq on this subject was erroneous occasioned by misunderstanding by transmitting officer.

Communication referred to was in fact a telephone call.

Prisoner returned to confinement last night and will refuse to file petition for clemency. But if Chief Legal Officer rules favorably proposal may be initiated by this Hq;

LEGAL SUBCOMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CLERKS	
	845

INFO - ACTION

Dist

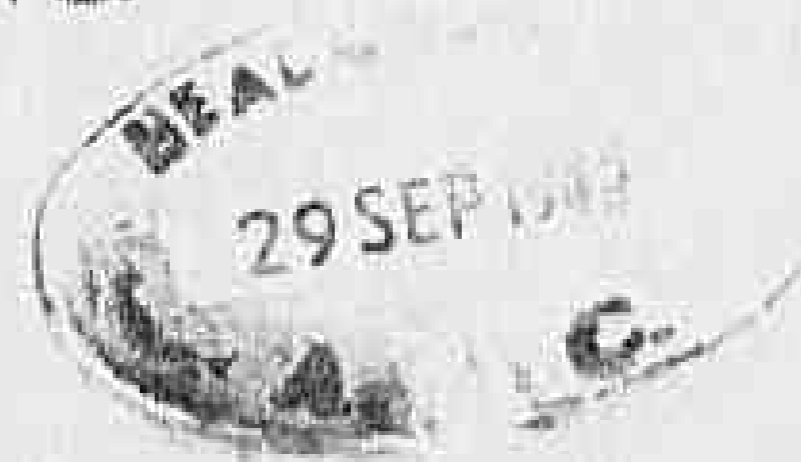
- Info-Action - CA Sect
- Info - Chief Commissioner
- Exec Commr 2
- Legal SC
- File 2 Float



Confidential

**SECRET**

**DOWN GRADED UNCLASSIFIED**



10

Col. Inf.  
 Chief Counsel Officer.  
 for Chief Legal Affairs Officer.

1246

W/43/1

27 SEP 1949

Legal

CI-A-S

(81A)

# INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: FX 45866

Message Centre No: T/7182

Date/Time of Origin: SEP 26 1949

Date Time Rec'd: SEP 27 1949

27 SEP 1949

Precedence: ROUTINE

FROM: FROMTON SIGNED SIGNED CITE INSEB

TO: ACTION 13 COMPS FOR AG INFO ALCON HOME

## SECRET

SECRET.

Reference your 8/4. GIORGIO JANSERICH is subject.

1. No petition or proposal for executive clemency (P) is before this HQ.

Request date and reference number of signal mentioned by you as having been sent from AMO to GSI 13 COMPS on the this subject.

2. If petition for clemency (P) is filled it should be forwarded with full report and recommendat ions of CO 13 COMPS through Chief Civil Affairs Officer at HOME to SAGND.

HEADQUARTERS  
27 SEP 1949

INFO - ACTION

DIST

INFO-ACTION: CA Sec  
INFO: Chief Commissioner  
Sr Commissioner 2  
Legal SC  
File 2  
Post

(M/O Note: Date of reference 8/4 is 18 September)

Confidential

SECRET

42/18

4

28 SEP

DOWN GRADED  
UNCLASSIFIED

Col. Int.  
Chief Justice Officer,  
for Chief Justice Officer.

# INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Originator's Reference: 8/4  
Date/Time of Origin: SEP 22 1500A

Message Centre No: F/8783  
Date Time Rec'd: SEP 23 1515A  
Precedence: IMPORTANT

FROM: AMG 13 CORPS  
TO: ACTION HQ ALCOM FOR CHIEF CIVIL AFFAIRS OFFICER INFO AFHQ MAIN  
13 CORPS ALCOM FOR CHIEF LEGAL OFFICER

## SECRET

SECRET

Ref your decision of September 14 affirming conviction and sentence of GIORGIO JAKSETICH.

In view of signal this Hq to you with copy to AFHQ advising of the appointment of JAKSERICH to Italian Consulta and receipt of signal by GSO 13 CORPS from AFHQ on this subject it is possible that JAKSETICH may be extended executive clemency.

We propose to temporarily withhold announcement of your decision pending action or instructions from AFHQ.

Dist

# ACTION

Action - Legal SC  
Info - Chief Commissioner  
CA Sec  
File 2 Float

LEGAL SUB-COMMISSION
CLO
DELO
Ch. of Affairs
CIO
Italian Section
Q. R. I.
24 SEP 1945

Confidential  
SECRET

DOWN GRADED  
UNCLASSIFIED

HEADQUARTERS  
24 SEP 1945  
A. C.

8

Chief of Affairs  
Chief of Section

1248

**SECRET**

(6A)

8/4  
SEP 181800A

F/8191  
SEP 191015A  
ROUTE NE

AMG 13 CORPS

ALCOM FOR CHIEF CIV AFFAIRS OFFR INFO & PHQ MAIN 13 CORPS ALCOM  
FOR CHIEF LEGAL OFFR

**SECRET**

GIGLIO JACSETSIC, whose appeal from conviction and sentence of 18 months for possession of weapons is now pending before you, has been nominated by Italian Communist Party and designated by Italian Govt as member of Consulta from this area. I have freed JACSETSIC temporarily from custody to visit in LUBIANA his dying son recently returned from concentration camp and yesterday extended this parole for 10 days. JACSETSIC has asked provisional release pending determination of appeal so that he may consult with his party and Italian Govt offl. It is to determine whether he will accept Consulta position. For many reasons which may not be recited but some of which will occur to you, I recommend favorable action on this request. Also suggest this appointment is a proper factor to consider in connection with possible extension of executive clemency.

Dist Confidential

DOWN GRATED  
UNCLASSIFIED

- Action - CA Sect
- Info - Chief Commissioner
- Exec Commr 2
- Legal 2
- File 2
- Float

Col. Inf.  
... Officer.

**SECRET**

CI  
for

1249

Copy

Office of the executive Commissioner  
file 168/EC

Minute 58

EC. I Agree, signed ENS  
CC

Minute 59

CLA.

Thank you. I had no intention of taking the  
decision out of your hand and in fact directed that the  
papers should be sent to me after consideration of  
appeal, You will note that C.C. and I agree with you

MS Lush

60

*1588*  
*Col. Bohman notified EC*  
*of appearance of*  
*case*  
*Sgt. WEG*

HEADQUARTERS ALLIED COMMISSION  
APO 394  
LEGAL SUB-COMMISSION

(5A)

AC/4193/1/L.

J./rn.  
14 September 1945.

SUBJECT : JAKSITICH Giorgio.

TO : S.C.O. HQ AMG 13 Corps.

1. Reference your letter 13C/AMG of 21 Aug. 45, submitting the trial record of JAKSITICH for review.
2. The conviction and sentence of JAKSITICH Giorgio are affirmed. The record is returned herewith.

By command of Rear Admiral STONE:

W. M. BARRENS,  
Colonel,  
Chief Legal Advisor.

Incl. : 1 record.

HEADQUARTERS ALLIED COMMISSION  
APO 394  
LEGAL SUB-COMMISSION

4A  
WEB/rjp

AG/4193/1/L

3 September 45

SUBJECT : Jaksetich Case

TO : Executive Commissioner

1. Reference your 168/53/EC of 1 Sept 45 herewith are sent documents in the case of JAKSETICH, from Venezia Giulia.

2. Jaksetich, aged 44, was tried by Major A.C. German in Trieste on 1 Aug 45 on the charge of being in unlawful possession of a pistol (German) loaded with 7 rounds and a spare magazine loaded with 8 rounds. He was convicted and sentenced to 18 months' imprisonment.

3. The accused's house was searched on 9 July and the pistol was found in a cupboard in the hall, together with a Yugoslav uniform.

4. The defence substantially was that the arm and ammunition belonged to a man who had been killed in action and that they had been handed over to the accused. The accused was not keeping them against the allies, but thought they might go in a museum after the war. He is a communist, editor of "Il Lavoratore" and has been fighting fascism for 20 years. He was discharged from the armed forces on 10 June 1945 at his own request.

5. The appeal raises no point of substance.

6. Lt Col Dawson has already signed a Decision on Review confirming the conviction and sentence, but Col Bowman has sent the case for an independent review here.

7. In the light of your letter I am not clear whether you wish to make the decision on review yourself or whether you merely wish a report on the case. I have therefore not made any decision. If, however, I have to do so I should affirm both the conviction and sentence, since the accused was clearly guilty and the punishment, while severe, was not, in my opinion, unduly heavy.

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

Incls:



1252

419311

LEGAL

HEADQUARTERS ALLIED COMMISSION  
APO 394  
Office of the Executive Commissioner

1-5-45  
(311)

Ref: 168/53/EC.

1 Sept 45.

Subject: Jaksetich Case.

To: C.A. Section (For Chief Legal Adviser).

I am directed by the Executive Commissioner to inform you that he would like to see the report on the above mentioned case after appeal or review has been considered. Would you please arrange to have this sent to him when it has been received.

*E. J. Allen*

CSO.

To Executive Commissioner.

(3139) 3

HEADQUARTERS  
ALLIED MILITARY GOVERNMENT  
13 CORPS

*CAS*  
*LEGAL.*  
*(2A)*

Date 23 August 1945

LEGAL DIVISION

FILE REF: 13CIAMG/14/

SUBJECT: JAKSETICH, Giorgio - Petition for Review.

TO: Chief Civil Affairs Officer ✓  
A. C., HQ.

1. Subsequent to my transmission to you of the record of trial and Petition for Review in the case of Giorgio JAKSETICH, I received and transmit herewith a letter from the Public Relations Officer this Headquarters, dated 22 August 1945 referring to and enclosing a "Petition dated in Milan, 8 Aug. 1945 and signed by a number of famous Italian journalists."
2. May these enclosures be made a part of the record in the above styled proceeding?



*Alfred C. Bowman*

ALFRED C. BOWMAN  
Colonel J.A.G.D.  
Senior Civil Affairs Officer

2 Incl: as above.

*Joined with record*  
*174 Initials*  
*27 Aug 45*

CIO  
DCLO  
Chief Counsel  
CJO  
Italian Sec  
CLERKS

2

*(28/2)*

1254

4193/10  
4/19/45

CAS 2638  
LEGAL  
1A  
27 AUG 1945

HEADQUARTERS  
ALLIED MILITARY GOVERNMENT  
13 CORPS

13C/AMG/

21 August 1945

SUBJECT: JAKSETICH Giorgio - Petition for Review.

TO : Chief Civil Affairs Officer, HQ A.C.

1. I enclose the record of proceedings in the case of JAKSETICH, Giorgio, who was sentenced on 1 August 1945 by a Superior Military Court at Trieste to serve 18 months in prison for the unlawful possession of a loaded pistol.

2. Also enclosed is a Petition for Review in this case, dated 3 August 1945, together with two petitions relating thereto.

3. JAKSETICH was the Editor of "Il Lavoratore", a Communist newspaper in Trieste, which has been at times highly critical of our policy here. He was a well known anti-Fascist, and his conviction and the sentence imposed has resulted in one strike and considerable criticism from the public and press, both here and in Great Britain and the United States.

4. Because of the political position of the accused and the wide interest in the case, I am transmitting the record and accompanying papers to you under Sub-section A-4 of Section 3, Article 32, Consolidated Instructions for Allied Military Courts. I feel that we of the local headquarters might be vulnerable to charges of prejudice if I or my legal officer reviewed and affirmed the sentence, in view of the previous critical attitude of "Il Lavoratore" toward Allied Military Government.

ALFRED C. BOWMAN  
Colonel, JAGD  
Senior Civil Affairs Officer

6 Incls; as above.  
27 AUG 1945

2861

1255