

ACC

10000/142/944

REVIEW OF CA
NOV. 1943 - JA

10000/142/944

REVIEW OF CASES, GENERAL & SUPERIOR COURTS
NOV. 1943 - JAN. 1944

BEST COPY POSSIBLE

FOLIO.	DATE	REF.	TO/FROM
1	18.11.43.	AMG/208/A/1.	TO. AMG. 8 ARMY. 31 January 44
2.	22.11.43.	OR/5/SGA.	FROM: 10/7208 12/12

Subject: Review of Sentences.

G.O.C.-15-C.,
Headquarters,
15 ARMY GROUP.

G.O.C., A.M.C.,
15 ARMY GROUP,
O. M. V.

AMV/208/

14. Jan. 44

I forward herewith proceedings of the trial of LUIGI CAROZZINI, FEDERICO COUNILLA and MAURO REMONDI, all Italian nationals, who were charged with offences in violation of your Proclamation 2, Article 1, namely, serving the enemy as a spy and communicating with the enemy. The three accused pleaded not guilty, were found guilty on all charges, and were sentenced to death by a General Military Court on 7th January.

2. The accused who were defended by military counsel (the secret nature of the evidence did not permit of an Italian advocate) have appealed against the sentence (not the finding) on the grounds of youth, the fact that they admitted their offence, and that they gave every assistance to their interrogator during their first examination.

3. My legal adviser informs me that the finding and sentence of the court are correct in law. I concur with that view. The case was properly tried and the accused were given every assistance in their defence. It is true that one of the prosecution witnesses admitted that in his initial interrogation he told all three accused that if they told the truth he would recommend them to mercy but this unfulfilled assurance is, in law, no ground for granting clemency. (I have advised OSI(b) to instruct his officers not to give such assurances in future).

4. Two of the accused are aged 18, one, FEDERICO COUNILLA, is just under 18. Normally I should advise you to commute the sentence of death on all three on the grounds of youth. My Chief Legal Officer so advises although he states that the sentences are good in law. Quite apart from humanitarian motives the political reactions both inside Italy and externally must be considered. The Italian Government would undoubtedly ask for clemency (the accused and their parents reside at RARI in King's Italy). Every propaganda will make much of the "brutality" of the executions; British and American public opinion may be shocked.

5. But military necessity in this case demands the extreme penalty. The offence of communicating with the enemy constituted such a danger to operations and to the Allied Forces, and the practice is so extended (I understand that several more alleged youthful spies have been arrested) that, in my opinion clemency cannot be shown. There seems little doubt that the Germans are using youths in the hope that we shall exercise leniency if they are caught. Moreover the accused must have realised the gravity of their offence. If they, and the other who are working in the same way have not yet realised it then only a death sentence can make that realisation complete and discourage other youthful spies.

Death sentence would not be imposed on a person

FEDERICO COVELLA and MAURO BENTOLLI, all Italian nationals, who were charged with offenses in violation of your Proclamation 2, Article 1, namely, serving the enemy as a spy and communicating with the enemy. The three accused pleaded not guilty, were found guilty on all charges, and were sentenced to death by a General Military Court on 7th January.

2. The accused who were defended by military counsel (the secret nature of the evidence did not permit of an Italian advocate) have appealed against the sentence (not the finding) on the grounds of youth, the fact that they admitted their offense, and that they gave every assistance to their interrogator during their first examination.

3. My legal adviser informs me that the finding and sentence of the court are correct in law. I concur with that view. The case was properly tried and the accused were given every assistance in their defence. It is true that one of the prosecution witnesses admitted that in his initial interrogation he told all three accused that if they told the truth he would recommend them to mercy but this unfulfilled assurance is, in law, no ground for granting clemency. (I have advised CSI(b) to instruct his officers not to give such assurances in future).

4. Two of the accused are aged 18, one, FEDERICO COVELLA, is just under 19. Normally I should advise you to commute the sentence of death on all three on the grounds of youth. My Chief Legal Officer so advises although he states that the sentences are good in law. Quite apart from humanitarian motives the political reactions both inside Italy and externally must be considered. The Italian Government would undoubtedly ask for clemency (the accused and their parents reside at Bari in King's Italy). Any propaganda will make much of the "brutality" of the executions: British and American public opinion may be shocked.

5. But military necessity in this case demands the extreme penalty. The offence of communicating with the enemy constituted such a danger to operations and to the Allied Forces, and the practice is so extended (I understand that several more alleged youthful spies have been arrested) that, in my opinion clemency cannot be shown. There seems little doubt that the Germans are using youths in the hope that we shall exercise leniency if they are caught. Moreover the accused must have realized the gravity of their offence. If they, and the other who are working in the same way have not yet realized it then only a death sentence can make that realization complete and discourage other youthful spies.

6. Under English law the death penalty would not be imposed on a person under 18 years of age. There is no necessity to follow English law in the occupied territory but I advise that it would be well to do so in this case.

7. I therefore recommend that the death sentence on LUIGI CARABELLONE, and MAURO BENTOLLI be confirmed and that the death sentence on FEDERICO COVELLA be commuted to a sentence of 20 years' imprisonment.

8. In the event of your confirming the two death sentences I will inform the Italian Government immediately after the sentence and will ask them to transmit the news to the parents. I do not think it would be wise in the circumstances to delay execution by allowing them to see their sons before they die.

2. If you agree with my recommendations I would ask you to sign the attached confirmation which will then be affixed to the proceedings.

M. S. Lusk
Brigadier,
Deputy Chief Civil Affairs Officer.

63

216
MOST SECRET.

Subject:- Confirmation of Sentences of Death.

AMG HQ.,
15 Army Group,
C.M.P.

Ref. AMV/208/216
15 January 44.

Senior Civil Affairs Officer,
A.M.G. HQ., Fifth Army.

The Record of Proceedings of the General Military Court which sat at Santa Maria Capua Vetere on 6 and 7 January, 1944, and convicted the three defendants of the offences of spying and communicating with the enemy has been examined and reviewed by the General Officer Commanding in Chief, 15 Army Group, and Military Governor of Occupied Territory.

2. The findings of the Court have been confirmed, as have the death sentences imposed upon BRIGOLI Mauro and GAMBILLONE Luigi. The sentence of death imposed upon COVELLA Federico has been commuted to a sentence of twenty (20) years imprisonment. The record together with the confirmation and commutation of sentences is enclosed herewith.

3. I understand that the responsibility for the execution of the death sentences is that of Fifth Army. You will please inform the Commanding General of the decision of the Military Governor in order that an order for the execution of sentence may be promptly prepared by Fifth Army and carried out. A copy of the order and the certificate of execution should be attached to this record and the record, so completed, should be returned to this Headquarters.

4. As soon as the death sentences have been executed I shall inform the Italian Government of the fact and will ask them to transmit the news to the parents. Accordingly you will please inform us by signal as soon as the sentences have been executed.

CA

Brigadier,
Deputy Chief Civil Affairs Officer.

HQ AGC
15 ARMY GROUP
CMT

AMG/208A/

20 Jan 44

DOCAD

1. Attached hereto is the Record of Proceedings against WALTER PRIMO. The case was heard on 14 January, 1944, by the General Military Court appointed by the Commanding General, 5th Army. The Court found the accused guilty of serving the enemy as a spy and sentenced him to be shot to death with musketry.
2. The proceedings are entirely regular and no legal errors appear to have been committed. I recommend that you affirm the finding of guilt. If you do, would you please note the differences on the back page of the record under the heading "Review".
3. Except for the age of the accused, there appears to be to be no reason for mitigation of sentence. The brief opinion of the Court indicated that it did not believe the assertion of the accused that threats of reprisal against his family prompted him to become a spy for the enemy. Even if the story is believed it seems that the accused had ample opportunity to escape the consequences of his undertaking. It is no reason to show leniency that the information which the accused sought to obtain was comparatively unimportant and that his effort failed.
4. The policy which the Military Governor followed in the recit commutation of the death sentence imposed upon a 17 year old boy applies, I believe, to the sentence in this case. The accused, though he was 18 at the time of trial, was two days short of 18 at the time when the act in question was committed. Although it may seem somewhat absurd to permit the difference between life and death to turn upon such a fortuitous circumstance, the rule of English law which was applied in the earlier case should, I believe, be applied to the advantage of this defendant. I suggest, therefore, that you recommend to the Military Governor that the sentence imposed by the Court be commuted to 30 years imprisonment.
5. I attach hereto a comment on to the Military Governor for your signature if you agree with my recommendation.

03

1. Attached hereto is the Record of Proceedings against WILLIAM BRUNO. The case was heard on 14 January, 1944, by the General Military Court appointed by the Commanding General, 5th Army. The Court found the accused guilty of serving the enemy as a spy and sentenced him to be shot to death with military.
2. The proceedings are entirely regular and no legal errors appear to have been committed. I recommend that you affirm the finding of guilt. If you do, would you please note the affirmance on the last page of the record under the heading "Review".
3. Except for the age of the accused, there appears to me to be no reason for mitigation of sentence. The brief opinion of the Court indicated that it did not believe the assertion of the accused that threats of reprisal against his family prompted him to become a spy for the enemy. Even if the story is to believe it seems that the accused had ample opportunity to escape the consequences of his undertaking. There is no reason to show leniency that the information which the accused sought to obtain was comparatively unimportant and that his effort failed.
4. The policy which the Military Governor followed in the recent commutation of the death sentence imposed upon a 17 year old boy applies, I believe, to the sentence in this case. The accused, though he was 18 at the time of trial, was two days short of 17 at the time when the act in question was committed. Although it may seem somewhat absurd to permit the difference between life and death to turn upon such a fortuitous circumstance, the rule of English law which was applied in the earlier case should, I believe, be applied to the advantage of this defendant. I suggest, therefore, that you recommend to the Military Governor that the sentence imposed by the Court be commuted to 10 years imprisonment.
5. I attach hereto a comment on to the Military Governor for your signature if you agree with my recommendation.

63

Major, AMB.
Chief Legal Officer.

MEMO.D.O.C.A.O.

213.

The defendant in the attached case was sentenced to five years' imprisonment and a fine of 50,000 lire for (a) the theft and (b) the wrongful possession of an AMG jeep taken from in front of the Municipio in Naples. The evidence that the defendant had the intention of doing anything more than borrowing the car is not strong, and there is some reason to believe that he may have supposed that permission to use the jeep had been given him. Much of his conduct at the time of his arrest showed that he was acting in good faith.

In my view the sentence is excessive, and I accordingly recommend the reduction of the term of imprisonment to one year. I do not agree with Colonel Shield's suggestion that there is reason to inquire into the sanity of the defendant. Although there is some doubt whether intentional theft was proved I should be satisfied to let the finding of guilty on that charge stand.

I am troubled by the fact that though the Summary Court record shows that the case was referred to a General Military Court it was in fact tried by a Superior Court. That does not invalidate the proceedings, but it is the sort of irregularity in recording the progress of proceedings which we should discourage.

Ward H.W. Howe

Mark DeW. Howe, Major, A.U.S.,
Chief Legal Officer.

ES.

62

*See Proceedings**20/10*

HEADQUARTERS
REGION 3
ALLIED MILITARY GOVERNMENT
LEGAL OFFICE

212

Amgot 3/6071/L
16 December, 1943

Subject: Petitions to Review

To : Chief Legal Officer, A.M.G., HQ., 15 Army
Group, A.P.C. 777, C.M.F.

1. There is forwarded to you herewith a petition to review submitted on behalf of Dr. Guglielmo Renato and the record of the proceedings of the Superior Court which tried him.

2. There seems some doubt as to whether the finding of theft (which requires a finding of intent to deprive the owner permanently of his property) and a sentence of five years is justified by the evidence in view of the voluntary appearance of the accused at an AMG office for the purpose of obtaining a permit for the car (a jeep) and his accompanying (without running away) the C.A.C. when the latter went down to look at the car before granting a permit. These are not the actions of a thief. Possibly they are actions of one mentally unbalanced. It is suggested that in making a review consideration be given to the question whether it is desirable to have the sanity of this accused investigated.

J.V.D. Shields 61
J.V.D. Shields Lt. Col.,
Senior Legal Officer,
A.M.G., 5th Army.

AVV. FRANCESCO PORZIO

NAPOLI - VIA CARLO PORZIO, 90 - TEL. 10-884

ROMA - PIAZZA ADRIANA, 5 - TEL. 53-096

S.O.I. OF REGION 3.

TO HIS HONOUR COL. SCHIELDS

N A P L E S

In the interest of Mr. DI GUGLIELMO RENATO living Louis, accords to the proclamation N.4. art.VII, sez.I, formal istence of revision and appeal is presented to your Honour² adverse the Sentence of the Superior Allied Court which in the date 2nd, December inst^o condemned the above named Di Guglielmo at the punishment of 5 years reclusion and a fine of 50.000⁰⁰⁰ for robbers of a military motor-car and for illegal possession of the same.

The reasons and motives of the present appeal are as follows:

I) MOTIVE . THE DEED DOES NOT CONSTITUTE CRIME FOR LACK OF FRAND.

Mr Di Guglielmo has not had the intention to robe the motor-car, he thas always thoughts to use the machine only to drive himself to his country, by his mother and on accomit of the interruption of all conveyances. In fact he had from the Colonel Chin, then commander of capodichino to whom the said Di Guglielmo, was pilot officer, had presented for being enlisted in the American Air Force sime the landing of 5th Army at Eboli (Salerno), a letter of introduction ald recommendation for the A.M.G. by which the colonel begged to supply Di Guglielmo of a conveyance to reach his country in order to prosecute after for Bari and Taranto aeroports for the necessary training.

The autograph letter the Colonel Chin is in the law-suit, and it is clear thas it is the best demonstration that tje named Di Guglielmo meant, through, to get legatly and legitimately a conveyance, for reaching his country. As, if he hadhad the criminal and conscientious intention of robbing a motor-car, it was necessary and useful nor prudent to get the authoritative letter of the colonel Commander of the aeroport iust for leaving steps of his action !

A sharp evidence of the intention of his being

60

S.O.I. of REGION 3.

TO HIS HONOUR COL. SCHIELDS

N A P L E S

In the interest of Mr. DI GUGLIELMO RENATO living Louis, according to the proclamation N.4. art.VII, sez.I, formal instance of revision and appeal is presented to your Honour adverse the Sentence of the Superior Allied Court which in the date 2nd, December inst^o condemned the above named Di Guglielmo at the punishment of 5 years reclusion and a fine of 50.000⁰⁰ for robbers of a military motor-car and for illegal possession of the same.

The reasons and motives of the present appeal are as follows:

1) MOTIVE . THE DEED DOES NOT CONSTITUTE CRIME FOR LACK OF FRAND.

Mr Di Guglielmo has not had the intention to robe the motor-car, he has always thought to use the machine only to drive himself to his country, by his mother and on account of the interruption of all conveyances. In fact he had from the Colonel Chin, then commander of capodichino to whom the said Di Guglielmo, was pilot officer, had presented for being enlisted in the American Air force since the landing of 5th Army at Eboli (Salerno), a letter of introduction and recommendation for the A.M.G. by which the colonel begged to supply Di Guglielmo of a conveyance to reach his country in order to prosecute after for Bari and Taranto airports for the necessary training.

The autograph letter the Colonel Chin is in the law-suit, and it is clear that it is the best demonstration that the named Di Guglielmo meant, through, to get legally and legitimately a conveyance, for reaching his country. As, if he had had the criminal and conscientious intention of robbing a motor-car, it was necessary and useful nor prudent to get the authoritative letter of the colonel Commander of the aeroport just for leaving steps of his action !

60

A sharp evidence of the intention of his being willing to make use of the machine only exists in the fact that Mr Di Guglielmo spontaneously and personally went to A/M/G. at Avellino, to declare that he was in possession of that machine and asking to be able legitimately to use it get having justly to go to Naples to drive it there where he had taken it.

But it is easy to think that if Mr. Di Guglielmo was willing to rob a machine he would not have taken a military machine and by the bargain and belonging to the type so characteristic as the "Gip" but he would have taken one of some civil machines, recently requisite in Naples and that less of all it would have been able to rouse the suspicion of an illegal use machines which were prevalently found in the courtyard of S. James palace that evening.

And if Di Guglielmo had not been in his utmost sorrow he would have had, indeed the ingenuity to present himself to A.M.G. in Avellino to denounce himself? Or would have it been easier for him to go back to Naples and report the machine there he had taken it, or to abandon it along the way without any possibility of his being discovered or suspected of any thing?

But in his first interrogatory given before the Police office a phrase is written which would attack the worthiness of the spontaneity of his presentation to A.M.G. of Avellino, but this phrase has not to be considered for in it are comprised two false affirmations: 1st that machine had been seized by the Carabinieri of Andretta and the 2nd that this had happened by order of the military allied Government of Avellino.

In fact the machine had not been, as it demonstrated by the fact that Di Guglielmo might freely dispose of it and that it is so true that he went in the same machine alone personally and spontaneously to Avellino where he presented to Capt Campbell to whom he said the facts asking at the same time the authorization to prosecute for Naples. Nor it is true that the machine would have been seized by order of A.M.G. of Avellino in as much that the same office did not know at all of the subtraction of the machine "Gip" and so much the less know that it was in Andretta by Mr. Di Guglielmo as it was declared by the same Capt. Campbell at the court saying that he had been acquainted about all by Di Guglielmo who presented to him spontaneously.

He undoubtedly committed a considerable frivolity in being satisfied with the verbal authorization of officer who, as he said, was in the passages of A.M.G. and that it

1297

But it is easy to think that if Mr. Di Guglielmo was willing to rob a machine he would not have taken a military machine and by the bargain and belonging to the type so characteristic as the "Gip" but he would have taken one of some any civil machines, recently requisite in Naples and that less of all it would have been able to rouse the suspicion of an illegal use machines which were prevalently found in the courtyard of S. James palace that evening.

And if Di Guglielmo had not been in his utmost good faith would he have had, indeed the ingenuity to present himself to A.M.G. in Avellino to denounce himself? Or would have it been easier for him to go back to Naples and per the machine there he had taken it, or to abandon it along the way without any possibility of his being discovered or suspected of any thing?

But in his first interrogatory given before the Police office a phrase is written which would attack the worthiness of the spontaneity of his presentation to A.M.G. of Avellino, but this phrase has not to be considered for in it are comprised two false affirmations: 1st that machine had been seized by the Carabinieri of Andretta and the 2nd that that had happened by order of the military allied Government of Avellino.

In fact the machine had not been, as it demonstrated by the fact that Di Guglielmo might freely dispose of it and that it is so true that he went in the same machine alone personally and spontaneously to Avellino where he presented to Capt Campbell to whom he said the facts asking at the same time the authorization to prosecute for Naples. Nor it is true that the machine would have been seized by order of A.M.G. of Avellino in as much that the same office did not know at all of the subtraction of the machine "Gip" and so much the less know that it was in Andretta by Mr. Di Guglielmo as it was declared by the same Capt. Campbell at the court saying that he had been acquainted about all by Di Guglielmo who presented to him spontaneously.

He undoubtedly committed a considerable frivolity in being satisfied with the verbal authorization of officer who, as he said, was in the passages of A.M.G. and that it has been impossible to identify, but this simplicity and

lack of wisdom may also be justified at the most if it is considered that the wretched youngman, Di Guglielmo had recently reached him from his house in Andretta, that is, his father's death the engineer Louis Di Guglielmo considered dispersed after the sinking of the steamer on whom he was embarked, happened in East Africa, and for that he longed for to run chose by his mother to comfort her and weep with her!

A communication of the Italian Red Cross Provincial Committee of Avellino with which Mrs Ada Di Guglielmo was informed with very sad news.

Well-now, all the mass of these facts, circumstances and psychological elements lets clearly show that if the youngman Di Guglielmo took the machine with excessive simplivity that was accomplished without any idea, nor intention of robbing it, nor to convert in his profit attributing to him its propriety and possession, but, on the contrary, he was willing to use the same machine with the positive aim to bring it back there where he had taken it, as evidently he has to have done presenting himself with spontaneity to the office of A.M.C. of Avellino.

2nd) MOTIVE . INSUFFICIENCIES OF THE POINTS OF EVIDENCE ON HIS PENAL RESPONSABILITY.

Subordinately, admitted all the circumstances above said, one might at least doubt of the penal responsibility that consists especially on the conscientious and voluntary intentionality to commit a crime of robbery, admitted, on the contrary, the demonstration of Di Guglielmo's loyalty, that it is said again that he will have acted with excessive fickleness and simplicity having never had the intention to rob machine of which he made only a temporary use.

3rd) MOTIVE . EXCESSIVE FINE AND PUNISHMENT.

In all case, in connection with the fact the punishment of 5 years reclusion and a fine of 50.000 lire are indeed excessive and disproportionate .

Specially in as much the Administration of A.M.C. has

lack of wisdom may also be giustified at the most if it is considered that the wretched youngman, Di Guglielmo had recently reached him from his house in Andretta, that is, his father's death the engineer Louis Di Guglielmo considered dispersed after the sinking of the steamer on whom he was embarked, happened in East Africa, and for that he longed for to run chose by his mother to comfort her and weep with her!

A communication of the Italian Red Cross Provincial Committee of Avellino with which Mrs Ada Di Guglielmo was informed with very sad news.

Well-now, all the mass of these facts, circumstances and psychological elements lets clearly show that if the youngman Di Guglielmo took the machine with excessive simplivity that was accomplished without any idea, nor intention of robbing it, nor to convert in his profit attributing to him its propriety and possession, but, on the contrary, he was willing to use the same machine with the positive aim to bring it back there where he had taken it, as evidently he has to have done presenting himself with spontaneity to the office of A.M.G. of Avellino.

2nd) MOTIVE . INSUFFICIENCIES OF THE POINTS OF EVIDENCE ON HIS PENAL RESPONSABILITY.

Subordinately, admitted all the circumstances above said, one might at least doubt of the penal responsibility that consists especially on the conscientious and voluntary intentionality to commit a crime of robbery, admitted, on the contrary, the demonstration of Di Guglielmo's loyalty, that it is said again that he will have acted with excessive fickleness and simplicity having never had the intention to rob machine of which he made only a temporary use.

3rd) MOTIVE . EXCESSIVE FINE AND PUNISHMENT.

In all case, in connection with the fact the punishment of 5 years reclusion and a fine of 50.000 lire are indeed excessive and disproportionate .

Specially in as much the Administration of A.M.G. has not undergone any damages for the machine has been delivered back in perfect efficiency.

It is to be thought that for similar facts and perhaps

more considerable than this one, the same Allied Courts have given much milder punishments as your Honour knows and as it is observed also by the notice printed recently in the newspaper "Risorgimento" of 9th December referring the case of Federico Sacccone imputed with attempted robbery of American motor car and condemned to a fine of 10,000 lire and 6 months of goal.

Whi, it is to be thought that for the Italian Penal Code, which is do much more severe of the Allied laws, the fact of which Di Guglielmo was accused could not be punished with a penalty superior to 1 year of reclusion alias a fine of 2,000 lire (art. 626 n.1) as our code must consider specially the type of crime of "robbery of use" which particularly regard him who has been willing to use unduly the thing of others without to convert it definitely in his profit. For our code, at last, also the stern judge who had repulsed yet the hypothesis of the lack of every ~~intention~~ criminal intention, which in the fact occupying us is evident Mr. Di Guglielmo might have at the most a month of goal with the conditional suspension of the punishment.

4th. MOTIVE . CONDITIONAL SUSPENSION OF THE PUNISHMENT.

In the case of the youngman Di Guglielmo in fact more than in every other case the conditional suspension of the punishment was imposed in consideration of ~~his~~ his penal blameworthy precedents, in consideration of ~~his~~ his particular conditions of ex officer of auxiliaries of the Italian R. Air Force, of University student, of war orphan, of single family support after the death of his father.

Suspension of the punishment which might be yet counselled by the fact that the youngman of whom we speak, for his particular spiritual sensibility owing to his descent, to his social position, to his accomplished education he feels more than everyone else the moral importance of the punishment, for that the monition of the received lesson with the trial and with the infliction of so heavy condemnation whose execution you will be willing to suspend in order to amend him by the friend and give him back to an honest and working life will be sufficient, considering also that he has endured already a

more considerable than this one, the same Allied Courts have given much milder punishments as your Honour knows and as it is observed also by the notice printed recently in the newspaper "Risorgimento" of 9 th. december referring the case of Federico Saccone imputed with attempted robbery of american motor car and condemned to a fine of 10.000 lire and 5 months of goal.

Whi, it is to be thought that for the Italian Penal Code, which is do much more severe of the Allied laws, the fact of which Di Guglielmo was accused couldnot be munished with a penalty superior to 1 year of reclusion alias a fine of 2.000 lire (art. 626 n.I) as our code yust consider specially the type of crime of " robbery of use " which particularly regardshim who has been willing to use unduly the thing of others without to convert it definitely in his profit. For our code, at last, also the sternes yudge who had repulsed yet the ipotesis of the lach of every ~~intention~~ criminal intention, which in the fact occupiymg us is evident Mr. Di Guglielmo might have at the most a month of goal with the conditional suspension of the punishment.

4 th. MOTIVE . CONDITIONAL SUSPENSION OF THE MUNISHMENT.

In the case of the Youngman Di Guglielmo in fact more than in every other case the conditional suspension of the punishment was imposed in cosideration of ~~the~~ his penal blameless precedents, in consideration of ~~the~~ his particular conditions of ex officer of auxiliaries of the Italian R. Air Force, of University student, of wer orphan, of single famly suppost after the death of his father .

Suspension of the punishment which might be yet conselled by the fact thas the youngman of whom we speak, for his particular spiritual sensibility owing to his descent, to his social position, to his accomplished education he feels more than everyone else the moral importance of the punishment, for that the monition of the received lesson with the trial and with the infliction of so heavy condemnation whose execution you will be willing to suspend in order to amend him by the friend and give him back to an honest and working life will be sufficient , considering also that he has endured already a

gear month of prison.

We rely upon a favourable reception and thank with regards.

NAPLES 13. 12. 1943.

(Avv. Francesco Porzio)

Francesco Porzio

58



CROCE ROSSA ITALIANA
COMITATO PROVINCIALE

DI
AVELLINO

Prot. N. 1032

Risposta a nota N.

del

OGGETTO

Sign. Di Guglielmo Adda

ANDRETTA

Comunicazione.

Siame dolenti comunicarvi che il nominato
Di Guglielmo Luigi Matr. N° 9130 è considerato dis-
perso in seguito all'affondamento del piroscafo che
lo trasportava in altra località d'internamento.
Date il lungo tempo trascorse e la assoluta mancan-
za di notizie sull'interessato, riteniamo debba ese-
sere abbandonata ogni speranza di sorte migliore.
Vi esprimiamo la nostra viva partecipazione al vos-
tro cordoglio.

IL PRESIDENTE

(Avv. Eusebio Accone)



55

Sec. IV. Vol. 5 8624 11/10/63

[Faint, mostly illegible text, possibly a letter or report, with some visible lines and a signature at the bottom.]

UNDICI MESI DI BOMBARDAMENTI SULLA GERMANIA

LONDRA, 3

Del 1 gennaio al 30 novembre di quest'anno i bombardieri della R.A.F. hanno lanciato sulla Germania e sull'Europa occupata 127.500 tonnellate di bombe, perdendo complessivamente 2.000 bombardieri nei vari notturni e 100 in quelli diurni. Il che significa che per ogni bombardiere perduto sono state lanciate circa 40 tonnellate di bombe.

Queste cifre sono state rese note nel Parlamento britannico dal Ministro dell'Aviazione Sir Arnold Sinclair, il quale ha aggiunto che nello stesso periodo i bombardieri americani hanno perduto nei vari diurni 829 bombardieri.

Durante il mese di novembre sono state sganciate sulla sola Germania 13 mila tonnellate di bombe, mentre la Luftwaffe ne sganciava sull'Inghilterra 120 tonnellate perdendo 13 apparecchi, cioè per ogni apparecchio perduto dai tedeschi sono state sganciate circa 9 tonnellate di bombe.

1. gennaio 1943-30 novembre 1943: undici mesi che hanno visto un'assenza continua delle Forze Alleate. Oggi, superati i bimotori Wellington, gli apparecchi che volano sulla Germania sono tutti di ultimissimo modello. Potenti quadri-motori britannici di notte e americani di giorno, bombardano pressoché ininterrottamente il territorio tedesco. I bombardamenti non sono più operazioni isolate, avveni scoppi limitati e indipendenti, ma fanno parte di un grande piano tattico-strategico che mira alla distruzione sistematica e alla paralizzazione di ogni attività industriale o di comunicazione del nemico.

Le cifre rese note dimostrano che i risultati di 11 mesi di bombardamento sono stati conseguiti a prezzo di perdite relativamente lievi. Nessuna battaglia terrestre avrebbe ottenuto risultati così notevoli. E' vero che la guerra viene vinta dalle fanterie ma è vero anche che l'aviazione spiana la strada ai fanti.

Le brutalità

«Noi non costituiremo una polizia protettiva delle «piccole Nazioni», ma solo della nostra Nazione» (Mein Kampf)

«Chiari sono i nostri scopi: infrangere il militarismo imposto dai tiranni della guerra sui loro popoli resi schiavi; liberando così le Nazioni oppresse; stabilire ed assicurare la libertà di parola, di religione, la scomparsa della miseria e della paura in ogni parte del mondo». Pres. Roosevelt, Messaggio al Congresso in data 17-1-43.

Nuove dimostrazioni anti tedesche in Austria

LONDRA, 8. Secondo notizie giunte a Berlino, nuove dimostrazioni antitedesche si sono verificate nell'Austria meridionale. Rinforzi di guardie nere sono stati inviati al passo del Brennero per sostituire le truppe austriache. Viaggianti provenienti da Trieste dichiarano che in Carinzia ed elementi antifascisti hanno stabilito contatti con le forze italiane che combattono al Brennero per il controllo della ferrovia di Valpusterla.

In S. Chiara

In questi giorni si è aperto al fedeli il bel salone di Maria Cristina, trasformato in decoroso tempio, dove si celebrano tutte le funzioni solite e farsi nella chiesa monumentale. Chiesa di S. Chiara che fu rovinata dai bombardamenti.



LA GUERRA NEL PACIFICO — Caccia bombardiere americano si appressa a picchiarsi su l'isola di Wake, ora in possesso dei giapponesi. Si vede la bomba di 500 kg appesa sotto la carlinga

Radio Roma

ALCUNE VERITÀ SULL'ATTEGGIAMENTO DEL POPOLO ITALIANO

L'articolo del prof. Onofrio — rettore della nostra Università — comparso su questo giornale il 21 novembre, a. e. pone l'immediato problema della nostra realtà, che pesa sull'Italia e che bisogna risolvere al più presto, se non si vuole aggravare il disastro, e non dare il danno e le sventure già con tanta colpevole leggerezza attribuiti alla patria.

In proposito, mi sia lecito qui, tuttavia, precisare alcuni concetti fondamentali che in parte già esistono in qualcuno dei cinque manifesti clandestini del popolo libero napoletano, movimento patriottico creato, con un gruppo di amici, fra il 25 luglio e il 15 ottobre, nel periodo cioè del più opprimente terrore tedesco nella nostra patria, e quindi, della luminosa risseccosa popolare, culminata nelle gloriose «Quattro giornate napoletane» (28 set.-1 ott.).

Il colpo di stato del 25 luglio, che decretò la fine della tirannide mussoliniana, venne esaltato come un «compimento» (come tutti non compreso) principalmente per un

l'articolo «dovrà» ora partecipare con le Nazioni libere del mondo alla crociata contro l'oltranzismo tedesco e nazista, a tale crociata, coreranno con ardore tutti i figli degni di quel nome, tutti i reduci di Bligny del Carso, dell'Isonzo, del Piave, e di Vittorio Veneto, tutti i giovani, dai padri educati a quella scuola!

Solo con l'Italia potrà caricare le pagine vergognose che la obbligano a essere un tiranno malsommano e vile, con la pugnala sulla schiena della Francia, con le vigliacche e stupide aggressioni di lei all'Albania e alla Grecia, con l'avallo prestato a tutte le mazzette naziste della patria, con altri terrore dall'amica e alleata Germania! Solo così il popolo italiano potrà riavere una voce degna — degna delle tradizioni risorgimentali, di Garibaldi e di Mazzini — quando, al tavolo della pace, dovrà tutelare e difendere i propri interessi, e la propria salvezza.

A coloro che, superficialmente o in mala fede, cionciano ancora di «tradimento dell'Italia» e di «opportuno far notare che «ci ha tradito, ma «esso» è stato tradito, Tyndio, inobbediente tradito nelle sue più gloriose tradizioni, nelle più gelose aspirazioni e convinzioni, nei più vitali interessi!

«Che l'ha tradito? Un pezzo mugolante oramai fuori questione e che dovrà colosamente attendere d'essere recalcitrato e solennemente giudicato dal Tribunale del popolo, e un uomo che, immemore dell'altissimo dovere che gli veniva dalle pressurissime responsabilità di decisione in suo potere, osò rassegnare anzitutto l'Italia dei suoi stessi Avv. la libera Italia che i nostri Padri gloriosi costruirono e ci tramandarono e che noi stessi, inauditi e rafforzando, gettare quindi inconsideratamente il popolo italiano in una guerra assurda e indecorosa, abbandonare anche l'unico stesso di tutte le carte, e, ancora, stupidi e incolti, su cui erano trambrati unicamente le soli condizioni!

Se di tradimento si deve dunque parlare, non certo al disgraziato popolo italiano bisogna ricredersi, vittima solo di ben congegnate manovre, a sua insaputa e a suo inscio, danno enorme, e, tutt'al più, di una grossolana propaganda che, a volte, è riuscita ad offuscare la limpida e chiara visione della realtà. Il primo responsabile del disastro in cui la Nazione è stata stupidamente gettata, l'altro tanta e spora un salvataggio di sé e della sua

Se il trattamento si deve dare, che parlare, non certo col disprezzo al popolo italiano bisogna rendersi, vittima solo di ben conosciute manovre, a cui insubordinare a suo unico fianco comunisti, e, tutti, più, di una grossa, senza propaganda che, a volte, è riuscita ad offuscarne in limitate e chiare, ragione della realtà.

[illegible]

PAOLO VOGA

Ma, secondo il destinatario è un'onore per i generali, contenitori di un colpo di stato avrebbe dovuto pur essere la cessazione della guerra fascista; avrebbe dovuto dovuto motivi morali e ideologici indurlo a troncare una guerra unicamente voluta dal fascismo (e, per caso, di Mussolini e del Re) e assai più che in nome del Risorgimento compiuto. La Storia rivelerà i veri motivi per cui invece si marciava. Bisognava allora crederlo o doversi limitare al suo gesto risolutivo, con l'armistizio della settimana? Inaspettata delle elezioni è, però, la supercalda del trattamento. Si è fatto che, al contrario, l'Italia avrebbe dovuto, nella piena e druta coscienza del suo popolo, riunire contro i dogmi e le battaglie, troncando immediatamente la guerra che ne era la espressione. L'Italia «dovrà» ora nella stessa piena e druta coscienza, al fronte ben alta, scegliere i «diletti» motivi ideologici morali e non solo, perché costringa dall'alto, dalle colonne dell'esercito tedesco e dall'alto, dal governo, il suo governo, non solo della nuova Italia democratica-liberale al punto da tenerne conto, ma anche di un futuro governo «fascista» rinnovato, italiano, con a capo il tradimento Mussolini che non dimentica, per amore di patria, di avere al suo fianco socialista ed ex fascista, e esigente la parità di tutti i

Radio Roma
... con "Corriere",

Hitler nel suo intimo, dopo avere letto il commento della conferenza sarà di diverso parere. Una lavata di testa — positiva — che si concluderà con una lavata di testa... dal buio. E quello testa feno che era la mia.

Il giorno vecchio, esattamente 2 anni fa, il 2 dicembre 1944, la radio tedesca esordì: «La marina britannica non è in grado di difendere il naviglio mercantile dagli attacchi tedeschi. Pochi giorni fa un alto ufficiale della marina americana ha annunciato: La percentuale delle perdite dei convogli in Atlantico negli ultimi sei mesi è inferiore all'uno per cento».

Non dunque la marina Alleata ridurrà in cattive acque le propaggini tedesche, se vuole il bisogno di attaccare e ridurre al fronte che tre anni hanno perso ogni valore. E ora di aiutare il dottor Goebbels, forse, sommersibili di Hitler? O c'era ad aiutare il signor Hitler, dottor Goebbels?

E poi c'è gente che afferma che gli accordi di guerra a Hitler non sono ancora chiusi. Non erano esposti ancora che, a termini di una speculazione in denaro?

1. gennaio 1943-30 novembre 1943: undici mesi che hanno veduto un'assisa continua della Terza Alleanza. Ogni superpotenza atomica, gli imperatori che volano sulla Germania, i «Wellington» gli obimuristi sono tutti di ultimissimo modello. Possenti quadrimotori britannici di notte e americani di giorno, bombardano pressoché ininterrottamente il territorio tedesco. I bombardamenti non sono più operazioni isolate, avveni propri limitati e indipendenti, ma fanno parte di un grande piano tattico-strategico che mira alla distruzione sistematica e alla paralizzazioe di ogni centro industriale e di comunicazione del nemico.

Le brutalità commesse dai tedeschi nei territori occupati

Ecco alcuni dei particolari
tormenti in Jugoslavia delle re-
sorse sono state fruite a mo-
re nel tentativo di contingen-
li, alcuni i piani delle bandi-
di guerriglia, in Norvegia
delle donne sono decedute in
cambi il concentramento in re-
gione a maltrattamenti per es-
sere rifiutate di averle deg-
erano i loro bambini. Per-
dei bambini di 4 anni al tro-
no tra i detenuti in questi cam-
pi. In Polonia ogni giorno a-
hanno cas. di giovani ragazze
rapite e inviate alle case di te-
rismo. In Corea delle donne
trascinate) per chilometri
differenzi con i loro bambini
affamati per esecuzioni quan-
che cosa da mangiare dai solda-
sch, ci sono tentate disorde-
Si, anche la morte di un mi-

suo coraggio, la Gironda fu egzoziata sino all'ultimo uomo. La lotta fra le due Repubbliche sarebbe la lotta del vaso di ceta contro il vaso di ferro. Così che nel sentimento che va verso la Monarchia vi è soprattutto il desiderio di combattere il fascismo superstiti.

La Monarchia dovrà dunque divenire prettamente rappresentativa. Se la guerra alla Germania deve essere nazionale, occorre che il diritto di guerra e di pace ritorni nel popolo, che non avrebbe mai dovuto esserne privo. Mi si obietterà che una riforma della Costituzione deve essere accettata dal paese intero, come si è obiettato per la Regenza. Non mi sembra che i due casi si sovrappongano. Se una metà del popolo italiano chiede che la sua sovranità sia completa nelle decisioni che riguardano l'ordine e le frontiere, potrebbe l'altra metà opporsi, posto che lo volesse? Se il popolo meridionale chiede di poter fare la guerra ai tedeschi in nome d'Italia, così che la richiesta del maresciallo Badoglio non possa essere rifiutata dalle Nazioni Unite, non vi è formula che possa impedire ad una metà della nazione di correre a salvar l'altra dalla tirannia nazista.

Che la Carta albertina sia finalmente sostituita da un patto che costituisca la nazione nella sua sovranità, e la dinastia nella sua funzione rappresentativa e moderatrice del potere legislativo; ed ecco che l'Italia tornerà nelle strade aperte dal Risorgimento alle idee di libertà ed umanità che oggi rinvertono un po' da tutte le vie del mondo. Il convegno di Teheran ha già quattro giorni di vita. Il tempo incalza.

PAOLO SCARFAGLIO

La resistenza degli studenti europei

LONDRA, 8. Gli studenti europei, tedeschi e francesi, della Gestapo e condavano a Clermont. Ferrand l'edificio dell'Università di Strassburgo, ivi trasferita per lo scoppio della guerra, si trovano in attesa di essere evacuati. Gli studenti tedeschi, sotto l'impulso di avere avuto proposte di lavoro, si sono mossi verso il fronte. Inoltre, gravemente il Prof. Colton della stessa Università, giustificando col dire che un professore aveva fatto un gesto impudico.

Anche in Norvegia le autorità tedesche annunciano la deportazione di 1156 studenti dell'Università di Oslo recentemente arrestati. Il Ministro britannico dell'Educazione Nazionale ha inviato un messaggio al soldato della Marina norvegese dell'educazione.

Gli studenti ungheresi, svedesi

LA CONFERENZA DEL CAIRO

Perfetta identità di vedute tra gli Alleati e la Turchia di fronte alla situazione bellica

CAIRO, 8. Un comunicato ufficiale diramato al Cairo da notizia di colloqui protrattati per tre giorni tra il Presidente Roosevelt, il Presidente della Repubblica turca Inönü ed il Primo Ministro Britannico Churchill. Il comunicato informa che il Presidente Inönü è stato letto di poter acogliere il cordiale invito rivolto dai Governi degli Stati Uniti, della Gran Bretagna e della Russia Sovietica e che i colloqui del Cairo testimoniano la salda cordiale amicizia che regna tra i popoli di Turchia, d'America e di Russia.

Roosevelt, Inönü e Churchill hanno lungamente esaminato la politica da seguire tanto nell'interesse comune quanto nell'interesse delle singole tre Potenze. Lo studio di tutti i problemi comuni alle tre Potenze stesse ha permesso di concludere che esiste una stretta unità nel loro atteggiamento di fronte alla situazione bellica. I colloqui del Cairo si presentano della più alta importanza in vista delle relazioni future tra i quattro Paesi interessati.

Secondo informazioni degli Stati Uniti, anche il Ministro Turco degli Affari Esteri, I due Stati Uniti erano accompagnati dal tre Ambasciatore di Gran Bretagna, degli Stati Uniti e della Russia ad Ankara. Gli Stati Uniti giunsero al Cairo per via aerea nella giornata del sabato e i colloqui ebbero immediatamente inizio. Per la prima volta nella storia delle relazioni diplomatiche tra le Potenze Alleate e la Turchia, i rappresentanti della Russia Sovietica hanno partecipato a tutti i tre importanti colloqui.

Oltre a ricevere uno gli Stati Uniti, il Primo Ministro Churchill ed il Presidente Roosevelt hanno proseguito i colloqui col Capo delle missioni militari alleate, mentre i capi dei rispettivi Stati Maggiori proseguono le conferenze no per via in sottoposto.

LA PROPAGANDA NEI PASTICCI



sugli accordi presi a Teheran e nella precedente conferenza internazionale del nord Africa. In risposta alle domande degli inviati speciali un portavoce del Governo turco ha dichiarato: «La Turchia è pienamente e assolutamente interessata alla situazione balcanica. Ed, infatti, noi turchi siamo una potenza balcanica. Il portavoce turco ha dichiarato, inoltre che la Turchia ha sempre agito conformemente ai termini della Carta Atlantica.

L'Ambasciatore di Germania ad Ankara è stato ricevuto ieri dal Primo Ministro turco, con il quale si è intrattenuto a colloquio per un'ora. Il Presidente Inönü e gli altri membri della Delegazione turca hanno subito il festoso personale della schietta del Presidente Roosevelt da parte sua. Il Presidente Roosevelt ha profondamente ammirato l'intelligenza, l'energia e la risolutezza del Presidente turco Inönü. I colloqui del Cairo sono la logica conseguenza dei colloqui già avuti da Churchill con il Capo del Governo turco al principio di quest'anno e del colloquio che il Ministro britannico degli Esteri Eden ha avuto lo scorso mese con il Ministro turco degli Affari Esteri.

Una imponente flotta da sbarco in allestimento in America

WASHINGTON, 8. Da fonte competente si apprende che nel programma statunitense di fabbricazione bellica si dà assoluta precedenza alla costruzione di una flotta da sbarco. Secondo tale informazione 4.000 appaltatori provvederanno alla immediata costruzione di una flotta da sbarco, con l'aiuto di altri 10.000 altre che lavoreranno per via in sottoposto.

Secondo informazioni degli Stati Uniti, anche il Ministro Turco degli Affari Esteri, I due Stati Uniti erano accompagnati dal tre Ambasciatore di Gran Bretagna, degli Stati Uniti e della Russia ad Ankara. Gli Stati Uniti giunsero al Cairo per via aerea nella giornata del sabato e i colloqui ebbero immediatamente inizio. Per la prima volta nella storia delle relazioni diplomatiche tra le Potenze Alleate e la Turchia, i rappresentanti della Russia Sovietica hanno partecipato a tutti i tre importanti colloqui.

Oltre a ricevere uno gli Stati Uniti, il Primo Ministro Churchill ed il Presidente Roosevelt hanno proseguito i colloqui col Capo delle missioni militari alleate, mentre i capi dei rispettivi Stati Maggiori proseguono le conferenze no per via in sottoposto.

I teutonici intendono tedeschiare le regioni dell'Alta Italia

Ma la reazione dei patrioti contro gli oppressori è sempre più viva

Nell'Italia occupata i tedeschi non si danno più nemmeno la pena di far mostra di collaborare col cosiddetto partito repubblicano.

Tedeschizzare: è questa la parola d'ordine. Tedeschizzare la Venezia Giulia, dove negli ultimi mesi è stato abolito l'uso della lingua italiana; tedeschizzare la Venezia Tridentina ed il Belvedere, dove i poteri amministrativi erano stati già strappati alle autorità italiane e dove sono stati istituiti tribunali civili tedeschi, intenti ad assicurare un sistema di privilegio ai cittadini tedeschi.

Come hanno fatto in ogni Stato d'Europa, i tedeschi credono di poter avere ragione delle resistenze del popolo con l'uso della forza.

Da Torino si informa che, per meglio controllare l'attività degli operai, i tedeschi hanno occupato le fabbriche Ansaldo. Da Milano si segnala che 87 avvocati sono stati arrestati e rinchiusi in un campo di concentramento.

La Gazzetta del Mezzogiorno dà notizia di un episodio verificatosi a Torino al principio del mese scorso ed improntato a brutalità particolarmente effratta. Un gruppo di una ventina di persone si era radunato davanti alla stazione di Porta Nuova, mentre passava per la strada un reparto di soldati tedeschi. Il comandante germanico credette di notare nell'atteggiamento di una o due persone un tono di disprezzo. Fecce perciò fermare i suoi soldati e ordinò loro di aprire il fuoco con le mitragliatrici. Poi i tedeschi si accalcarono su coloro che erano rimasti feriti, mandandoli a ruotelle.

Ma se i tedeschi ricorrono all'uso della forza, la resistenza del popolo anziché piegarsi si rinforza. Da ogni parte d'Italia giungono notizie di insurrezioni dei patrioti da Udine, da Firenze, da Bergamo, da La Spezia, da Carrara, da Livorno, da Genova, da Ancona, da Venezia, dove si sta alleati ufficiali della marina tedeschi, sei di presidio, sono stati già tolti di mezzo dai patrioti.

Gli italiani sono oggi tutti come non lo erano stati da molti anni, dai vincoli sacri della sofferenza e dalla coscienza dell'urgenza di resistere. Gli italiani ottano perché sanno che questa guerra contro i tedeschi è la loro guerra.

La guerriglia dei patrioti è sempre efficace

Da notizie giunte da Londra dalla Svizzera si apprende che si sono riuniti gli scontri fra

Un gruppo di una ventina di persone sono state manifestando davanti alla stazione di Porto Nuova, mentre passava per la strada un vettore di soldati tedeschi. Il comandante nemico

**Una imponente flotta
da sbarco
in allestimento
in America**

da sbarco
in allestimento
in America

WASHINGTON, 8
in America
Da fonte competente si apprende che nel programma statunitense di fabbricazione bellica si dà assoluta precedenza ai recipienti sullo bombaria pura e su altri prodotti urgenti, alla flotta da sbarco.



soventi italiana per tre
contanti sono stati uffici di

La guerriglia dei patrioti è sempre efficace

Da notizie giunte a Londra dalla Svizzera si apprende che lì sono rimasti gli scontri fra patrioti italiani e le truppe tedesche ed i fascisti.

Secondo un giornale di Berna i patrizi vengono riforniti regolarmente di armi, munizioni e

Si riprende, poi, che in se-

...dando alla prima del Finanze, colonnello Gebbi, i tre delegati per rappresentanza hanno potuto parlare degli avvenimenti.

Gli attacchi di Farinacci
Contro la gioventù italiana
WASHINGTON. «
Il giornale "Starbulletin" indaga-
ne da Stoccolma che la stampa
svedese devono la mancata de-

interesse alla causa nazionale da parte dei giovani fascisti. Il giornale **dei Bandi da Roma** in un'occasione sulla frontiera italiana che Fanfani direttore il regime fascista, attaccava la gioventù italiana per non poter portare essa nell'ufficio di direttore.

GLi attacchi di Farinacci

Contro la gioventù italiana

WASHINGTON, D.C. (UPI) — The U.S. State Department on Tuesday said it was "not aware" of any plans by the Chinese government to send a large military mission to the U.S.

La grande esportazione italiana di Specoline che, in stampa, è uscita dopo la mancata di interesse alla causa nazionale da parte dei giovani fascisti. Il giornale dei Bandi da Roma ha in un'occasione alla frontiera italiana che Formica, direttore di regime, fascista, attaccava la gioventù italiana per non poter contare essa nell'utile di un

1311

Giovedì 9 dicembre 1942

PREZZO LIRE UNA

ANNO I - N. 57

RISORGIMENTO

Direzione e Redazione: Angiporro Galleria, 7 - Napoli

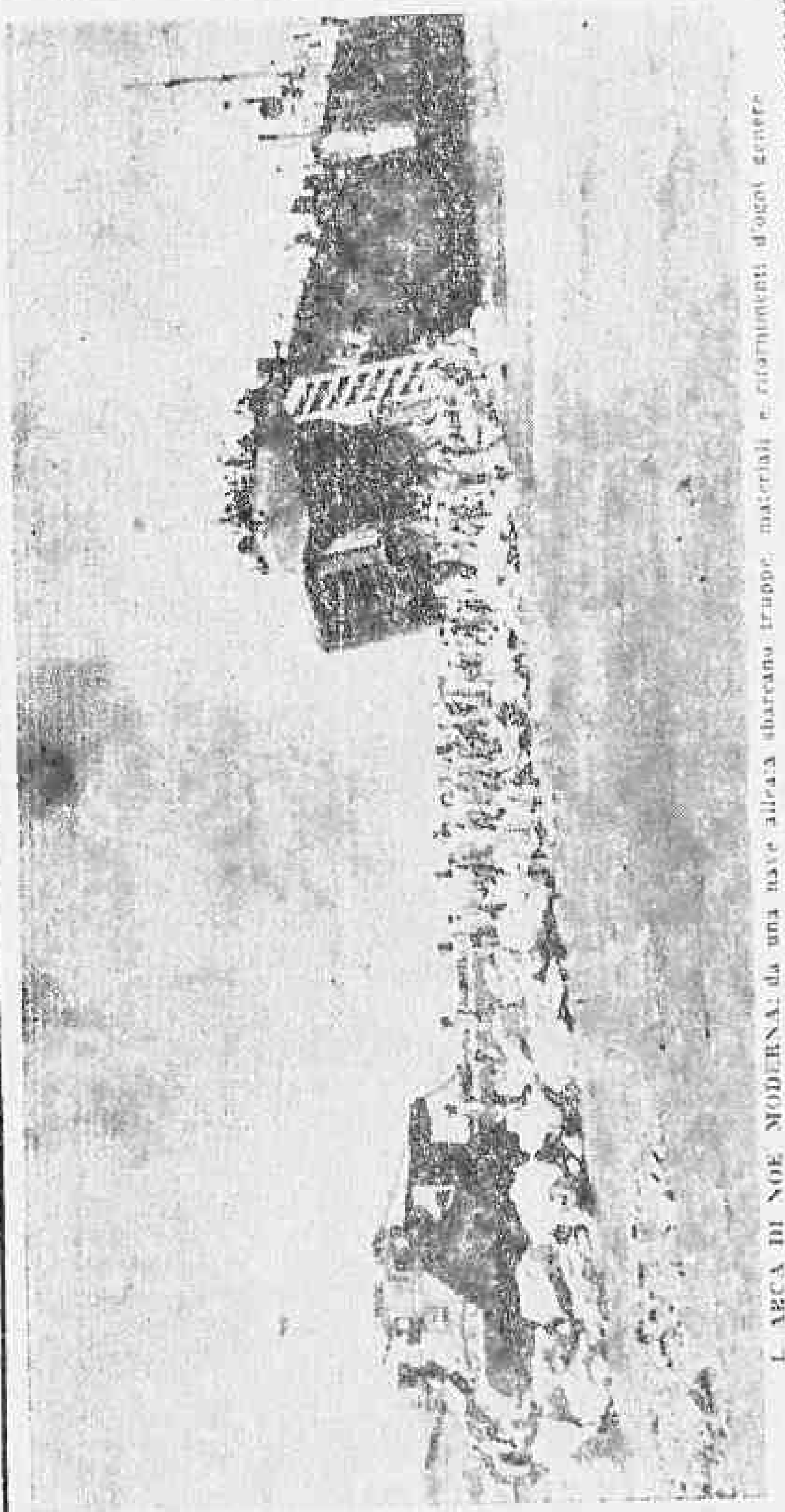
Edito da "IL MATTINO", - "ROMA", - "CORRERE DI NAPOLI"

Per le inserzioni Pubblicitarie U.P.I. - S. Brigida 60 - Napoli

Lectio

brevis

La riflettura di sentimento monarchico ed unitario causata dall'attacco alla Monarchia, troppo evidente nella presenza di questa monarchia, non deve far dimenticare che, nel momento in cui si avverte il pericolo di una guerra, l'opinione pubblica si divide in due parti: una che vuole la monarchia e l'altra che vuole la repubblica. La monarchia, che ha sempre avuto il suo posto nel cuore del popolo, non deve dimenticare che, nel momento in cui si avverte il pericolo di una guerra, l'opinione pubblica si divide in due parti: una che vuole la monarchia e l'altra che vuole la repubblica.



L'ARCA DI NOE MODERNA: da una nave alleata sbarcano truppe, materiali e rifornimenti d'ogni genere

Il 2. anniversario de l'entrata in guerra dell'America

La cima di Monte Cammino occupata dalla 5^a Armata

Le truppe dell'8. Armata hanno attraversato in vari altri punti il fiume Moro

FRONTE ITALIANO. - Le truppe della 5. Armata, dopo accenti combattimenti, hanno occupato la cima di Monte Cammino ed i villaggi di Monte Cammino. Le truppe alleate, che ora occupano la cima di Monte Cammino, hanno attraversato il fiume Moro in vari altri punti. Le truppe alleate, che ora occupano la cima di Monte Cammino, hanno attraversato il fiume Moro in vari altri punti.

L'attività dei patrioti jugoslavi

CONSTATI. - Sono stati constatati alcuni atti di attività dei patrioti jugoslavi. Sono stati constatati alcuni atti di attività dei patrioti jugoslavi.

Due anni fa, il 2 dicembre, si celebrò l'attacco di Hitler all'Unione Sovietica. In quel giorno, l'America era ancora neutrale. Ma, dopo l'attacco di Hitler all'Unione Sovietica, l'America si è schierata con l'Unione Sovietica. L'America ha dichiarato guerra al Giappone e all'Italia. L'America ha dichiarato guerra al Giappone e all'Italia.

La riflettura di sentimento monarchico ed unitario causata dall'attacco alla Monarchia, troppo evidente nella presenza di questa monarchia, non deve far dimenticare che, nel momento in cui si avverte il pericolo di una guerra, l'opinione pubblica si divide in due parti: una che vuole la monarchia e l'altra che vuole la repubblica. La monarchia, che ha sempre avuto il suo posto nel cuore del popolo, non deve dimenticare che, nel momento in cui si avverte il pericolo di una guerra, l'opinione pubblica si divide in due parti: una che vuole la monarchia e l'altra che vuole la repubblica.

Il 2. anniversario de: l'entrata in guerra dell'America

Due anni fa, il 7 dicembre, i giapponesi attaccarono Pearl Harbor con una aggressione prodigiosa che fece entrare in guerra gli Stati Uniti. Dal 7 Dicembre 1941 l'intera corsa della guerra è mutata e i due paesi rivali, in Europa e nell'Estremo Oriente, hanno subito due scom-

M.C.

Oggi, per proseguendo nella guerra, le Nazioni Unite stanno preparando la pace. I primi giorni della guerra furono due. Pearl Harbor fu un colpo duro e per riprendersi occorse molto tempo all'America. Prima di entrare in guerra contro gli Stati Uniti, gli europei cooperarono alla vittoria contro la Germania e rifornendo la Gran Bretagna e la Francia di materiale bellico. Ma dopo Pearl Harbor gli Stati Uniti entrarono in guerra contro la Germania e la loro molla verso la vittoria in Europa si indebolì e si è ravvicinato e la fine è stata rinviata. In Italia ora combatte insieme con gli Alleati. La grandiosa operazione navale, terrestre e aerea nel Nord Africa fu compiuta con pieno successo e i tedeschi furono scacciati dall'Africa. Successivamente la Sicilia, la Sardegna e la Corsica sono state liberate. Così come è stato liberato un terzo della Patinola (Mare) e l'attacco continua.

In Russia, poi, due terzi del territorio rimangono già occupati dai tedeschi sono stati riconquistati, e l'armata rossa continuando la sua avanzata, rimpiazzando i tedeschi verso le loro frontiere.

Contemporaneamente l'Armata aerea alleata ha dato e dà un contributo al combattimento ai suoi alleati della Nazioni Unite. Incursioni senza precedenti martellanti su ogni giorno in Germania, sui suoi centri industriali

I sommergibili tedeschi non riuscirono a fermare la preparazione degli Alleati, intese fondate da guerra e da trasporto aerea, non per l'Europa, e in quest'anno mezzo milione di uomini hanno varcato l'Oceano, insieme con un consumo materiale bellico d'ogni genere.

In seguito alle vittorie allestite
il prestigio tedesco ha subito un
grave scarico mentre quello degli
Alleati è cresciuto. Gli Alleati
Nazionali Alleati si è riunito. Gli
Alleati hanno avuto successi su
campo diplomatico che in
campo militare. Conferenze tra
Capo della Gran Bretagna, Cina,
Russia e Stati Uniti hanno deter-
minato fin da ora le decisioni fi-
nali che porteranno alla disast-
rosa fine del nazismo.

Nell'Estremo Oriente espulso
il corso degli eventi, l'imponen-
za sono stati successivamente
scovati nel vento in terra e a
mare.

La cima di Monte Cammo occupata dalla 5^a Armata

**Le truppe dell'E. Amata hanno attraversato
in vari altri punti il fiume Nilo**

Le truppe della 5. Armata, dopo accaniti combattimenti, hanno occupato la cima di Monte Camino ed i villaggi di *Cassino-Corvoso ed Acquafredda*. Le Truppe Alleate tedesche ora tutte le altre dominanti in valata di Mignano sul Monte Maggiore continuano le operazioni di rastrellamento e le posizioni occupate vengono consolidate. A causa delle piogge torrenziali, tutti i fiumi in questa zona sono ingrossati. Da una larghezza normale di circa 100 metri, in alcuni punti il Garigliano si è allargato fino a quasi un chilometro e mezzo.

L'attività aerea è stata limitata dalle avverse condizioni atmosferiche. Bombardieri medi hanno attaccato Civitavecchia. In duelli aerei 3 velivoli tedeschi sono stati abbattuti.

Sul fronte dell'8. Armata le truppe britanniche hanno attraversato in vari altri punti il Mero e hanno respinto due poderosi contrattacchi. Il nemico ha subito gravi perdite in uomini e materiale bellico.

I tedeschi hanno bombardato Lanciano, nella notte dal 6 al 7 corrente.

Prizes saved for the winners

Manikovska occupata - Gravi perdite inflitte ai tedeschi in uomini e materiale bellico

MOSCA, 8
Entro l'ansa del Dnieper le truppe sovietiche hanno guadagnato nuovo terreno. In un settore del saliente di Kiev i russi hanno dovuto ripiegare in seguito ai forti attacchi tedeschi. Ecco i particolari dei vari settori del fronte.

ANSA DEL DNIEPER — Nel settore di Kremenchuk, i russi hanno effettuato terribili purghe. Partecipi importanti progressi capitalisti tedeschi sono stati occupati fra cui l'importante località di Manikovsky. Questo punto strategico tedesco è stato occupato alla baionetta da un reparto sovietico che distruggeva 500 tedeschi e catturava le cannoni e morti. Ad est di Znamenska, i russi hanno occupato la stazione ferroviaria di Pantavka. Tre treni carichi di rifornimenti ed altra preda bellica venivano catturati.

Nel corso dei combattimenti sviluppati in questo settore durante la giornata di ieri, i tedeschi hanno lasciato più di mille uomini sul terreno. I so-

MOSCA, 8
Entro l'ansa del Dnièper
le truppe sovietiche hanno
occupato nuovo terreno in
vicini, inoltre, hanno preso
molti prigionieri e distrutto o
messo fuori combattimento 34
carri armati tedeschi.

SALIENTE DI KIEV — I tedeschi hanno nuovamente attaccato in questo saliente con ondate di carri armati. Il principale attacco tedesco si è svolto nei settori del fronte sud-occidentale.

ANSA DEL DNIEPER — Nel settore di Cremenelur, i russi hanno effettuato terribili impieghi di massa. Paracadutisti, portanti progressi, tedeschi, capitalisti tedeschi sono stati occupati, fra cui l'imperatore occupato di Manikovsky. Questo locale di Manikovsky è stato occupato alla baionetta da un reparto sovietico che distruggeva 600 tedeschi e catturava 10 cannoni e morti. Ad est di Znamenka, i russi hanno occupato la stazione ferroviaria di Pantavka. Tre treni carichi di rifornimenti ed una mezza batteria bellica venivano

CRIMINALITÀ — La guerra aerea si è riaccesa nei cieli della Crimea: 25 aerei tedeschi sono stati abbattuti ieri sulla penisola di Kerch dall'Aviazione rossa.

L'attività dei patrioti jugoslavi

Scrive una vedova allungata, un'ugrovia della Groenlandia, che ha fatto il viaggio di ritorno da Atahua e dall'America. I combattimenti si svolgono principalmente nel settore di Sempino e nell'Erzegovina. Una città, uno dei paesi del confine tra la Bosnia e l'Erzegovina occupata dai serbi, è stata tranquillizzata in seguito dopo i violenti combattimenti. Nella Croazia settentrionale vi un soldato serbo è stato ucciso, un altro 100 ferito. Un altro grande numero di materassi bellici, due velivoli tedeschi sono stati abbattuti. Un altro serbo è partito battendo il record di velocità oltre cento chilometri.

Foto: lo più recente, un'impresa di
mercato, il sindacato di liberalizza-
zione, e un altro, il sindacato di
no war/no nuclear, con gli altri
tre, contro i reattori in Slo-
vacchia. In uno spazio, i primi
sono i nuovi, i secondi i com-
unisti, i terzi i tedeschi con
il loro comandante, e i quarto
gusta prima bellico. A lei, l'ente
di giustizia, hanno occupato Tria-
nak, presso Lublana
Ue, come un'isola. Ha
M. M. M. M.

[illegible]

Gli ebrei in Italia inviati ai campi di concentramento

La folla, uscita di Roma, ha annunciato in data 30 novembre una disposizione, «firmata a tutti i capi di provincia secondo quella, con ordine della polizia, tutti gli ebrei residenti nell'Italia non occupata dovevano esser reati al cuneo di concentramento e la loro proprietà confiscata».

La disposizione specifica che
persone di razza mista (inora con-
siderate arabe) devono essere t-
tate sotto vigilanza.

una nera. Viene subito dopo il senso, che mai si smarrisce in Italia, della giustizia. Tutti sanno che il filo fu lacerato solo contro il fascismo, tra il 1921 ed il 1924. Febbraio 1922: rifiuto del partito ad appoggiare il colpo di stato che il Re offriva, dettato a Giolitti la riforma elettorale per decreto, ottobre 1922: formazione del ministero Mussolini con cattolici, liberali di destra e democratici del tempo; 1924, Aventino. Tutti sanno quindi che le classi medie, incapaci di affrontare l'ondata di sinistra colla sana amministrazione e colla rinunzia ai piaceri del dopoguerra, preferirono il fascismo, e che il compromesso fu di tutti quei partiti, che oggi si battono per antifascisti, solo per aver disorlato la trincea parlamentare dopo il delitto Argiento.

La Aventino non fu la difesa della libertà, fu la costituzione di un alibi. Ma possono gli alibisti riunirsi in tribunale? E vent'anni dopo, come nei libri di Dumas padre?

Che se poi i partiti sinistri-
ci' oggi con quei titoli di allora,
che la rinascenza deve cancella-
re, non ereditano nemmeno il
trighe allo: dell'Avvento, in no-
me di che (Bastola) dichiarano
antifordisti?

Se per altro l'attacco alla Monarchia del Terzo Imperio ha suscitato l'opinione pubblica, non a caso gli osservatori

La dichiarazione di guerra alla Germania non sarà la dichiarazione di guerra alla Grecia ed alla Jugoslavia. Solamente la guerra nazionale, condotta oltre le frontiere del Regno, può riscattare il male che è stato commesso. Non lo dico ora: credo di essere stato il solo fra i giornalisti redattivi che abbia chiamato infame l'attacco alla Grecia quando i tedeschi dominavano la mia città. Ed esprimevo l'opinione di tutti. Anche oggi la esprime, se dico che il pubblico di difesa la Monarchia, non ha fatto la guerra. Perché difenda la Mo-

Il marxismo è chiaro: è quanto ci ha rimesso l'Italia del Risorgimento e quanto ci è rimasto dell'Italia bene ordinata che pensano le classi operaie, a cui fascismo e parlamentari promettono vita e di più: la morte. Incominciamente ci riempiono. E quando lo ci resta del nostro passato che in fondo è quel che ciascuno di noi ha mai potuto amare, l'avvenire, se non lo conosce ancora.

fine ancora che a repubblica non ne sarebbe stata che la sovrapposizione. Mussolini. Non abbiamo fra noi che dei grandini, e ancora non avessimo cinque! E malgrado

Form No. 8

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF AN ALLIED MILITARY COURT

Held at Naples, Italy
 on the 2nd day of Dec 1945
 Before JOHN W. CHAMBERLAIN, Lt Col, U.S.A., as President and Officer
constituting the Supreme Court of ALLIED MILITARY GOVERNMENT, Naples
City of All Court Orders No. 8, 1945
 (Name and rank of President and/or Magistrate constituting the Court).

REFERENCE No. 8.

ACCUSED

Name: Dr. Guglielmo Benito
 Address: Via Porcino 10, 10, Piazza D'Armi, Napoli.
 Description: Son of Luigi and Anna Benito, born 10 October, April 26, 1902.
 Occupation: Officer in Italian Army (see below)
 Age: 43 years.

INTERPRETER

Name: REC. Charles E. Angelo, A.M.E. is duly sworn

PROSECUTING OFFICER

Name: Colonel W. H. H. de la Cour (English) 55

ADVOCATE FOR ACCUSED

Name and Address: Francesco Forte di Carlo, Naples

CHARGE (S)

(This space need not be completed if a copy of the Summons or charge sheet is attached).

Copy of Charge Sheet Attached.

PROCEEDINGS OF AN ALLIED MILITARY COURT

Held at Naples, Italy
on the 2nd day of Dec 194
Before John A. Callahan, Lt Col, U.S.A., as President and Judicial Officer
constituting a Summary Court of Allied Military Gov't., under authority of A.M.C. Order No 5, D.C.
(Name and rank of President and/or Magistrate constituting the Court).

REFERENCE No. 5.

ACCUSED

Name: Lt. Pugliese, Renato
Address: Via Rensselaer 26, S. Paolo Mine, Napoli.
Description: Son of Luigi and Anna Pugliese, born in Trieste, April 26, 1900.
Occupation: Officer in Italian Army (on leave)
Age: 35 Years.

INTERPRETER

Name: PFC Charles L. Angelo, A.C.
is duly sworn

PROSECUTING OFFICER

Name: Geoffrey V.H.E. de Vries, Captain, R.A.F.
53

ADVOCATE FOR ACCUSED

Name and Address: Francesco Ferris, U. S. Consul, Naples.

CHARGE (S)

(This space need not be completed if a copy of the Summons or charge sheet is attached).

Copy of Charge Sheet Attached.

REMARKS: A.C. CASE NO. 84

HQ A.C. 84

1. The evidence, any statements by the prosecution and defense before sentence, and any opinion the Court wishes to record as to its findings will be written or typed on this and the following page. When the length of the evidence requires, further sheets of paper serially numbered will be inserted in this file.

2. This record will be signed by the President and members of the Court.

CASE FOR THE PROSECUTION.

KARL A. FRABER, Colonel, Civil Affairs Officer for Naples, was sworn, and testified substantially as follows: I am the Civil Affairs Officer for the City of Naples. On 14, Oct 1943, I went to the Municipio at approximately 10 A.M. in Jeep No 331, which had been assigned to me for transport. I drove it into the courtyard at the Municipio and left it at the foot of the stairway. I knew went to my office for some papers and returned in about 15 minutes. I found the Jeep gone. I had not given anyone permission to take it. I next saw the Jeep on 27 Oct 1943.

ORVIN W. CAMPBELL, Captain, Civil Affairs Officer for Avellino, was sworn and testified substantially as follows: I am the Civil Affairs Officer for Avellino. I saw the Jeep on 27 Oct 1943, at 8:00 or 8:30 in the morning in the Prefecture at Avellino, which is used for the Officers of AMI. He asked me for a permit to drive an automobile in the province. He went down to look at the automobile and I saw that he had possession of an American Jeep No 371. I drove the Jeep to his Prefecture and took the accused upstairs for questioning. He said the Jeep had been loaned to him by an American Officer at the Airport near Naples and showed me the letter which had been introduced in evidence. He said first that the car came from Col Sheehan. Later it developed that Col Sheehan had sent him to AMI. He then said that an officer in the Municipio had given him the machine. I took the accused and the Jeep to Naples. On cross examination the witness testified that the accused said that the Carabinieri had advised the accused to come by for a permit.

WALTER DOMENY, Lt Col, was sworn and testified substantially as follows: I am Civil Affairs Police Officer for the City of Naples. I recognize the accused. I first saw him the afternoon of 27 Oct 1943 at the Municipio. I was called to Col Ennegi's Office. Lt Campbell and the accused were there. I charged the accused with possession of Allied property. He said he had been given permission to drive the car away by an American Officer. I took him to the Prefecture where he remained until the next day. On 28 Oct, 1943, I took him out of the Prefecture. He then told me that the Officer who gave him permission to drive the car was an Italian Speaking American Lieutenant. Thereupon paraded all officers on duty at the Municipio and he was unable to identify any of them as the officer who had given him permission. I then took the accused to the Airport where he said he had been employed by the American --. I found no officer there named Sheehan and I was unable to find the accused's name on any payroll. I brought him back to the Prefecture. On cross-examination, the witness testified as follows: I took the accused all over the Airport and saw no number. There was no Col Sheehan there. I do not know what Col Sheehan is a car number at Caserta.

CASE FOR THE PRESIDENTIAL

KARL A. HANSEN, Colonel, Civil Affairs Officer for Naples, was sworn and testified substantially as follows:- I am the Civil Affairs Officer for the City of Naples. On 12, Oct 1943, I went to the Municipal Court at approximately 10 A.M. In Dept 36, which had been assigned to me for approximately 10 days, I saw the accused at the Municipal Court and I saw him in the Court of the streetway. I then went in my office for some papers and returned in about 10 minutes. I found the man gone. I had not given anyone permission to take him. I next saw the man on 27 Oct 1943.

GRVIN M. CARPENTALL, Captain, Civil Affairs Officer for Avellino, was sworn and testified substantially as follows:- I am the Civil Affairs Officer for Avellino. I saw the accused on 27 Oct 1943, at 8:00 or 8:30 in the morning in the prefecture at Avellino, which is very far from the officers of Av. He asked me for a permit to drive an automobile in that province. He went down to look at the automobile and I saw that he had possession of an American car No 121. I drove the car to the prefecture and took the accused upstairs for questioning. He said the car had been loaned to him by an American officer at the Airport near Naples and showed me the papers which had been loaned to him. He said that he had seen the car from the prefecture. I then took him to the prefecture and I saw the accused. On cross examination the witness testified that the accused said that the Carpentall had advised the accused to come in for a permit.

WALTER DOMINIC, LT Col, was sworn and testified substantially as follows:- I am Civil Affairs Officer for the City of Naples. I recognize the accused. I first saw him the afternoon of 27 Oct 1943 at the Municipal Court. I was called to Col Hansen's office. It Carpentall and the accused were there. I was charged the accused with possession of Allied property. He said he had been given permission to drive the car away by an American officer. I took him to the prefecture where he remained until the next day. On 28 Oct, 1943, I took him out of the prefecture. He then told me that the officer who gave him permission to drive the car was an Italian speaking American Lieutenant. Thereupon I paraded all officers on duty at the Municipal Court and he was unable to identify any of them as the officer who had given him permission. I then took the accused to the airport where he said he had been employed by the American. I found no officer there named Sheeran and I was unable to find the accused's name on my register. I brought him back to the prefecture. On cross-examination, the witness testified as follows:- I took the accused all over the airport and made inquiries. There was no Col Sheeran there. I do not know what her Col Sheeran is a commander at Caserta.

CARIMARISI, Locatello, was sworn and testified substantially as follows:- I am Commissioner of Public Security in Naples. In October, the accused was presented to me and made a statement which was reduced to writing. Being shown a document that is the statement, that is the signature of the accused written in my presence. That is my signature. (Prosecutor offered the document in evidence. It was marked for identification. Prosecution Exhibit A. The defense did not have any objection, and the document was received in evidence.)

ALLIED MILITARY GOVERNMENT

(Governo Militare Alleato,

CHARGE SHEET

(Foglio d'Accusa)

Place Castel Capuano Naples
(luogo)

Date November 25, 1943.
(data)

DI GIUGLIANO, RENATO
Name of defendant
(nome dell'accusato)

Address
(indirizzo)

Is hereby charged with the following offenses:
(È qui accusato delle offese seguenti):

First charge Stealing property of the Allied Forces contrary to
Proc No ~~244~~ Art 1 Para ~~1~~ (11)
Particulars In that he, at or about 10:05 hrs on the 14th day of
Oct 1943, at the Municipio, Naples, stole a Jeep motor car No 351
property of the Allied Military Govt of a greater value than
10,000 lire.

Second charge Having wrongfully in his possession property of the
Allied Forces Proc 11, Art 11, Para (40)
Particulars In that he on the 27th day of October 1943 at
Avellino, Province of Naples, was in wrongful possession of a
Jeep motor car No 351 property of the Allied Military Govt.

TRADUZIONE

Prima accusa Furto proprietà dell'esercito alleato al contrabbando della
Proc No ~~244~~ Art 1 Para ~~1~~ (11)
Dettagli Che circa il 14 ottobre 1943 nel Comune di Napoli, fu trovato in possesso illegale d'una macchina "Jeep"
proprietà del Governo Alleato d'un valore di 10,000 lire.

Seconda accusa Averdo illegalmente in suo possesso proprietà delle
Forze Alleate al contrabbando di Proc 11, Art 11, Para (40).
Dettagli Che nel giorno 27 ottobre 1943 a Avellino, fu trovato in possesso illegale d'una macchina "Jeep"
No 351, proprietà del Governo Alleato.

(Se non tradotto dall'ufficiale, voi dovete farvelo tradurre da un amico o presso qualsiasi Ufficio di Questura).

The above charges are referred for trial before Superior Court, Castel Capuano,
(name and address of Court) Naples.

(Le suddette accuse sono riferite a processo davanti Corte Superiore, Castel Capuano,
(nome e indirizzo della corte) Napoli.

By order

A.M.C.

Marked
in Ordance
Proc. ①
Exhibit "B"

202

This Italian pilot officer,
Renato di Garghelino, wishes
to join the Allies and has come
to us from Eboli.

He could be sent to
the Italian Allied Air
Force at Bari or Taranto
but he wants to go home
and get his belongings.
We have no means of
sending him there.

51

V. Sheean
for Col A.C.

Account Exhibit 1.

201

L'anno 1943 il 29 ottobre nella R. Custodia di Napoli 2° Divisione, innanzi a noi Commissario di P.S. Loscalzo Geribaldi è presente Di Guglielmo Renato di Luigi e di Anna Mattozzato nato a Trieste il 26/4/1920 e domiciliato su Andretta il quale opportunamente interrogato dichiara:

appena giunsero le truppe americane ad Aboli mi presentai al Comando dell'aeroporto di Faestum e chiesi di arruolarmi come ufficiale pilota nell'aeronautica lord americana. La mia richiesta fu accolta e fui, successivamente, inviato al Campo di Capodichino (Napoli) per il necessario periodo di addestramento sugli apparecchi americani. Qui vi seppi che mio padre risulta disperso in Africa. Per ragioni di famiglia chiesi ed ottenni dal Colonnello Schin, comandante di detto aeroporto, un permesso per recarmi ad Andretta con una macchina americana che ottenni dall'A.M.G. sito al Palazzo del Municipio.

Mentre ero ad Andretta i CC. RR. mi sequestrarono la macchina d'ordine del Comando Americano di Avellino. Saputo ciò mi recai spontaneamente al detto Comando e chiesi ogni cosa, preavvertendo, del fatto i CC. RR.

Detto confermato e sottoscritto.

50

Di Guglielmo Renato

Loscalzo Geribaldi: Vice P.S.

Procedimento Esibito A.

sione, innanzi a noi Commissario di P.S. Loscalzo Caribaldi è presente Di Guglielmo Renato di Luigi e di Anna Mattovaz nato a Trieste il 26/4/1920 e domiciliato ad Andretta il quale opportunamente interrogato dichiarò:

appena giunsero le truppe americane ad Eboli mi presentai al Comando dell'aeroporto di Faestum e chiesi di arruolarmi come ufficiale pilota nell'aeronautica Nord Americana. La mia richiesta fu accolta e fui, successivamente, inviato al Campo di Capodichino (Napoli) per il necessario periodo di addestramento sugli apparecchi americani. Qui vi seppi che mio padre risulta disperso in Africa. Per ragioni di famiglia chiesi ed ottenni dal Colonnello Schin, comandante di detto aeroporto, un permesso per recarmi ad Andretta con una macchina Americana che ottenni dall'A.M.G., sito al Palazzo del Municipio.

Mentre ero ad Andretta i CC. RR. mi sequestrarono la macchina a' ordine del Comando Americano di Avellino. Saputo ciò mi recai spontaneamente al detto Comando e chiesi ogni cosa, preavvertendo, del fatto i CC. RR.

Letto confermato e sottoscritto.

50

Di Guglielmo Renato

Loscalzo Caribaldi: P. S. P.

Procedimento Esibito 14.

200

In the year 1943, on the 29th day of October, in the Royal Inquest of Naples, 2nd Division, before the court of P.S. Loscalzo Garibaldi, there appeared Di Guglielmo Renato, son of Luigi and Anna Wattovaz born in Trieste, April 26, 1920 and domiciled at Andretta, who on the opportunity of the Inquest, declared:-

" Scarcely had the American troops arrived at Eboli, I presented myself to the command r of the airport of Paestum and asked to be enrolled as an official pilot in the North American Air Force. My request was granted and I was subsequently sent to the ~~XXXXXX~~ Camp of Capodichino (Naples) for the necessary period of training with American equipment. Then I learned that my father is missing in Africa. For family reasons, I requested and obtained of Colonel Schinn commander of the aforesaid airport, a permit to go to Andretta with an American machine that I obtained from AMG situated at the Municipal Building.

While I was at Andretta, the CC. RR. took the machine from me on order of the American Commander of Avellino. Knowing that, I went immediately to the aforesaid commander and cleared everything, notifying the CC. RR of the facts. "

Read, Confirmed and subscribed.

Di Guglielmo, Renato (Signed)

Loscalzo, Garibaldi Commissario di P.S. (Signed)

1323

198

Form 6

ALLIED MILITARY GOVERNMENT COMMITMENT

To: The officer in Charge,
of Logansport (Prison) (Jail) (Camp) or any other prison, jail or camp to

which the prisoner may be hereafter lawfully transferred.

Whereas one W. Hughes, Nevada has been convicted of the offence of
stealing property of the United States and wrongful possession of property
of the United States and has been sentenced by the Superior Military Court, Logansport
Name of Court.

to serve a sentence of 5 years and to pay a fine of lire 50000
and if fine is not paid, to serve an additional 1 year in prison.
the said sentence to commence on 2 December, 1942
Date.

Now, therefore you are hereby authorized to receive the said W. Hughes, Nevada
name of accused
into your custody and detain him in accordance with the sentence so imposed or until
further order of this Court or a competent military authority and for so doing this shall be
sufficient warrant.

Signed this 2d day of December 1942

Arthur W. Chapman
Presiding Officer St. Louis
Superior Military Court
Court. Logansport

(The fine imposed must either be paid, or the defendant will receive a credit of
lire per day for each day served in confinement.)

48

To: The officer in Charge.

of Logansport

(Prison) (Jail) (Camp) or any other prison, jail or camp to

which the prisoner may be hereafter lawfully transferred.

Whereas one W. H. Hughes, Sheriff

has been convicted of the offense of

Stealing property of the United States and wrongful possession of property of the United States

and has been sentenced by the Superior Military Court, Kipton

Name of Court.

to serve a sentence of 5 years and to pay a fine of lire 5000

and if fine is not paid, to serve an additional 1 year in prison.

the said sentence to commence on 2 December, 1942

Date.

Now, therefore you are hereby authorized to receive the said W. H. Hughes, Sheriff

name of accused

into your custody and detain him in accordance with the sentence so imposed or until further order of this Court or a competent military authority and for so doing this shall be sufficient warrant.

Signed this

2d day of December 1942

Arthur W. Chapman
Presiding Officer St. L.

Superior Military Court
Court. Kipton

(The fine imposed must either be paid, or the defendant will receive a credit of
lire per day for each day served in confinement.)

118

ALLIED MILITARY GOVERNMENT

197

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at TRIUNALI, Napoli (Allied Military Court: Summary)
on the 4th day of November 1943

Before, Lt. Edward Blacklock

Asst. Legal Officer, Naples Province, <sup>(Name & rank of President
Members and/or Magistrate
constituting the Court)</sup> ~~AMG~~

REFERENCE No. Di Guglielmo, Renato

Via Fonseca, #86 Presso, Diina, Napoli.

ACCUSED

Name: Di Guglielmo, Renato

Address: Via Fonseca, 86 Presso Diina, Napoli.

Description: Italian Subject.

Occupation: Unascertained, Claims to be Italian Army Officer.

Age: 22

INTERPRETER

Name: Signore Adrian Jones

is duly sworn
34

PROSECUTING OFFICER

Name: Captain William A. Gordon, of the Division of the CAPO,
Naples City, AMG.

ADVOCATE FOR ACCUSED

Name: Avvocato Porzio Francesco Via Carlo Poerio 90 Napoli
(Who has been instructed to conduct the Defense to its conclusion)
(HARGE (S))

(Set out a brief statement of the charge together with the number of the Proclamation, Article and Section on which it is based).

Contrary to Par. 11 Article 1 of Proclamation #2

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at TRIBUNALI, Napoli (Allied Military Court Summary)

on the 4th day of November 1943

Before, Lt. Edward Blacklock
Asst. Legal Officer, Naples Province, AMG.

(Name & rank of President
Members and/or Magistrate
constituting the Court)

REFERENCE No. Di Guglielmo, Renato
Via Fonseca, #86 Presso, Diina, Napoli.

ACCUSED

Name: Di Guglielmo, Renato

Address: Via Fonseca, 86 Presso Diina, Napoli.

Description: Italian Subject.

Occupation: Unascertained, Claims to be Italian Army Officer.

Age: 22

INTERPRETER

Name: Signore Adrian Jones

is duly sworn

PROSECUTING OFFICER

Name: Captain William A. Gordon, of the Division of the CAPO,
Naples City, AMG.

ADVOCATE FOR ACCUSED

Name: Arrivato Porzio Francesco Via Carlo Poerio 90 Napoli
(who has been instructed to conduct the Defense to its conclusion).
(CHARGE IS)

(Set out a brief statement of the charge together with the number of the Proclamation, Article and Section on which it is based).

~~Article 11~~ Contrary to Par. 11 Article 1 of Proclamation #2.
of Allied Military Government, ~~any of these~~ motor
car, the property of the allied forces, the aggregate
value of which exceeded 10,000 lire.

(2) Being in illegal possession of a Motor Car, the property of the Allied
Forces, Contrary to Sec. 45, of Art II, Prov. No. 2

The Charges are read and explained to each accused.

Yes-

W.A.G.

PLEAS OF THE ACCUSED

The Accused pleads Not Guilty to the 1st charge

~~to the 2nd charge~~

~~to the 3rd charge~~

ADJOURNMENTS

- (Times, dates and reasons for adjournments being made)
- Adjourned on Nov. 1, 1943 at 1000 hours to allow prosecution to arrange for attendance of witness.
 - Adjourned to 5. Nov. 43 to allow Attorney to make further Bail Application.
 - Adjourned on 5. Nov. 43 Since Dis; Bail NOT Forfeiting and Reduced Amount Refused NO.

FINDINGS OF THE COURT

The court is of the opinion that this case should be tried before a General Military Court and orders that the record be sent to the Chief Legal Officer.

L.N. O'Donoghue, Lieut. Colonel, President of Summary 5. Nov. 43.

The statement (if any) of the accused as to mitigation of punishment and the record of evidence (if any) of the said accused as to character is attached.

SENTENCE OF THE COURT

The Court sentenced the accused to

to

in respect of all charges charged in the above proceedings of which the said accused has been found guilty

(Signature of Judge of Allied Military Court)

REVIEW

1328

xxxxx
xxxxx

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

- ① Adjourned on Nov. 4, 1943 at 1000 hours to allow prosecution to arrange for attendance of witness.
- ② Adjourned to 5. Nov. 43 to allow Attorney to make further Bail Application.
- ③ Adjourned on 5. Nov. 43 Since die; Bail NOT Forfeiting and Reduced Amount

FINDINGS OF THE COURT

The Accused ~~has been found guilty of the first charge.~~

The Accused ~~has been found guilty of the second charge.~~

The Accused ~~has been found guilty of the third charge.~~

The court is of the opinion that this case should be tried before a General Military Court and orders that the record be sent to the Chief Legal Officer.

*L.N. DeWolfe. Lieut. General.
President of Summary 43. 5. Nov. 43.*

The statement (if any) of the accused as to mitigation of punishment and the record of evidence (if any) of the said accused as to character is attached.

SENTENCE OF THE COURT

The Court ~~finds the accused guilty of the first charge.~~

to

in respect of all the charges charged in the above proceedings, of which the said accused has been found guilty.

(Signature of Judge of Allied Military Court)

REVIEW

Date

194

Signature

AVV. FRANCESCO PORZIO
VIA CARLO PORZIO 90 - TEL. 10284
NAPOLI

NAPOLI

196

A VOSTRO ONORE IL SIG. PRESIDENTE
DELLA CORTE MILITARE ALBATA

NAPOLI

Nell'interesse del sig. DI GUGLIELMO RENATO si rinnova l'istanza
DI LIBERTÀ PROVVISORIA già presentata all'udienza di ieri ed
in proposito si rassegnano le seguenti considerazioni che do-
vranno indurre Vostro Onore alla concessione del beneficio vi-
chiesto, senza cauzione alcuna, oppure con un minimo di calle-
veria che possa essere pagata dall'imputato nella sua attuale
condizione di :

1°- Lontano dalla famiglia, che data la soppressione di
ogni mezzo di comunicazione non è raggiungibile.

2°- Il Di Guglielmo è un ex ufficiale Aviatore dell'Eserci-
to Italiano. Pertanto è senza stipendio da oltre tre mesi.

3°- Egli ha il padre ingegnere, ma disperato in Africa.

4°- La sua famiglia appartiene alla più distinta borghesia,
ma come tale risente più di tutti della grave crisi che attra-
versa l'Italia attualmente e cioè enorme rincaro della vita
con lucri cessati o mantenuti nelle condizioni di anteguerra.

5°- La macchina è stata restituita, e ciò fu fatto sponta-
neamente, quindi a parte il fatto che non ci è arrecato danno

all'Amministrazione delle Forze Alleate, è chiaro che l'imputato in nessun modo si è occupato di cose non sue.

Trattasi di studente universitario che grave documento avrebbe da una ulteriore detenzione, mentre la sua liberazione provvisoria gli darebbe modo di dimostrare e di provare pienamente la sua innocenza alla Onorevole Corte da Vostro Onore presieduta.

Con tutta deferenza.

Napoli 5 novembre 1943 -

am. Francis Poffe

No.)- 900078

Leut. Colonel Carl A. Kraege, Allied
Military Government, presently Senior
Civil Affairs Officer, Naples City,
states:

On Thursday 14th October 1943, I drove a "Jeep" Motor Car No. 331, the property of the Allied Military Government, into the Courtyard of the Municipio, Naples and left it there at 10 A.M. I came up to my office on the second floor and returned to get my car ten minutes later, when I discovered it had been taken away.

I made enquiries as to its whereabouts, but could get no information of its being taken into legitimate use by any member of my staff or any other person. I accordingly reported the car as stolen.

On Wednesday 27th October 1943, I learned that my car had been brought to the Regional Headquarters Allied Military Government at Naples. On the same date, Captain O.W. Campbell C.A.O. Avellino came into my office with the accused Di Guglielmo. Captain Campbell's statement is attached to this report on the case.

No. 0-519951-

Captain Orvin W. Campbell, Allied Military Govt. presently Civil Affairs Officer in the Province of Avellino states:

On Wednesday 27th October 1943, I was in the Prefecture at AVELLINO when the accused DI GUGLIELMO, Renato, came into the office there. He requested through an interpreter a permit to drive a "Jeep" motor car.

I went out to inspect the motor car and saw that it was an official car with "A.M.G" markings thereon and bore the number 331.

As no Italian civilian should have had possession of such a motor car, I took custody of the vehicle and placed the accused in arrest.

I brought the accused and the car into Regional Headquarters at Naples, where I was informed that the car was previously in possession of Lt.Col. Kraege, S.C.A.O Naples City.

1332
ment, into the courtyard of the barracks, Naples and left it there at 10 A.M. I came up to my office on the second floor and returned to get my car ten minutes later, when I discovered it had been taken away.

I made enquiries as to its whereabouts, but could get no information of its being taken into legitimate use by any member of my staff or any other person. I accordingly reported the car as stolen.

On Wednesday 27th October 1943, I learned that my car had been brought to the Regional Headquarters Allied Military Government at Naples. On the same date, Captain O.W. Campbell C.A.O. Avellino came into my office with the accused Di Guglielmo. Captain Campbell's statement is attached to this report on the case.

No. 0-519951- Captain Orvin W. Campbell, Allied Military Govt. presently Civil Affairs Officer in the Province of Avellino states:

On Wednesday 27th October 1943, I was in the Prefecture at AVELLINO when the accused DI GUGLIELMO, Renato, came into the office there. He requested through an interpreter a permit to drive a "Jeep" motor car.

I went out to inspect the motor car and saw that it was an official car with "A.M.G" markings thereon and bore the number 331.

As no Italian civilian should have had possession of such a motor car, I took custody of the vehicle and placed the accused in arrest.

I brought the accused and the car into Regional Headquarters at Naples, where I was informed that the car was previously in possession of Lt.Col. Kraege, S.C.A.O Naples City.

Sgd: O.W. Campbell.

Signor Renato DI CUCIATINO (Lieutenant prior to occupation)
Via Fonseca 36 Presso Sig. Diina.

NO. 0-519951-

Captain Orvin H. CAMPBELL, Allied Military
Govt. presently Civil Affairs Officer on the
Province of Avellino. states: (dichiara):

Mercoledì 27 Ottobre, 1943, io mi trovavo nella Prefettura
di Avellino, quando l'accusato DI CUCIATINO, Remo venne
nel mio ufficio. Chiese attraverso un interprete un permesso
per condurre un'automobile "Jeep".

Uscii per esaminare l'automobile e vidi che era un
automobile ufficiale del AMG, e portava il No. 531.

Poiché tale automobile non doveva essere in possesso
di alcun civile, presi il veicolo in mia custodia e misi
l'accusato sotto arresto.

Ho portato l'accusato e l'automobile al Quartier Generale
in Napoli, dove appresi che l'automobile era precedentemente
in possesso del Tenente Colonnello Kruse, S.O.A.O. Naples
City.

F.to: C.M. Campbell.

NO-1300078-LEUT. COL. Carl A. Kruse Allied Military Government
Presentemente Ufficiale Senior della Armata Cirilli
Naples City, dichiara:

Giovedì 14 Ottobre 1943 io conducevo un'automobile
"Jeep" di proprietà del Governo Militare Alleato e la
lasciai nel cortile del municipio a Napoli alle 10. Mi
portai al mio ufficio al secondo piano e dopo dieci minuti
quando scopii che era stata portata via. Chiesi delle informazioni
ma non mi riuscì di apprendere nulla in riguardo né se fosse
stata presa da personale nel mio ufficio. Feci quindi denuncia
che l'automobile era stata rubata.

Mercoledì 27 Ottobre 1943, appresi che l'automobile
era stata portata al Governo Militare Alleato a Napoli.
Nella stessa data il Capitano C. M. Campbell S.O.A.O. Avellino
venne nel mio ufficio con l'accusa che il DI CUCIATINO,
Capitano Campbell ha fatto la dichiarazione come sopra.

0351/9
1943-10-27
from
No 341
Car
14
Munich
in
the
of
Allen
Munich
10-27-43

Un'altra per essere in grado di guidare l'automobile e visto che era un'automobile militare del M.C. e portava il No. 531.

Tale automobile non doveva essere in possesso di alcun civile, presi il veicolo in mia custodia e misi l'accusato sotto arresto.

Ho portato l'accusato e l'automobile al Quartier Generale in Napoli, dove appresi che l'automobile era precedentemente in possesso del Tenente Colonnello Kraege, S.O.A.O. Naples City.

F.to: C.W. Campbell.

NO-1900072. Lieut. Col. Carl A. Kraege Allied Military Government
Presentemente Ufficiale Senior degli Armati Civili
Naples City, Missouri:

Giovedì 14 Ottobre 1943 io conducevo un'automobile "Jeep" di proprietà del Governo Militare Alleato e la lasciai nel cortile del municipio a Napoli alle 10. Mi portai all'ufficio al secondo piano e dopo dieci minuti quando scoprii che era stata portata via. Chiesi della informazione ma non mi riuscì di apprendere nulla in riguardo se fosse stato preso o da personale nel mio ufficio. Feci quindi denuncia che l'automobile era stata rubata.

Il mercoledì 27 Ottobre 1943, appresi che l'automobile era stata portata al Governo Militare Alleato a Napoli. Nella stessa data il Capitano C. W. Campbell C.A.O. Avellino venne nel mio ufficio con l'accusa che il DI GUGLIELMO, Capitano Campbell ha fatto la dichiarazione come sopra.

Col. Kraege directs that this man be detained on this charge.

Il Colonnello Kraege chiede che il Di Guglielmo sia arrestato per l'accusa sopra indicata.

Walter Doherty
Lieut. Col.

29 Oct 1943

Copy 1 of letter
in 14 Oct 1943
to the
No 341

193
 (If not sufficient space on this form for the notes of evidence, other sheets should be attached and evidence for prosecution marked Exhibit B and evidence for Accused marked Exhibit C).

EVIDENCE FOR PROSECUTION

① Capt. Campbell (U.S. Army) assigned to AMGAs CAO Avellino Province, having been duly sworn, stated in substance as follows; That on the 27th of October, he saw accused in the Office of Major Sisson at Avellino. Accused had requested permission for a car which he described as an Army car. Asked why he had come for permission for this car, accused stated he had been advised by carabinieri to do so. Further inquiry revealed that the accused had taken the car from the Municipio at Naples some time earlier and he alleged that the car had been loaned to him by an officer in Naples and he desired to return the car to that city. He showed us two notes, (1) A permit signed by a "Capt. Dixon" which allegedly authorized the accused to take a trip beyond the 10 km limit for one day, some weeks earlier.

(2) A writing (Now in evidence) signed by "V. Sheehan Lt. Col. A.C." addressed to AMG., explaining that accused is desirous of joining Allied Air Force, and requesting further assistance for him.

I later went with accused to location where car was parked and later accompanied him to Naples, turning him over to Lt. Colonel Doherty, CAPO., when it was learned that the car that he was in possession of had been stolen from the Municipio, Naples on 14 October 1943.

② Lt. Col. Doherty (British Army), assigned to AMG, as CAPO Naples City, having been duly sworn, stated in substance as follows; I saw the "jeep" on the 27th after the accused had been turned over to me, and identified it as the car stolen and reported to my office on October 14, 1943. Accused stated that he had taken the car on October 14, 1943 after receiving permission to use same from an Italian Speaking (U.S. Lt.) at the Municipio. On the following day 28 October 1943, I paraded all of the Italian Speaking Officers together with some additional officers who were on duty at the Municipio on 14 October 1943 before accused, but he failed to identify any of them as the officer who had given such permission to take the car in question.

Prosecution granted concession to accused that letter allegedly given accused by Captain Dixon, and which cannot at present be located, was in existence and authorized accused to travel for one day "date unknown" but conceded by both accused and prosecution to be valid for one day only at some date prior to 14 October 1943.

W. Light

① Capt. Campbell (U.S. Army) assigned to ANCMas CAO Avellino Province, having been duly sworn, stated in substance as follows; That on the 27th of October, he saw accused in the Office of Major Sisson at Avellino. Accused had requested permission for a car which he described as an Army car. Asked why he had come for permission for this car, accused stated he had been advised by carabinieri to do so. Further inquiry revealed that the accused had taken the car from the Municipio at Naples some time earlier and he alleged that the car had been loaned to him by an officer in Naples and he desired to return the car to that city. He showed us two notes, (1) A permit signed by a "Capt. Dixon" which allegedly authorized the accused to take a trip beyond the 10 km limit for one day, some weeks earlier.

(2) A writing (now in evidence) signed by "V. Sheehan Lt. Col. A.C." addressed to AMG., explaining that accused is desirous of joining Allied Air Force, and requesting further assistance for him.

I later went with accused to location where car was parked and later accompanied him to Naples, turning him over to Lt. Colonel Doherty, CAPO., when it was learned that the car that he was in possession of had been stolen from the Municipio, Naples on 14 October 1943.

② Lt. Col. Doherty (British Army), assigned to AMG, as CAPO Naples City, having been duly sworn, stated in substance as follows; I saw the "jeep" on the 27th after the accused had been turned over to me, and identified it as the car stolen and reported to my office on October 14, 1943. Accused stated that he had taken the car on October 14, 1943 after receiving permission to use same from AMG an Italian Speaking (U.S. Lt.) at the Municipio. On the following day 23 October 1943, I paraded all of the Italian Speaking Officers together with some additional officers who were on duty at the Municipio on 14 October 1943 before accused, but he failed to identify any of them as the officer who had given them permission to take the car in question.

Prosecution granted concession to accused that letter allegedly given accused by Captain Dixon, and which cannot at present be located, was in existence and authorized accused to travel for one day "date unknown" but conceded by both accused and prosecution to be valid for one day only at some date prior to 14 October 1943.

Handwritten signature/initials

EVIDENCE FOR ACCUSED

Accused, after having been duly sworn and all his rights explained to him, stated in substance as follows;

He admitted having taken the "jeep" from the vicinity of the Municipio, Naples on 14th October 1943. He further admitted that the car was in his possession at all times between 14th October and the 27th of October 1943. He further stated that he had no intention of stealing same, believing that the authorization he had received, to use same for his own purposes was sufficient for its usage. He thought that such authority as was given him by an unidentified, American Army Officer within the precincts of the Municipio at Naples was good enough. He stated that he would not be in trouble if he was able to find the officer. He stated that throughout the entire time he had acted only in good faith.

Cross-examination- by prosecution- accused was asked if it was his understanding that the sole purpose for which the alleged loan of the car was made was to return to his home and pick up certain personal effects. The answer of the accused was, "yes". Asked if those effects were picked up and were in his possession at any time during the period that he had possession of the car. The answer and various ~~responses~~ responses to questions directed to the accused in order to elicit a direct answer to this question were very evasive, and no direct answers could be elicited.

At this point the court called a recess and deemed it advisable to remand accused to prison to await trial by an allied Military Court having greater jurisdiction. Application for bail was made by attorney for accused and was ~~sent~~ fixed at 25000 lire. Failure of accused to post bail as indicated, accused was transferred to Poggioreale Prison to await further disposition of the case.

Written Statement by Accused's Attorney Attached

to Proceedings

W. J. [unclear]

CASE FOR THE DEFENSE.

192

MAPOLETTANO, was sworn and testified substantially as follows:-- I am a resident of the Province of Naples. I know the accused. I met him the morning of 13 Oct 1945. He was with 2 American soldiers. He told the soldiers to talk with me. I asked him what he was doing. He said he had joined the American Forces and was at the Goodfellow Airport. - On Cross-examination, I do not know if they were officers or soldiers.

Zingola, Mario, was sworn and testified substantially as follows:-- I live at Via Nuova del Campo, Casa Sabotino, in Naples. It is near the Goodfellow Airport. I know the accused. Officers of the American Command lived in the same house underneath where I live. I had occasion to meet the accused there in company of American officers and Col Sheehan. Before the accused left he said that he was going to America soon. Col Sheehan left at the end of October and he was told that he went to Caserta. He was a tall, blond man rather heavy-set. - Since I lived right above, I heard many of the officers call him Col Sheehan.

ACQUARONE, Mario, was sworn and testified substantially as follows:-- I am a resident of the Sublime Society. I know the accused. I met him in Caserta. I met him on the 20th of October, 1945, and asked him what he was doing with the army. He said he had joined the American Forces and was in the American Forces. He told me that he was returning to Naples. He said he had the car with him and that he would return to Caserta with the car. I know his family and it is a good family. His father has worked in Africa. The accused was an officer in the Italian Air Force. Before that he was a student at the university.

The court explained to the accused his rights in regard to making a statement, and, having elected to make a statement, he was sworn and testified substantially as follows:-- I studied at Naples University for 1 year for a degree in political science. Then, I was called to the Italian Air Force. I was a 2nd Lieutenant. At the end of June last, I was given a leave until the first of October. Then came the Armistice and I never went back. As a result the Americans came in I went to join them. I was sent to the Goodfellow Airport. During the time the Germans were here, I had to hide as they would not send me away. When the Americans came, I was happy to join them. When this trial is over, I want to return to the American Forces. I found out that my father was missing while I was at the airport. I went to Col Sheehan and asked for leave. He gave me permission to go home. He gave me a letter to him so they would give me transportation. I went to the Command of the 1st Air Force, I met an officer who read Col Sheehan's letter and then told me to take a car and go home. There was a crowd in the office. I thought in good faith that I had permission to take the car. I left Naples and went to Caserta in the Province of Naples. I had been employed there as an accountant and I went to resign the position. I was there several days and then went to Ardea. I was to return to the airport. I November 1945. On 17 Oct 1945, I left Ardea to go to Ardea. I went to the Air Force. I had heard that I was accused by some of the fascists of assisting the car. I was worried and to show my innocence and that I had a right to possession of the car, I went to Ardea. I wanted to clear the situation. I asked permission to go back to Naples with the same car. I have found that Col Sheehan is in Caserta. I wanted to call him as a witness but it was not possible to go to Caserta. I thought an American officer had given me permission to use the car. Then, I thought myself a member of the American Air Force. For these reasons, I thought I could

Zingali, Babilio, was sworn and testified substantially as follows: - I live at Via Nuova del Sacco, Casa Geronzi, in Avellino. It is near the Ospedale di Avellino. I know the accused, Giuseppe Geronzi, and I lived in the same house until about 1943. I had occasion to meet the accused there in company of American officers and Col. Sheeran. Before his arrest, he came and told me that he would return to Avellino. I know his name and I was told that he was in Caserta. He was a tall, blond man, rather heavy-set, with a very prominent nose. - Since I lived right above, I heard many of the officers call him Col. Sheeran.

ADDETTA, Babilio, was sworn and testified substantially as follows: - I am a resident of the Public Security. I know the accused. I met him in Avellino. I met him on the night of October 27, 1943, and asked him what he was doing with the jeep. He said he had joined the American Forces and was in the hospital. He told me that he was returning to Avellino. He said he had the car with him and that he would return to Avellino with the car. I know his family and it is a good family. His father was reported missing in action. The accused was an officer in the Italian Air Force. Before that he was a student at the university.

The court explained to the accused his rights in regard to making a statement, and, being elected to make a statement, he was sworn and testified substantially as follows: - I studied at Naples University for 5 years for a degree in Political Science. Then, I was called to the Italian Air Force. I was a 2nd Lieutenant. At the end of June 1943, I was given a leave until the first of October. Then came the Armistice and I never went back. As I was the Americans came to Avellino. I was called to join them. I had to leave 98 they would not let me go. When the Americans came, I was happy to join them. When this trial is over, I want to return to the American Forces. I found out that my father was missing while I was at the airport. I went to Col. Sheeran and asked for leave. He gave me permission to go home. He gave me a letter to ask if they would give me transportation. I went to the Command of AFM. In the hall, I met an officer who read Col. Sheeran's letter and then told me to take a car and go home. There was a crowd in the office. I brought in good faith that I had permission to take the car. I left Naples and went to Caserta in the Province of Naples. I had been employed there as an accountant and I went to design the position. I was there several days and then went to Avellino. I was to return to the airport 1 November 1943. On 27 Oct 1943, I left Avellino to go to Avellino. I went to the AFM because I had heard that I was accused by some of the Fascists of stealing the car. I was worried and to show my innocence and that I had a right to possession of the car, I went to Avellino. I wanted to clarify the situation. I asked permission to go back to Naples with the same car. I have found that Col. Sheeran is in Caserta. I wanted to call him as a witness but it was not possible to go to Caserta. I thought an American Officer had given me permission to use the car. Then, I thought myself a member of the American Air Force. For these reasons, I thought I could take the car. --On Cross examination: -The police at Avellino did not question me about the car. I went to the Carabinieri and said I would go to Avellino to clear up the talk about my stealing the car. I went to Avellino because I knew that the police were going to seize the car.

The defense offered in evidence the document marked for identification accused Exhibit I, which was received; there being no objection by the Prosecution.

John D. Chapman, Lt. Col.
President and of the number
Superior Military Court

PLEAS OF THE ACCUSED

The accused <u>Di Guglielmo, Renato</u>	pleads <u>NOT GUILTY</u>	to the
first charge; pleads	to the second charge; pleads	to the
third charge.		
The accused	pleads	to the
first charge; pleads	to the second charge; pleads	to the
third charge.		
The accused	pleads	to the
first charge; pleads	to the second charge; pleads	to the
third charge.		

FINDINGS OF THE COURT

The accused Di Guglielmo, Renato is found guilty / ~~not guilty~~ of the first charge; guilty / ~~not guilty~~ of the second charge; guilty / ~~not guilty~~ of the third charge.

The accused is found guilty / ~~not guilty~~ of the first charge; guilty / ~~not guilty~~ of the second charge; guilty / ~~not guilty~~ of the third charge.

The accused is found guilty / ~~not guilty~~ of the first charge; ~~guilty / not guilty of the second charge; guilty / not guilty of the third charge.~~

SENTENCE OF THE COURT

The Court sentences the accused Di Guglielmo, Renato to be imprisoned for a term of five (5) years from the date of December, 1963 and to pay a fine of \$5000.00 in respect of all offences charged in the above proceedings of which the said accused has been found guilty.

The Court sentences the accused

to in respect of all offences charged in the above proceedings of which the said accused has been found guilty.

The Court sentences the accused

to in respect of all offences charged in the above proceedings of which the said accused has been found guilty.

REVIEW

On appeal I refer to confirm finding on first charge. I confirm finding on second charge and reduce sentence to one of 6 months imprisonment and for fine of 20,000 L (twenty thousand L) or in default a further 3 months imprisonment.

Signature

194

Dated

first charge; pleads to the second charge; pleads to the third charge.
The accused pleads to the first charge; pleads to the second charge; pleads to the third charge.

FINDINGS OF THE COURT

The accused is found guilty / not guilty of the first charge;
guilty / ~~not guilty~~ of the second charge; ~~guilty / not guilty~~ of the third charge.
The accused ~~is found guilty / not guilty~~ of the first charge;
guilty / not guilty of the second charge; guilty / not guilty of the third charge.
The accused ~~is found guilty / not guilty~~ of the first charge;
~~guilty / not guilty~~ of the second charge; guilty / not guilty of the third charge.

SENTENCE OF THE COURT

The Court sentences the accused to be imprisoned for a term of five (5) years from the end of December, 1972, and to pay a fine of \$20,000 and if the fine is not paid before the expiration of the term of 5 years, to serve an additional 1 year in prison.
The Court sentences the accused

to
in respect of all offences charged in the above proceedings of which the said accused has been found guilty.
The Court sentences the accused
to
in respect of all offences charged in the above proceedings of which the said accused has been found guilty.

REVIEW

On appeal I refuse to confirm finding on first charge. I confirm finding on second charge and reduce sentence to one of 6 months imprisonment and a fine of 20,000 L (twenty thousand L) or in default a further 3 months imprisonment.

Dated 194

Signature

28/Jan 73

M. S. Lush, Brierley
Deputy

CONFIRMATION OF DEATH SENTENCE

Dated

194

Signature

M E M O.

191

D.C.C.A.O.

24 December 43.

Herewith Application for Review and Record of Proceedings in the case of MANZO Achille who was convicted of the illegal possession of firearms and ammunition and was sentenced to two years' imprisonment by a Superior Military Court.

The defendant pleaded guilty and admitted that the property was found in his house but denied that he knew it was there. The observation of the trial court that there was no hostile intention on the part of the accused (Form 8, P.4.) and that the only clearly established proof was that the defendant made no effort to determine whether there were arms on the premises (Form 11, P1) leads me to feel that the term of imprisonment is excessive. The extensive evidence on "character" may not have substantially affected the Court's sentence, but it seems doubtful that so much potentially prejudicial evidence could be entirely disregarded.

I recommend that the sentence be reduced to one year's imprisonment.

Wm. D. Howe

Mark Dew. Howe, Major, AUS,
Chief Legal Officer.

ES.

*J. Agnew**MS/27/44/43*

41

To: C. L. O., A. M. S. Hq., 15 Army Group
1. Forwarded.

190

Edwin J. Mercer

EDWIN J. MERCER, Major, 8th Army
SENIOR LEGAL OFFICER A.M.S. 8th ARMY
ALLIED MILITARY GOVERNMENT

APPLICATION FOR REVIEW OF SENTENCE

(To be used for Review of Cases tried in either Allied Military or Italian Courts)

NOTE: This form must be filed within 30 days of Sentence.

PROVINCE OF Campobasso
Superior Court of Campobasso

Name of Accused Manzo Achille fu Antonio
Address of Accused S. Felice Slayo
Date of Arrest 30-11-43
Charge Had in his possession firearms, viz. one Mouser pistol,
one Beretta pistol and ammunition.
Date of Trial 30-11-43 Adj. 3-12-43 Date of Sentence 3-12-43
Sentence Two years' prison
Name of Judge and Court Maj. E.J. Mercer, Senior Legal Officer 8th Army;
Superior Court Campobasso.

Reasons for Application The charges having been reduced to that of the omitted
consignment of two pistols, the Court should have acquitted Manzo, at
least on insufficiency of proofs, having been shown by the evidence,
regarding one of the pistols, that Manzo did not know that he was de-
taining it, for the reason that his chambermaid had put it at the bottom

Date 194 (over)
(Signature of Accused or of his Attorney)

REMARKS BY TRIAL JUDGE, PROVINCIAL SENIOR LEGAL OFFICER, OR PROCURATORE.
IF APPLICABLE.

The court found, that, giving the accused the benefit
of all of the evidence introduced in his behalf, it was
at least established that accused made no effort to acquire
or verify the provenance of the arms in his possession, that he
deliberately withheld that from the court.

(Signature and Description)
Edwin J. Mercer
Major, A.M.S.

DECISION OF CHIEF CIVIL AFFAIRS OFFICER as Superior Court,
To: (Judge General) Sentence reduced to 2 years

NOTE: This form must be filed within 30 days of Sentence.

PROVINCE OF Campobasso
Superior Court of Campobasso

Name of Accused Manzo Achille fu Antonio

Address of Accused S. Felice Slayo

Date of Arrest 30-11-43

Charge Had in his possession firearms, viz. one Mouser pistol,
one Beretta pistol and ammunition.

Date of Trial 30-11-43 Adj. 3-12-43 Date of Sentence 3-12-43

Sentence Two years' prison

Name of Judge and Court Maj. E.J. Mercer, Senior Legal Officer 8th Army;
Superior Court Campobasso.

Reasons for Application The charges having been reduced to that of the omitted
consignment of two pistols, the Court should have acquitted Manzo, at
least on insufficiency of proofs, having been shown by the evidence,
regarding one of the pistols, that Manzo did not know that he was de-
taining it, for the reason that his chambermaid had put it at the bottom

Date 194

(Signature of Accused or of his Attorney)
(over)

REMARKS BY TRIAL JUDGE, PROVINCIAL SENIOR LEGAL OFFICER, OR PROCURATORE,
IF APPLICABLE.

The court found, that, giving the accused the benefit
of all of the evidence introduced in his trial, it was
at least established that accused made no effort to examine
or verify the provenance of gun arms in his possession, that he
deliberately withheld pistol gun shells.

Date 194

(Signature and Description)

Signature of Mercer
Maj. E.J. Mercer
DECISION OF CHIEF CIVIL AFFAIRS OFFICER as Superior Court,

Finding confirmed. Sentence reduced to one
year's imprisonment with effect from Dec. 3, 1943

Date 27/12/43 194

M. S. (1943) Brigadier,
Sectro.

NOTE: This form will be submitted to the Senior Legal Officer of the Province.
Atto. 15 Army Court

A 22 A HEADQUARTERS A.G. CASE NO. 85

of a box containing carpets, when the transportation of household goods to San Felice Slavo was effected and the chambermaid did not even remember of having placed the pistol there. Regarding the other pistol which was the property of one Romeo Zara who had left with the accused two pistols, one of which was withdrawn by the father of the last named person who brought it to the Municipal Hall where Manzo had occasion to see it, Manzo had a reason to believe that the other pistol too had been withdrawn by the father of the owner and duly consigned.

It is certain however that Manzo surrendered a modern shotgun, which he would not have done if he had meant to disobey the law.

Col. Manzo, in substance, if he has violated the law, has done it without any intention of doing it.

If all that has been stated, however, does not give Manzo any right to an acquittal, it should give him at least a right to a lesser penalty than the one to which he has been condemned.

Therefore, a just reduction of such penalty is asked for.
Campobasso, 13 Dec. 1943.

ISTANZA PER REVISIONE DI SENTENZA

(In uso per la revisione delle cause giudicate davanti i Tribunali Militari o Corti Italiane)

NOTE: Questo stampato deve essere presentato nel termine di 30 giorni dalla sentenza.

PROVINCIA DI

FINANCIAL

Nome dell'incaricato

Indirizzo dell'accreditato

Data di arresto 30-11-'43

Imputazione Had in his possession fire arms, viz. One Mosser
pistol, one Beretta pistol and ammunitions

Data del dibattimento	30-11-43 Adj. 3-12-43	Data della sentenza	Superior Court 3-12-43

2 years prison

Nome del Giudice o del Tribunale Maj: E. J. Mercer Superior Court Campobasso

Motivi per la istanza

Presetta l'imputazione a quella di mancata consegna di un
involucello, se bene quelle dovute al Signor M. erano almeno per un soffio diverse in
numero, eppure in parte usate, a proposito di una delle due invettive, che si fanno
contra i signori di detronia, si querela la estraneità d'ogni signora di famiglia ad
una coppia di fratelli all'occorrenza giurisdici, a spaziosità anche per loro stessi a d. P.
E. e non si vedeva neppure di persona di persona di persona, che non
si presentasse di tale Antonio Zano, il quale si era messo a fare un

2000

10

Prima dell'acquisto o del suo Preliminare

OSSERVAZIONI DEL GIUDICE CHE HA PRESIEDUTO AL PROCESSO, O DELL'UFFICIALE SUPERIORE ADDETTO ALLA GIUSTIZIA DELLA PROVINCIA, OBENE DEL PROCURATORE, SE NECESSARIO.

1024

—

Abstract

DECISIONE DELL'UFFICIALE CAPO DEGLI AFFARI CIVILI

NOTA: Questo stampato deve essere presentato nel termine di 30 giorni dalla sentenza.

PROVINCIA DI

TRIBUNALE DI

Nome dell'accusato

Maurizio Achilli fu Antonio

Indirizzo dell'accusato

S. Felice Stavo

Data di arresto

30-11-'43

Imputazione *Had in his possession fire arms, viz. One Mosser pistol, one Beretta pistol and ammunition*

Data del dibattimento

30-11-43 Adj. 3-12-43

Data della sentenza

Superior Court 3-12-43

Condanna

2 years prison

Nome del Giudice e del Tribunale

Maj. E. J. Mercer Superior Court Campobasso

Motivi per la istanza

Richiesta di impunità per quella di mano a consegna di due pistole, se Enke avrebbe dovuto apporre il nuovo almanac per i giudici circa la parte, e quindi i nuovi, a proposito di una delle due pistole, che si erano non erano in possesso, si querelò la commissione d'inchiesta separata in prima ad una copia di tutti, allargando i termini a disposizione, parte del suo bene, e della e che, e non avevano appreso di avere il caso, si è proposto di altri, che non di più presto di fare tutto ciò, e per la sua commissione d'inchiesta, che non

Data

191

(Firma dell'accusato o del suo Procuratore)

OSSERVAZIONI DEL GIUDICE CHE HA PRESIEDUTO AL PROCESSO, O DELL'UFFICIALE SUPERIORE ADDETTO ALLA GIUSTIZIA DELLA PROVINCIA, OBENE DEL PROCURATORE, SE NECESSARIO.

Data

191

(Firma e qualità)

DECISIONE DELL'UFFICIALE CAPO DEGLI AFFARI CIVILI

Data

191

NOTA: Questo stampato dovrà essere sottoposto all'approvazione dell'Ufficiale Superiore addetto alla Giustizia della Provincia.

J. delle quali una venne poi ritirata dal padre, che
 la consegnò al nunzio, con il quale si mangiò. La
 vide, per cui ritenne che anche l'altra si ritirava
 stata ritirata e consegnata. E' certo, del resto, che se
 il mio compagno egiziano che mi mandò fu
 ancora, e che non avrebbe fatto, se avesse voluto, lo
 al comando della legge. Le colonie sono, in
 maniera, che la violata la legge, non lo ha fatto in
 niente.

Le ero, ad ogni modo, non gli dava diritto alla
 applicazione, gli dava per lo meno diritto ad una pena
 molto inferiore a quella comminata. E chiede, per-
 tanto, un'equa ritorsione della medesima.

Campobasso, 13 dicembre 1943

Dr. Francesco Cotto

GOVERNO MILITARE ALLEATO

FOGLIO DI ACCUSA

Place S. Felice Slavo
(Luogo)

Date 28th November, 1943
(Data)

LANZO Achille

(Name of Dependant)
(Nome dell'accusato)

S. Felice Slavo

(Address)
(Indirizzo)

Is hereby charged with the following offenses:

è qui accusato delle offese seguenti:

First Charge Violation of Proclamation 2, Art. 1 Section 5, and Art. 11, Section 40.

Particulars:

For that he did have in his possession firearms, viz. one Mauser pistol, one Beretta pistol and ammunition, after the date fixed by public notice for all arms to be handed in to Guardia Municipale, at S. Second Charge Felice on 28th November, 43.

Particulars: For that he did have in his possession property of the Allied Forces, viz. two tins of sterilizer tablets, one tin of tea, quantity of sugar and salt

TRADUZIONE

Prima accusa: Violazione del Proclama 2, Art. 1 Sez. 5 ed Art. 11, Sez. 40
In quanto che egli aveva in suo possesso armi da fuoco, cioè una pistola Mauser, una pistola Beretta e munizioni, dopo la data fissata per il deposito di tutte le armi, con avviso pubblico nelle mani della Guardia Municipale, in San Felice, il 28 Nov. '43.

Seconda accusa: In quanto che egli aveva in suo possesso proprietà delle Forze Alleate cioè è due scatole di tablette sterilizzanti una scatola di tee quantitativi di sale e cucchero.

Se non tradotto dall'Ufficiale, Voi dovete farvelo tradurre da un amico o presso qualsiasi Ufficio di Questura).

Le suddette accuse sono riferite a processo davanti A.M.G. Summaria by Law

Cam. Lab...

1330

28th November, 1943

Place S. Felice Slavo

Date
(Data)

S. Felice Slavo

MANO Achille

(Address)
(Indirizzo)

(Name of Dependant)
(Nome dell'accusato)

Is hereby charged with the following offenses:

è qui accusato delle offese seguenti:

First Charge Violation of Proclamation 2, Art. 1 Section 5, and Art. 11, Section 40.

Particulars: For that he did have in his possession firearms, viz. one Mauser pistol, one Beretta pistol and ammunition, after the date fixed by public notice for all arms to be handed in to Guardia Municipale, at S. Second Charge Felice on 28th November, 43.

Particulars: For that he did have in his possession property of the Allied Forces, viz. two tins of sterilizer tablets, one tin of tea, quantity of sugar and salt.

TRADUZIONE

Prima accusa: Violazione del Proclama 2, Art. 1 Sez. 5 ed Art. 11, Sez. 40 In quanto che egli aveva in suo possesso armi da fuoco, cioè una pistola Mauser, una pistola Beretta e munizioni, dopo la data fissata per il deposito di tutte le armi, con avviso pubblico, nelle mani della Guardia Municipale, in San Felice, il 28 Nov. '43.

Seconda accusa: In quando che egli aveva in suo possesso proprietà delle Forze Alleate cio' è due scatole di tablette sterilizzanti una scatola di tee quantitativi di sale e cuchero.

Se non tradotto dall'Ufficiale, Voi dovete farvelo tradurre da un amico o presso qualsiasi Ufficio di Questura).

Le suddette accuse sono riferite a processo davanti A.M.G. Summary Court

Camposano
(Name and address of court)
(Nome ed indirizzo della Corte)



Per ordine

F. Furling Cass.
Giudice, Tribunale Militare Inferiore o altro
individuo autorizzato.

Do you mean to say that you
and this other person
were the English in the village

1,230 lines

Why don't they go to Rome?

How do you know?

Why did you not send
me to Guantánamo?

Why was Myer's skeleton
in the bottom of the hole?

Why were the other skeletons
in the hole?

Why were they in the hole?
And what happened in the hole?

Did you not say the skeleton
was from the bones of S. F. ...

How about all your paper

Why did they go to Russia
to increase in participation?

Why did you not hand
over to the American people?

Why was Maxine Shulman
a victim of the

Why were both of these people
children?

Why were they hidden
and not kept in custody?

Did you not say the Bay
was for the poor the likes of S. F. L.

You stole all your paper
were destroyed and you were
able to obtain a large
number of slaves.

Annex I.

Prov. C.A.P.O.

Campobasso.

186

Subject: Visit to S.Felice Slavo.

To: Major Talbot, S.C.A.O. Campobasso.

On 28th November, 1943, I visited S.Felice Slavo, and interviewed about fifteen of the villagers, including the parish priest, local school master, miller etc.. All complained of the treatment by the Commissario di Prefetizzio towards them, of his Fascist tendencies and of a speech he made to the people hostile and disrespectful to the Allied Forces.

Two statements were taken by me, one from the parish priest stating briefly that he told the villagers not to sell eggs and chickens to the English troops as the money they give is of no value, also advised them to keep their grain and not send to the Amasso, where it will be carted away from the village. Another written statement was obtained from a refugee now residing in S.Felice, who stated that he was also present in the church when the Commissario had spoken and had heard him say, "The orders given us by the Military Command directs us to give up all weapons to the English command. It does not interest me whether you give up the weapons". He also confirmed the statement of the priest respecting the sale of eggs and chickens to the troops. (Statements to be used in Court proceedings)

I then went to the house of the Commissario, Manso Achille, accompanied by Lt. Liddle and my interpreter, Franta Kohn. I said to him: "Many of the villagers have made complaints against you, and are opposed to you remaining in office. What is the reason for this?" He replied that the villagers were very difficult and would not do what he told them, also that he would be pleased to relinquish his office. I then asked him whether the firearms in possession of civilians had been handed in. To this he replied that they had been given up to the Guardia Municipale. (This I knew as I had inspected a cupboard in the Municipio, where there were a number of rifles, shotguns, pistols etc., all labelled by the Guardia). He was then asked whether he was still in possession of any firearms, and he answered, "No". I told him I intended to search his house, which we at once began to do. There were a number of large trunks in the hall, one of these was full of clothing and at the bottom was found a Mauser pistol. In the bedroom of his female secretary, under a bath towel in the bottom drawer of

185

a chest of drawers was found a Beretta pistol, two boxes of cartridges, a packet of pistol bullets, a sack of sugar, a sack of salt, a cake tin full of tea, a Field Dressing, two tins of water sterilizers, the property of the Allied Forces. On discovering the Mauser, I asked whether he had any other firearms and received a negative reply. He admitted the sugar, tea and salt had been obtained from an English unit. When the pistol was found, he said to his secretary, "I have always told Romeo to take the pistol away". He was then arrested by me.

All the leading villagers were later assembled in the Municipio, and told to elect a new Commissario di Prefetizzio, and that they would be held responsible for the future behaviour of the community. After a short discussion, Signor ROSSI Antonino, a farmer, was elected. He appeared to me an honest and clean type of man, and suitable for the position. The Segretario Comunale, Rossi Domenica, no relative of the Commissario, is stated to have been the secretary to the Fascist party at Montefalcone, and from his appearance does not appear very trustworthy or suitable; I would suggest that the Prefect is asked to nominate another man for this post.

F. Rumbold Capt.

29.11.43

36

Annex #2

FURTHER CHARGE

184

GOVERNMENT MILITARY ALLIATE

FOGLIO DI ACCUSA

Place S. Felice Slavo Date 28th November, 1943
(Luogo) (Data)

MANZO Achille S. Felice Slavo
(Name of Dependant) (Address)
(Nome dell'accusato) (Indirizzo)

Is hereby charged with the following offenses:

è qui accusato delle offese seguenti:

First Charge Violation of Proclamation 2, Art. 11, Section 30

Particulars: For that he did utter words hostile and disrespectful towards the Armed Forces of the Allies on 2nd November and about 20th ~~November~~ ^{October} 1943.

Second Charge

Particulars:

(None specified)

TRADUZIONE

Prima accusa: Violazione dell'Proclama 2, Articolo 11, Sezione 30

Dettagli Per prononziare parole ~~hostile~~ in rispetto alle Forze Alleate 2 Novembre e circa 20 Novembre, 1943.

Seconda accusa:

Dettagli

35

Se non tradotto dall'Ufficiale, Voi dovete farvelo tradurre da un amico o presso qualsiasi Ufficio di Questura).

Le suddette accuse sono riferite a processo davanti A.M.C. Summary Court

Place S. Felice Slavo
(Luogo)

Date 23th November, 1943
(Data)

MANZO Achille

(Name of Dependant)
(Nome dell'accusato)

S. Felice Slavo

(Address)
(Indirizzo)

Is hereby charged with the following offenses:

è qui accusato delle offese seguenti:

First Charge Violation of Proclamation 2, Art. 11, Section 30

Particulars: For that he did utter words hostile and disrespectful towards the Armed Forces of the Allies on 2nd November and about 20th ~~November~~ ^{October}, 1943.

Second Charge

Particulars:

TRADUZIONE

Prima accusa:

Violazione dell'Proclama 2, Articolo 11, Sezione 30

Dettagli

Per prononziare parole ~~hostile~~ in rispetto alle Forze Alleate
2 Novembre e circa 20 Novembre, 1943.

Seconda accusa:

Dettagli

Se non tradotto dall'Ufficiale, Voi dovete farvelo tradurre da un amico o presso qualsiasi Ufficio di Questura).

Le suddette accuse sono riferite a processo davanti A.M.C. Summary Court
Campobasso.

(Name and address of court)
(Nome ed indirizzo della Corte)

Per ordine

Capt.

Giudice, Tribunale Militare Inferiore o altro
individuo autorizzato.

Deposizione del teste

Pizapia Giovanni di Agnello abitante
in S. Felice, è nato da Milano, 18 anni.
Professione stiratore.

Il giorno 2 novembre 1943 signor Colo-
nello Mauzo dichiarava nella chiesa
di questo Comune: "Le ~~dichiarava~~ delibe-
razioni del Comando Militare inglese
ci vin pone di consegnare, tutti colo-
no du abbiamo selle anni militari
o la caccia, codeste al Comando
inglese. Tra l'altro dichiarava du a
lui non sarebbe interessato a farlo
se questi anni non fossero state con-
segnate. Passando ad altro argomen-
to consigliava la popolazione
di astenersi dal consegnare pelli e
uova ai soldati inglesi essendo la
moneta non di nostro grati mezzogiorno.

Dichiaro du quanto sopra setto
corrisponde a quello du io ho
visita la matteina del 2 novembre
1943 ore 8 antimeridiane nella Chiesa
sa di S. Maria di S. Felice

in S. Felice, è foliato da
Professione
18 anni. Milano.

Il giorno 2 novembre 1943 il signor Colombo
nello Marzo dichiarava nella Chiesa
di questo Comune: "Le dichiarazioni delibe-
razioni del Comando Militare inglese
ci vincono si consegnare, tutti colo-
ro che abbiamo nelle armi militari
o la caccia, codeste al Comando
Inglese. Tra l'altro dichiarava che
lui non sarebbe interessato a fatto
se questi anni non fossero state con-
segnate. Passando ad altro argomen-
to consigliava la popolazione
di astenersi dal consegnare polli e
uova ai soldati inglesi essendola la
moneta non di nostro grato mercato.

Dichiaro che quanto sopra detto corrisponde a quello che io ho visto la mattina del 2 novembre 1943 ore 8 antimeridiane nell'Chiesa di S. Maria di S. Felice -

Snarpe Gier

Witness: F. Fendley Capt.

182

33

Exhibit (2)

Statement.

PIZAPIA GIOVANNI, residing at S. Felice, a refugee from Milan - occupation - resistance, "Per 2nd November 1943"

Colonel Mago said the following to the villagers in our church. "The orders given us by the English Military Commanders direct us to hand in all weapons to the English Command." Among other things he said, "It does not interest me with the go give the weapons up. Passing to another subject, he advised the population to abstain from giving up eggs or chickens to the English soldiers as the money they will give you is not to our liking." I confirm that what I have told you I heard on 2nd November 1943 at 8 o'clock in the church of S. Maria, in S. Felice.

Signed:

Exhibit (3)

181

San Felice Slavo il 2 Dicembre 1943. Io segretario Comunale di
San Felice Slavo dichiaro quanto segue:

Le armi erendeva in consegna il sig. Piccoli Michele di Giovanni
ed e' stato sorvegliato da sig. Achille Manso.

Chi ha portato da sua casa qui nel Municipio il fucile di Achille
Manso io non lo so però so che dalla prima stanza nella segreteria e
nel armadio delle armi ha portato lui il suo fucile. Nel
armadio ha detto: "QUESTO E' il mio fucile."

Dichiaro che questo che ho detto e' la pura verita che confermo con
giuramento a Dio; e alle leggi.

*Sponevato per il Segretario
confermo e giuro questa verità*

Testimone Rassi Antonino fu Gabriele

interprete: *Giuseppe Piccoli
Fucile Kolbe*

Di Gaetano
Witnessed by: *F. G. G. G.*

San Felice Slavo, 2. Dic. 43. I Communal Secretary of S. Felice
Slavo makes the following statement:

The arms were delivered to Mr. Piccoli Michele under the super-
vision of Mr. Manso Achille.

Who brought ~~the~~ Manso's gun from his house to
the Municipio I do not know, but I know that
he brought himself his gun from the front
room of the Secretary to the arms cupboard.
In doing this he said: This is my gun.
I declare that this is true and I confirm
it by oath to God and laws.

Exhibit 4

2
180

Genova Nicola son of Gaetano born on the 25th Aug. 1917 at S. Felice Slavo I am stating the following:

On November 2, 1943 I went to church at St. Felice Slavo to assist a mess. Col. Achille Manso acting as Commissario Prefettizio made a speech saying the following: (I did not know he was the Commissario) People of S. Felice, I wanted you in this Holy place where I would not be ~~allowed~~ allowed to take you in order to say a few words to your benefit. You know that we had a very bad time ~~when~~ when the Germans were here, ~~but I am not a German~~ bear in mind that I am not ~~a~~ a German but I know everybody here in St. Felice (" he is using an Italian expression, that is - I know my chicken at St. Felice) If you do not act as I want I will be able to find your weak point. Do not think I would not be able to find all what you were stealing from other people: don't think I am so stupid as the English are, you are selling chicken and eggs at 5 lira each to them, but ~~you~~ bear in your mind that that occupation currency has no value at all ("exactly : is not worth a stamp -)

Then he said:

~~Take care of your women~~ Take care of your women because those Indian soldiers have not seen women since a long time. Your women may be taken away by that naughty people. Speaking about the ~~good~~ grain and oil pool (ammasso) he said: it was on English authorities orders that the ammassi were to be put in force again.

About sales to troops he said: You may believe that the English are in need of what they are buying from you. That is not true: they buy only on the purpose of taking this away from you. Those people's stomach is not better than yours. You had better to save this food in case you will ~~get~~ get sick or that you will need it.

Each in usual form follows/.....

Exhibit 4

179

Genova Nicola di Gaetano nato il 25/8.1917 a San Felice Slavo
dichiaro quanto segue:

Il 2 Novembre 1943 mi rechiai in chiesa di San Felice Slavo per
udire la messa dei defunti dove dopo la Santa Messa il signor Col.
Achile Manso sotto forma di Vice Commissario Prefettizio dove io
non conosco la carica che lui vestiva dichiarava quanto segue:

Popolo di San Felice Vi ho riunito in questo luogo Santo dove non
potevo per dirvi poche parole in bene Vostro. Sapete bene che abbiamo
passato un periodo critico con i tedeschi pero' ricordatevi che io
non sono un tedesco ma bensì conosco tutti i miei polli per dir
meglio i polli di San Felice. Se Voi non fatte quanto dico io sapro
trovarvi il punto dove a Voi fa male. Non Vi credete che della roba
che vi avete eropriato degli altri io non ve lo ritrovo. Non Vi credete
che io sono fesso come i Inglesi che fatte i comodi Vostri che gli
vendete polli e uova per 5 lire ma ricordatevi bene che quella moneta
d' occupazione non vale xxx altro che un francobollo. Passando su un
altro argomento ha detto:

Pensate bene che i soldati indiani sono parecchi anni che non vedono
donne le donne di casa Vostra tensteveli ben a cura non mandatele da
soli perché possono esservi rubati da quella gentaglia. Parlando
del amasso del olio e grano ha detto/che era per ordine del Comando
del AMGOT Inglese che doveva essere ricostruito il amasso.
Parlando ancora della vendita agli Inglesi ha detto: Non Vi credete
stupidamente che I signori Inglesi abbiano bisogno di quello che
Voi gli vendete ma bensì lo fanno per mangiarsi il boconcano ma
io cio' da dirvi che la pancia di quella gente non é migliore della
nostra bensì fatte bene a tenervela per caso di qualche malattia
opure per quello che domani Vi potra fare comodo.

1384
Dichiaro quanto mi è detto
Mauri Felice e Giacomini lo Giuro

Genova Piccola
Witness by: F. Giacomini Costa.

Exhibit (5)

Vitta Nicola Giovanni nato a San Feli Slavo il 1885 4/3.

dichiaro quando segue e giuro su Dio:

Verso il 20 Ottobre 1943 di fronte al Municipio stavo con parecchi compagni fra loro anche Achille Manso quando passavano i Aeroplani Inglesi il Achille Manso ha detto: "Non scendono perche hanno paura, loro non sanno lavorare e hanno paura della guerra. Quando vedono il nemico scappano. Loro sanno fare la guerra solamente alle spalle dei altri.

Questa dichiarazione ho fatto da mia volonta e giuro di nuovo che e vera.

Witnessed by:
 interpretate: *Vittorio Vella* *7 witnesses left.*
Fuente Kohu

Vittorio Vella, son of the late Giovanni born at S. Felice Slavo, 4/3, 1885 makes the following statement under oath.

Towards 20. October 1943 I was standing in front of the municipio, with some comrades, between them Achille Manso, when British airplanes passed. Manso said: "They won't come down, because they are afraid, they don't know how to work and are afraid of the war. When they see the enemy, they run away. They know to make war only at the expense of the other people.

I have made this statement by my own free will and swear again that it is true.

8x7

Translation

177

It is present: Ferrante Palmerino *fu* Taverio,
33 years of age, shopkeeper, resident at S. Felice
Muro.

On the 2nd of November 1943 I was present
myself too in the church when Colonel Manzo
spoke to the people. Also English soldiers were
in the church. Manzo did not speak badly
of the English. He recommended the people to
bring the English only cocks, not hens because
otherwise no egg could be found. He said
also: "Do not believe that the English can
supply us with all we need. Therefore we
must care ourselves for the "ammassi" of grain
and oil."

Manzo is a most energetic type.

The Germans stole him 800,000 Lires. He
added that he did not care.

(Signed: Ferrante Palmerino
Rossi Antonino, witness) 128

Manzo said to Gorgetta Carmine that, for
all the time he was the "commissario", he was

no more allowed to soothway, but had to
labour

(signed: Ferrante Palmerino
Rossi Antonino, witness)

Es 7.
 È presente: Ferrante Palmisano 176
 fu Saverio, di Ca. 33, commerciante,
 da S. Felice Slavo.

D. R. mi trovasi anche io presente
 in Chiesa il 2 novembre u.s., quando
 il Colonnello Mango parlò al popolo.
 In Chiesa erano anche degli soldati In-
 glesi. Il Mango non parlò male degli
 Inglesi. Egli raccomandò alla popola-
 zione di portare agli Inglesi solo polli
 e non galline, perché altrimenti non
 si sarebbe più trovata una uovo. Disse
 anche: «Non aspettate che gli Inglesi possano
 provvedere a tutto ciò che vi occorre.
 Ecco perché bisogna provvedere agli
 animali del grano e dell'olio».
 Il Mango è un tipo molto
 energico.

I Tedeschi gli hanno portato via 27
 800.000 lire. Aggiungete che non se ne

era curato.

Errante Palmerino
Barric Antonino testé

A Mango disse a Piorge un
Comuni che non doveva fare
fu' il chirurgo, fu che
egli era commissario, ma lavorare.

Errante Palmerino
Barric Antonino testé

N 8

Translation

175

It is present Manco Giovannangelo P. Giovanni,
41 years of age, tax collector at S. Felice Mass.

I was continually in connection with Colonel
Manro. He never spoke badly of the English with
me.

He had a very rigid, military manner
towards the population.

He worked much, in order to have respected
the laws concerning the "ammassi".

As there were farmers who had to sow, but
had no seed, he tried to have the grain
from whom was obliged to deliver it, in order
to give it them by means of certificates. I
know that because I have been the manager
of the agriculture control office.

There were persons in the village who asked
1000 liras for a "quintale" of grain. He did
not permit this. On a morning, the following
scene took place. A producer (owner) had not
denounced the grain he had produced, and I
refused to give the grain for seed to his farmer.

who asked it from the 'commissario'. The colonel ordered the owner to deliver the grain, and as he protested, called immediately for the 'guardie' ordering them to perform a search, by means of which 11 quintals of grain were sequestered.

This naturally provoked hostile sentiments among the population.

(signed: Mauro Giovannangelo
Rossi Antonino, witness)

È ^{Es 8.} presenti: Manno Piovannangelo
 fu Piovanni, O. 41, esatore inf. ite 174
 D. S. Felice Slavo.

D. S. Io ero continuamente a
 contatto con il Colonnello Manno -
 Epi con cui non ha mai parlato
 male degli Inglesi.

~~Volere~~ Teneva un' conferenza della
 popolazione una contegno molto
 rigido, proprio militare.

Si è molto adoperato per fare
 rispettare le leggi degli americani.

Poiché vi erano agricoltori
 che dovevano di un' uva e non ave-
 vano seme, ha cercato di averne
 del grano da chi era tenuto a
 conferirlo per darlo ai poveri
 mediante buoni. Ciò mi consta
 perché io tenevo l'ufficio degli ²⁵

accertamenti agricoli.

En paese vi erano persone che
per un quintale di grano prete-
devano mille lire. Ora egli ~~cont~~
questo non permetteva. Una mattina
si verificò questo episodio. Un pro-
duttore non aveva denunciato il grano
^{prodotto} e si rifiutava di fornire il grano
per tenerlo al proprio magazzino, il
quale ne faceva richiesta al com-
missario. Questo allora invitò il
proprietario a mettere fuori il grano,
e poiché questo protestava, il
colonnello chiamò subito le guardie
e mandò a fare la perquisizione, che
fruttò il recupero di 11 q. di grano.
Ciò naturalmente provocò nel
sentimento della popolazione.

Finco. Giovanniangelo
Boris Antonino Testi

2x 9

Translation

173

It is present : Mastragostino Giuseppe for
Valentino, 55 years of age, miller, resident at
S. Felice Slavo, cousin-in-law of Manes.

Colonel Manes tried always to get some order
in the administration of the "comune", and in first
line to have respected the laws concerning the "ammus-
si". He said that it was necessary to care for
the towns where the citizens died from hunger,
because the English, being obliged to think for the
war, could not care for feeding all persons.

The farmers and much people which were
not in the habit of respecting the laws, were
scandalized by this resolute and energetic
manner.

He never spoke hostilely of the English. He al-
ways showed sentiments favorable to them
and hostile to the Germans.

(signed : Mastragostino Giuseppe
Rossi Antonio, witness)

24

Ex 9.

E' present: Mastropietro Giuseppe¹⁷²
 fu Valentino, di a. 55, mugugno, ret-
 tente in S. Felice Slavo, cognato cognato
 del Mungo.

Il Colonnello Mungo ha cercato sem-
 pre di riportare un po' di ordine nel-
 l'amministrazione del Comune, cercando
~~facendo~~ di far rispettare soprattutto
 le leggi riguardanti gli accusati.
 Egli diceva che bisognava pensare anche
 per le città, nelle quali i cittadini non
 riscono di fame, perché gli Inglesi,
 dovendo pensare a fare la guerra,
 non potevano pensare a dar da man-
 giare a tutti. ~~etc.~~

Questo atteggiamento risoluto ed
 energico ha irritato i contadini e
 molta gente, non abituata a rispet-²³
 tare le leggi.

non ha mai parlato contro gli Inglesi.
Ha sempre dimostrato sentimenti
favorevoli a questi e contrari ai
Tedeschi.

Il nostro testimone Giuseppe
Raggi Antonino Testi

Ex 6

Translation

171

It is present: Lara Giovanni fo Nicola,
44 years of age, 'guardia municipale', resident
at S. Felice Slavo.

On the 2nd of November 1943 I was present
in the church of S. Felice Slavo (S. Maria) when
Colonel Mauro Achille spoke to the persons gathered
there. I did not observe if there were also English
men, but I do not exclude it. I stood before the
others, and it may be that I have not seen
them. The colonel recommended the people to not
sell hens to the Indian troops because part of
them had been destroyed by the Germans, so
that, if also the others had been killed, there
would have been no more eggs. He said: If
you will give cocks, give them because they pay
them well. He explained well that he was speaking
of mail chickens.

On this occasion he recommended the people
to bring the grain to the 'ammasso', in order to
distribute it in the village to those who needed
it for seek, and to those who had only the
food cards. He recommended too to bring back
the oil taken from the 'ammasso' when the Ger-

mans were there.

He did not pronounce any word against the English.

He also said that he had performed a search in the house of the local political secretary, and that he had found there a large quantity of oil.

His sentiments were against the Germans. The Germans wished to have him with them, but he refused.

(signed : Giovanni Lara
Rossi Antonino, witness)

Ex c.

È presente: Zara Giovanni fu 170
Nicola, di a. 44, guardia municipale,
di S. Felice Slavo.

Il 2 novembre 1943 fui presente
nella Chiesa di S. Felice Slavo (S. Maria)
allorché il Colonnello Mungo Achille
parlò alle persone ivi raccolte. Non
vidi se vi erano anche difletti; ma non
lo escludo. Io ero davanti agli altri e
può darsi che non li abbia visti. Egli
raccomandò al popolo di non uccidere
~~gli~~ galline alle truppe indiane, per
che una parte era stata distrutta dai
tedeschi, per modo che, se pure le altre
fossero state uccise, non vi sarebbero
state più uova. Le volte dare polli, e li dà,
dateli pure, perché li pagano un pre-
zzo buono. Spiegò bene che si riferiva

va ai polli neri.

In quella occasione raccolsi
al popolo si conferiva il grano all'an-
nuario per distribuirlo ai bisognosi loca-
li per servizio ed a quelli che vivevano
con le carte annuarie. Raccomandando
anche di utilizzare l'olio preso dal
l'annuario, quando vi erano stati
i tedeschi.

Nessuna parola ebbe a pronunciare
contro gli Inglesi.

Inoltre disse che aveva fatto una
perquisizione di casa del segretario
politico locale e gli aveva trovato
una buona quantità di olio.

Egli era di sentimenti contrari
ai Tedeschi. Questi lo volevano
portare con loro; ma egli non ne volle
sapere. Giovanni Zana

To: C I O A M G Hq. 15 Army Group, thry S C A O - 8th Army 188
 1.- Forwarded. *Edwin J. Mercer* FORM No. 8
 EDWIN J. MERCER, Maj. Ord.
 SENIOR LEGAL OFFICER, A.M.G., 8th ARMY
 ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Campobasso

on the 30th day of Nov. 1943

Before Harry S. Pollard, Capt., S.R., C.A.O. (Name & rank of President
Members and/or Magistrate
constituting the Court)
 Campobasso as Summary Military Court, and
 BEFORE Edwin J. Mercer, Maj. Ord.
 Senior Legal Officer, A.M.G. 8th Army, as Superior Court.

REFERENCE No.

ACCUSED

Name: - MANSO, Achille

Address: - San Felice Salvo

Description: -

Occupation: - Colonel, "War Invalid" of last war

Age: - 52

INTERPRETERS

Name: Francis De Lellis and Victor Reiss

PROSECUTING OFFICER

Name: Capt. F. Rawling, Prov. C.A.P.O.

ADVOCATE FOR ACCUSED

Name: Francesco Colitto

CHARGE (S)

(Set out a brief statement of the charge together with the number of the Proclamation, Article and Section on which it is based).

39
 is duly sworn

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Campobasso

on the 30th day of Nov. 1943

Before Harry S. Pollard, Capt., S.R., C.A.O. (Name & rank of President
Members and/or Magistrate
constituting the Court)

Campobasso as Summary Military Court, and
BEFORE Edwin J. Mercer, Maj. Ord.

Senior Legal Officer, A.M.G. 8th Army, as Superior Court.

REFERENCE No.

ACCUSED

Name: MANSO, Achille

Address: San Felice Salvo

Description: .

Occupation: Colonel, " War Invalid" of last war

Age: 52

INTERPRETERS

Name: Francis De Iellis and Victor Reiss

PROSECUTING OFFICER

Name: Capt. E. Rawling, Prov. C.A.P.O.

ADVOCATE FOR ACCUSED

Name: Francesco Colitto

CHARGE (S)

(Set out a brief statement of the charge together with the number of the Proclamation, Article and Section on which it is based).

See Charge Sheet attached

The Charges are read and explained to each accused.

39
is duly sworn

12 Dec 1943
Approved by J.P.H.
J.P.H.

8

to the 1st charge

Guilty

to the 1st charge

nolle prosequi

to the 2nd charge

by Superior Court
nolle prossed to the 3rd cl
by Superior Court

to the 3rd charge

(Time, date and reasons for adjustments being made)

III.

• The

IL 2000

1000

7

pleads nolle prossed to the 2nd charge
by Superior Court.
pleads nolle prossed to the 3rd charge
by Superior Court

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)
Adjournment from 16.00 hours 30 Nov. '43 until 10.00 hours 3 Dec. '43
to enable Defense to obtain witnesses from San Felice Slavo, and
to enable Prosecution to secure additional evidence, and continued
by Superior Court 3 Dec. 1943

FINDINGS OF THE COURT

The Accused Referred to Superior Court for trial.
is found guilty/not guilty of the first charge.

The Accused
is found guilty/not guilty of the second charge.

The Accused
is found guilty/not guilty of the third charge.

*The accused is found guilty by Superior Court
of the first charge.*

The statement (if any) of the accused as to mitigation of punishment and the record of evidence
(if any) of the said accused as to character is attached.

SENTENCE OF THE COURT

The Court sentences the accused

to two years confinement in prison

in respect of all the offences charged in the above proceedings of which the said accused has been
found guilty.

James H. Wallace
Dec 5th 1943
(Signature of Judge of Allied Military Court)

William J. Spencer
for Supreme Court.

REVIEW

Date

194

Signature

169
cc
(If not sufficient space on this form for the notes of evidence, other sheets should be attached and evidence for prosecution marked Exhibit B and evidence for Accused marked Exhibit C).

EVIDENCE FOR PROSECUTION

Summary of testimony of Capt. Rawlings, C. A. P. O. Campobasso is attached as Annex No. 1.

Written statement of the Priest, received in evidence, is marked Exhibit No. 1 and attached.

CASE CONTINUED BY SUPERIOR COURT 3-12-43

Exhibits 3n4 and 5 offered in evidence by prosecution and received without objection as bearing on character only.

Exhibits 6, 7, 8 and 9 offered in evidence by accused and received without objection as bearing on character only.

One German 1914 Mauser pistol and one Italian Berretta pistol with clips and ammunition and two boxes of shotgun shells, offered in evidence by prosecution and received without objection.

Second charge was nolle prossed by court on ground that proof unsatisfactory and that it unduly confused the real issue.

Motion (Annex No. 2) to amend charges made by prosecution 3:12/43. Motion granted over protest of defense that insufficient opportunity allowed to prepare to meet same. Later this ruling of the court reconsidered and motion denied as it appeared that objection made by defense was meritorious.

Exhibits 1-9 inclusive were found by court to be relevant as it appeared that accused had put his character in evidence, but little weight was given same as neither side had given other opportunity to cross-examine.

EVIDENCE FOR ACCUSED

Defendant testified, admitting possession of German Mouser pistol and of Italian Berretta pistol, including ammunition of latter and ammunition for 7.65 cal. pistol; but claimed former was a souvenir and that he did not know it was in trunk, which had been packed in Rome by a domestic; and that latter pistol belonged to a friend, one Romeo, and defendant thought it had been removed by Romeo and turned into custody of Police at San Felice in obedience to order and proclamation, as defendant had personally seen pistol bearing name of Romeo in custody of Police subsequent to arms order and proclamation. Def. gave no explanation of possession of shotgun cartridges, but declared a shotgun and rifle had been surrendered to police by him.

Def. claimed to be and to have been friendly to English and Americans; and that sugar, salt, tea, etc. found in his possession had been given to him by a British officer, one Colonel White, R.A. who had stayed at defendant's residence, and by a Scotch Captain who also had stayed there for about ten days following White's departure. Claims he did not know what specific food commodities were left, nor amounts, but had been advised these officers were leaving food in return for courtesies extended them by deft.

Def. admitted having made public address in Church, but claims the statements (Exhibits 1 and 2) are distorted and misquote actual speech; he advised people not to sell hen chickens, as that would destroy opportunity to obtain eggs and new hatches for next spring but that cocks could be sold; that people should turn in grain to consortia and amassi, An response to demand made by Lt. Gilbert Green, A.M.G.O.C.; that remarks concerning cemetery referred to solemnity of occasion and desire to enlist cooperation in making necessary sacrifices. He stated his critics were those who desired to keep their grain; that priest making statement had refused to encourage people to turn in grain, tho it was customary for priests to make beneficial public announcements in church; that statement of young man (Ex. 2) was vengeful, as this chap had been denied a position in municipio by deft. Declared he could produce witnesses to confirm own version of speech and refute exhibit statements, so adjournment granted.

REMARKS OF SUPERIOR COURT:

Accused appears to the Court to be an exceptionally strong, intelligent and ruthless individual who essayed to be a dictator in his community and felt himself above the law. Court found no hostile intent in retention of arms and ammunition. He did surrender shotgun.

1387

Defendant testified, admitting possession of German Mouser pistol and of Italian Berretta pistol, including ammunition of latter and ammunition for 7.65 cal. pistol; but claimed former was a souvenir and that he did not know it was in trunk, which had been packed in Rome by a domestic; and that latter pistol belonged to a friend, one Romeo, and defendant thought it had been removed by Romeo and turned into custody of Police at San Felice in obedience to order and proclamation, as defendant had personally seen pistol bearing name of Romeo in custody of Police subsequent to arms order and proclamation. Def. gave no explanation of possession of shotgun cartridges, but declared a shotgun and rifle had been surrendered to police by him.

Def. claimed to be and to have been friendly to English and Americans; and that sugar, salt, tea, etc. found in his possession had been given to him by a British officer, one Colonel White, R.A. who had stayed at defendant's residence, and by a Scotch Captain who also had stayed there for about ten days following White's departure. Claims he did not know what specific food commodities were left, nor amounts, but had been advised these officers were leaving food in return for courtesies extended them by def.

Def. admitted having made public address in Church, but claims the statements (Exhibits 1 and 2) are distorted and misquote actual speech; he advised people not to sell hen chickens, as that would destroy opportunity to obtain eggs and new hatches for next spring but that cocks could be sold; that people should turn in grain to consortia and amassi, An response to demand made by Lt. Gilbert Green, A.M.G.O.T.; that remarks concerning cemetery referred to solemnity of occasion and desire to enlist cooperation in making necessary sacrifices. He stated his critics were those who desired to keep their grain; that priest making statement had refused to encourage people to turn in grain, tho it was customary for priests to make beneficial public announcements in church; that statement of young man (Ex. 2) was vengeful, as this chap had been denied a position in municipio by def. Declared he could produce witnesses to confirm own version of speech and refute exhibit statements, so adjournment granted.

REMARKS OF SUPERIOR COURT:

Accused appears to the Court to be an exceptionally strong, intelligent and ruthless individual who essayed to be a dictator in his community and felt himself above the law. Court found no hostile intent in retention of arms and ammunition. He did surrender shotgun.

Subject: Superior Military Court - LARINO - Case of RAIMONDO PAOLO,
and others.

H.Q., A.M.C.,
15 Army Group,
C. M. F.

AUG/208/A/
15. Nov. 43.

C. C. A. O.

Herewith proceedings in the above case together with applications for review of sentences by the accused.

2. The names of the accused will be seen in Exhibit 1 attached to the proceedings.
3. The accused were charged with taking part in a public demonstration unauthorized by the Allied Military Government contrary to Section 32, Article II of Proclamation 2. The accused RAIMONDO PAOLO was also charged with an offence under Article 582 of the Italian Penal Code but this charge was not proceeded with. The evidence against the accused respectively is contained in Exhibits 4 and 5 and the arguments of the accused's counsel are contained in Exhibit 6.
4. It will be observed that the facts themselves were serious but that the Court, having consulted with the Italian assessor who sat with the Court, decided that the case should be leniently dealt with having regard to the fact that the demonstration was not in any way against the Allied Military Government but rather one against Fascism. Moderate sentences were accordingly imposed by the Court in each case.
5. The grounds for the petition for review will be seen from the application for review attached to the proceedings. It will be noted that the petition is not against the accused's sentence but rather against the conviction. The only ground in the petition which might carry any weight is the allegation that no proof was made that Proclamations had been posted in the place where the accused came from, namely, Montorio. Proclamations had, however, been posted in Larino where the offence occurred and, therefore, there is no ground for the setting aside of the conviction on this plea.

6. In my opinion the petition for review by each of the accused should be dismissed.

Have

Accepted 142 seen

Accepted 142 seen
Accepted 142 seen
H. E. ROSE,
Lieut. Colonel

2. The names of the accused will be seen in Exhibit 1 attached to the proceedings.

3. The accused were charged with taking part in a public demonstration unauthorized by the Allied Military Government contrary to Section 32, Article II of Proclamation 2. The accused RAIMUNDO PAOLO was also charged with an offence under Article 582 of the Italian Penal Code but this charge was not proceeded with. The evidence against the accused respectively is contained in Exhibits 4 and 5 and the arguments of the accused's counsel are contained in Exhibit 6.

4. It will be observed that the facts themselves were serious but that the Court, having consulted with the Italian assessor who sat with the Court, decided that the case should be leniently dealt with having regard to the fact that the demonstration was not in any way against the Allied Military Government but rather one against Fascism. Moderate sentences were accordingly imposed by the Court in each case.

5. The grounds for the petition for review will be seen from the application for review attached to the proceedings. It will be noted that the petition is not against the accused's sentence but rather against the conviction. The only ground in the petition which might carry any weight is the allegation that no proof was made that Proclamations had been posted in the place where the accused came from, namely, Monterio. Proclamations had, however, been posted in Larino where the offence occurred and, therefore, there is no ground for the setting aside of the conviction on this plea.

6. In my opinion the petition for review by each of the accused should be dismissed.

HER/EC
1) Accused 1 & 2 *seen*
Had previous conviction
for an offence
Sentence confirmed
3 & 4 appeared
2) Accused 3 & 4 *appeared*
Sentence confirmed
3 & 4 appeared
3) Accused 5 *Sentence reduced*
two months
Penalty
16 Nov. 1943

To: C.L.D., 15th Army Group, through S.C.A.O., 8th Army Hq.
 1. Forwarded for Review.
 Chief of Staff, 8th Army
 S.C.A.O., 8th Army
 FORM No. 2
 ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Larino
 on the 5 day of Nov 194 3
 Before Edmund J. Mercer, Maj.
S.C.A.O., 8th Army
Superior Military Court
 REFERENCE No. 62
 (Name & rank of President
 Members and/or Magistrate
 constituting the Court)

ACCUSED

Name: Raimondo Paolo, et al (see Exhibit I)
 Address: All of Montorio nei Truentini.
 Description: (see Exhibit I)
 Occupation: "
 Age: "

INTERPRETER

Name: Staff Sgt. Elvio Catagiani

is duly sworn

PROSECUTING OFFICER

Name: Capt. Bryce (B)

ADVOCATE FOR ACCUSED

ADVOCATE AUG. CASE NO.

Name: Caricella Salvatore

CHARGE (S)

(Set out a brief statement of the charge together with the number of the Proclamation, Article and Section on which it is based).

All jointly & severally charged as per

PROCEEDINGS OF AN ALLIED MILITARY COURT

Held at *Lorino*

on the *5* day of *Nov* 194 *3*

(Name & rank of President
Members and/or Magistrate
constituting the Court)

Before *Edwin Mercer, Maj.,*
S.D.P., 8th Army as
Superior Military Court

REFERENCE No. *One*

ACCUSED

Name: *Raimondo Paolo, et al (See Exhibit I)*

Address: *All of Montorio nei Truentini.*

Description: *(See Exhibit I)*

Occupation: *" " "*

Age: *" " "*

18

INTERPRETER

is duly sworn

Name: *Staff Sgt. Elvio Catagiani*

PROSECUTING OFFICER

Name: *Capt. Bryce (B)*

ADVOCATE FOR ACCUSED

86
CASE NO.

Name: *Caricello Salvatore*

CHARGE (S)

(Set out a brief statement of the charge together with the number of the Proclamation, Article and Section on which it is based).

all jointly & severally charged as per
Exhibit II - a & B. Charge under Art. 582
of Italian Code (Ex. II - B) with provision of
Directive of the Council.
The Charge, read and explained to each accused, were served prior to
trial & the Advocate stated that he had read &
understood same.

PLEAS OF THE ACCUSED

The Accused	<i>all</i>	<i>M. G.</i>	to the 1st charge
	pleads		to the 2nd charge
	pleads		to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournment, being made)

Trial concluded on 6 Nov 43.

FINDINGS OF THE COURT

Each

The Accused
is found guilty ~~not~~ guilty of the first charge.

The Accused
is found guilty/not guilty of the second charge.

The Accused
is found guilty/not guilty of the third charge.

The statement (if any) of the accused as to mitigation of punishment and the record of evidence (if any) of the said accused as to character is attached. *Exhibit III was received in evidence as record of previous convictions. Otherwise the evidence showed accused to be industrious farmer & the woman a housewife - mother of 3 children.*

SENTENCE OF THE COURT

The Court sentences the accused ① 1 yr. ② 8 mo. ③ 1 yr. 6 mo. ④ 1 yr. 6 mo. ⑤ 1 yr.

In respect of all the offences charged in the above proceedings of which the said accused has been found guilty.

Edmond Huron, Maj.
(Signature of Judge of Allied Military Court)

REVIEW

pleads

to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

*Trial concluded on 6 Nov 43.*FINDINGS OF THE COURT*Each*~~The~~ Accusedis found guilty/~~not guilty~~ of the first charge.

The Accused

is found guilty/not guilty of the second charge.

The Accused

is found guilty/not guilty of the third charge.

The statement (if any) of the accused as to mitigation of punishment and the record of evidence (if any) of the said accused as to character is attached. *Exhibit III was received in evidence as record of previous convictions. Otherwise the evidence showed accused to be industrious farmer & the woman a housewife - mother of 3 children.*

SENTENCE OF THE COURT

The Court sentences the accused ① 1 yr. ② 8 mo. ③ 1 yr. 6 mo. ④ 1 yr. 6 mo.

⑤ 1 yr.

in respect of all the offences charged in the above proceedings of which the said accused has been found guilty.

William J. Mearns, Maj.
(Signature of Judge of Allied Military Court)

REVIEW

Date

194

Signature

(Translation of "Reasons for Application")

Acquittal is asked on either of the following grounds: ^① *Acquittal* Not having committed the offence; because it does not constitute a crime; insufficiency of proofs.

② To assemble on a public square on the part of the people, at the ringing aloudly of the bells, is a known custom with the Italian people, even in the smallest towns.

③ The participation to the crime, or the " concurrence to a crime" , in the juridical sense, has not been proven.

④ Besides, no proof has been shown that the affixion of Allied Government Military Proclamation has been made in the town of Montorio.

⑤ Freedom on Bail Bond is requested and, as a secondary petition, a conditional sentence with the minimum of penalty is requested.

FORM No. 11

ALLIED MILITARY GOVERNMENT

APPLICATION FOR REVIEW OF SENTENCE

(To be used for Review of Cases tried in either Allied Military or Italian Courts)

NOTE: This form must be filed within 30 days of Sentence.

PROVINCE OF Lampiano
COURT OF LarinoName of Accused Reinhold Kato, Reinhold Kato, Reinhold Kato, Reinhold Kato
Address of Accused Menzelanga Filareta tutti o de Martino di Juntani (Lampiano)
Date of Arrest 21 ottobre 1943
Charge Sec. 32 Art. II del Statuto 4.2Date of Trial 6-7 novembre Date of Sentence 7 novembre 1943
Sentence 18 mesi, 18 mesi, 18 mesi, 18 mesi
Name of Judge and CourtReasons for Application - Chiedo l'annullamento per non aver commesso il fatto, o perché meno
perché non era sottoposto a processo, o per insufficienza di prove. L'arresto in forza al numero 4
campi e distesa nostra nel nostro è una trappola della popolazione italiana, per chi si
parla. La perquisizione al posto non è stata provata, nel senso preciso di "conoscenza del fatto"
non è stata fatta per prima, e l'arresto non è avvenuto in un momento di "conoscenza del fatto"
mi è stato detto. Chiedo la libertà contro confessione e in un momento di "conoscenza del fatto"
della confessione condizionale dello stesso. H.W. Proc. ebbene l'arresto
Date 8 novembre 1943
(Signature of Accused or of his Attorney)

16

REMARKS BY TRIAL JUDGE, PROVINCIAL SENIOR LEGAL OFFICER, OR PROCURATORE,
IF APPLICABLE.① Proofs hardly sufficient. It is difficult to obtain persons to testify
in these cases. ② Can not admit. ③ It has been proven according
to Anglo-Danish "jurisdictional sense". ④ There was no such proof, but
there was proof of putting in Larino, where demonstration took place.
Date 9 Nov 1943
Enderson J. Mercer, Maj.
(Signature and Description) S.I.O., 1st Army⑤ Freedom on Bail pending review has been
referred by me. Superior Trial Court
DECISION OF CHIEF CIVIL AFFAIRS OFFICER

NOTE: This form must be filed within 30 days of sentence.

PROVINCE OF Lampione
COURT OF Larino

Name of Accused Reinhold Carlo, Reinhold Carlo, Reinhold Carlo
Address of Accused Marratunga Filomena tutti alle 410000 410000 (Lampione)
Date of Arrest 29 ottobre 1943
Charge Sec. 32 Art. II del Codice. 4.2

Date of Trial 6-7 novembre Date of Sentence 7 novembre 1943

Sentence 18 mesi, 18 mesi, 18 mesi, 18 mesi, 18 mesi

Name of Judge and Court

Reasons for Application - Chiedo l'assoluzione per non aver commesso il fatto, o quanto meno per chi non era tenuto a farlo, o per insufficienza di prove. L'accusa in fatto al reato di comparsa e di istigazione al reato non è stata provata nel senso per il quale si dice che non è stata per l'arresto la prova dell'avvicinamento all'azione del reato, ma solo la prova dell'arresto. La libertà condizionale è un'istituzione che non può essere applicata alla persona che non ha commesso il reato. A.W. Proc. 1943

Signature of Accused or of his Attorney

16

REMARKS BY TRIAL JUDGE, PROVINCIAL SENIOR LEGAL OFFICER, OR PROCURATORE, IF APPLICABLE.

Proofs barely sufficient. It is difficult to obtain persons to testify in these cases. (2) It has been proven according to Anglo-Saxon "juridical sense" (4) There was no such proof, but there was proof of posting in Larino, where demonstration took place.

Date 9 Nov 1943

Freedom on Bail pending review has been
granted by me.

DECISION OF CHIEF CIVIL AFFAIRS OFFICER

Date 194

HEADQUARTERS AG. CASE NO. 67

NOTE: This form will be submitted to the Senior Legal Officer of the Province.

GOVERNO MILITARE ALLEATO

ISTANZA PER REVISIONE DI SENTENZA

(In uso per la revisione delle cause giudicate davanti i Tribunali Militari o Corti Italiane)

NOTA: Questo stampato deve essere presentato nel termine di 30 giorni dalla sentenza.

PROVINCIA DI

TRIBUNALE DI

Nome dell'accusato

Indirizzo dell'accusato

Data di arresto

Imputazione

Data del dibattimento

Data della sentenza

Condanna

Nome del Giudice e del Tribunale

Motivi per la istanza

Data

191

Firma dell'accusato o del suo Procuratore

OSSERVAZIONI DEL GIUDICE CHE HA PRESIEDUTO AL PROCESSO, O DELL'UFFICIALE SUPERIORE ADDETTO ALLA GIUSTIZIA DELLA PROVINCIA, O BENE DEL PROCURATORE SE NECESSARIO.

Data

191

(Firma e qualità)

DECISIONE DELL'UFFICIALE CAPO DEGLI AFFARI CIVILI

NOTA: Questo stampato deve essere presentato nel termine di 30 giorni dalla sentenza.

PROVINCIA DI _____

FIRMANTE DI _____

Nome dell'accusato _____

Indirizzo dell'accusato _____

Data di arresto _____

Imputazione _____

Data del dibattimento _____

Data della sentenza _____

Condanna _____

Nome del Giudice e del Tribunale _____

Motivi per la istanza _____

Data _____

194 _____

(Firma dell'accusato o del suo Procuratore)

OSSERVAZIONI DEL GIUDICE CHE HA PRESIEDUTO AL PROCESSO, O DELL'UFFICIALE
SUPERIORE ADDETTO ALLA GIUSTIZIA DELLA PROVINCIA, OBIENE DEL PROCURATORE,
SE NECESSARIO.

Data _____

194 _____

(Firma e qualità)

DECISIONE DELL'UFFICIALE CAPO DEGLI AFFARI CIVILI

Data _____

194 _____

NOTA: Questo stampato dovrà essere sottoposto all'approvazione dell'Ufficiale Superiore addetto
alla Giustizia della Provincia.

Ex libris R-1(a)

Io sottoscritto Petroni Federico da Montorio nei Prenteri.

Giuro innanzi a Voi rappresentanti del C.erno alleato di dire la verità sull'altro che la verità.

Io giuro.

La sera del 21 c. m., verso le ore 16,30, mentre ringaravo nella mia abitazione, trovavo un assembramento di dimostranti lungo la via che percorrevo, all'atto che bussavo il ~~ma~~ portone della mia abitazione il Raimondo Paolo di Costanzo di anni 19 da Montorio mi scagliò due grossi sassi, per ripararmi da tale lancio, ebbi a mettermi di viso contro la porta del sig. De Rosa Vincenzo, subito dopo mi lanciò il surripetuto Raimondi una bomba a mano, la cui scheggia mi ferirono, come riferissi dal reparto medico rilasciato dal dott. Michele Adovasio.

Ho visto bene che Raimondo Paolo di Costanzo mi lanciò la bomba a mano.

In fede mi sottoscrivo.

Montorio, li 4-11-1943-

Petroni Federico.

Statement of PATRONI. FEDERICO.

I Patroni Federico state that on the 21st October at approx 16.30h whilst I was returning to my house, I saw a crowd of demonstrators along the road. When I was about to enter my house, RAIMONDO PAOLO DI COSTANZO 19 years old ~~th~~ flung two big stones at me. To evade these stones, I was forced to face the door of Mrs. DE ROSA VINCENZO, shortly afterwards, he RAIMONDO PAOLO hurled at me a hand grenade, splinters from which wounded me.

Exhibit I - (b)

Exhibit E-(c)

Jo Antonio Petroni Pecunia La
montano mi presentano.

Quin innanzi a voi rappresento
del governo e della n. l. in la
verità mettete al la verità.

Ho Quin:

La per del 21 am. ora la ore
16.30, mentre ingegnere nella mia
abitazione, trovato un'ambulanza
e i sinistranti lungo la via di
procedere, addietro che hanno il
portare della mia abitazione, il
Pecunia: Paolo e i Costanzo i anni.

13
19 del Montano, mi neglio. La
gravi sabbie per ingegnere la sala
Pecunia. Abbi a mettere i i via
contro la porta del signore di Rosa
Vincenzo, padre solo mi lancia
il precipitare Pecunia una
bambina a mano, la cui ragazza
mi furono, come videro. La
veloce musica italiana del dottor

monono me puenen

Quero innanzi a voi rappresentar
del governo allora si vide la
verità mettendoci che la verità.

Ho visto:

La sera del 21 c.m., verso le ore
16,30, mentre passeggiavo nella mia
abitazione, trovavo un'amministratore
e i funzionari lungo la via che
precedeva, all'atto che davanti il
portone della mia abitazione, il
Raimondo Paolo e i Costanzo d'anni
49 del Montebello, un ragazzo del
nome Carlo, per riparammi la testa
lancio. eddi a mettermi a via
contro la porta del signore di Rosa
Vincenzo, subito dopo mi lancio
il riciccolato Raimondo una
bomba a mano, di cui scoppia
mi ferisce, come vedete. La
verità mi ha rivelato la verità
Michele Adornato.

Ho visto che Raimondo Paolo
e i Costanzo mi lancio la bomba.

In full in 1967.
March 4. 11. 1967.

Thomas Jenkins

Exhibit II (a)

I

Signor Presidente
e Signor Pubblico Ministero della Corte Militare

Io considero questo incontro con i rappresentanti della legge del Governo allietto nel campo della legge e della dottrina come un auspicio in questi giorni drammatici per la vita dei popoli.

Un messaggio in questa breve ora di godimento spirituale, una visione di pace tanto desiderata dalla nostra travagliata generazione.

Rivolgo perciò a voi illustri rappresentanti della legge il mio saluto e quello del foro di questa città, madre di eroi e di giuristi e auguro che i legami della dottrina e della giustizia trapassino per l'avvenire avvinuti tutti i popoli civili e li preservino da guerre maledette. Degli uomini di buona volontà, fo 12 voti che la mia cara Patria risorga e prosperi dopo tanta miseria, torni alle sue opere del bene, al lavoro, alle ~~ed~~ arti, al culto delle opere di pace, stringa ^{anche} con le nazioni unite vincoli di imperitura amicizia.

È con comprensibile trafilamento che io mi auguro a difendere i miei diritti: vorrei che la mia parola porresse l'impietosa e chiara in questa pronuncia per me tanto nuova e giungesse dritta ai vostri intelletti e ai vostri cuori.

come ogni vicenda giudiziaria anche questa a mio avviso può e deve essere guardata sotto il profilo del fatto e sotto il profilo giuridico.

La sera del 21 ottobre uno stato d'animo si esprimeva lungo un muro in Montorio nei Frattini. È inutile attardarsi alla ricerca di questo colpevole, o di capricci di Montorio oggi davanti a voi.

Ma questo fermento non pur pubblico nella forma era privato nello spirito e nelle motivate finalità.

I laranini parlano di ^{vanti} trionfi verso gli imputati del Comune.

Io non so se tra questi dovessero includersi anche il Trionfale, ma sono inclino a ritenere per la verità che la sua funzione, i suoi moti fossero più di uirato e non la persona.

Un fatto è certo che Buoni fuorviò molto non ha mai attirato le simpatie e la fiducia del popolo verso la causa comunale: sarà stata la sua esaltazione e il suo temperamento ^{di rima} esuberante, non so, né importa sapere.

È certo ^{ed è strano} però che egli pur stando a casa in quella sera e a certa distanza dal Municipio non riusciva a riconoscere l'autunno giungendo fermi davanti la porta del Municipio e non riconosceva o non vedeva a persona che erano a lui più vicini.

Ma cosa faceva il lontanismo?

tra fermi e vietava che altri salissero nel Municipio. Bene! potremmo concludere che egli non voleva che si esponessero registri e documenti! Tutore dell'ordine!

Ma ove più si rivela l'acrimonia il raucore del Bucci, sta nel fatto del verbale dei lerebinuesi.

A Montorio non v'erano le uce del 21, né vi sono stabilmente lerebinuesi.

E lui che corre a harino a chiamarli e che li informa e in qui nulla da dire.

Ma è un fatto positivo che da queste informazioni si deriva la cattura di tutta la famiglia Lolantoni, padre, figlio, moglie, eppure nessun altro testè parla della partecipazione di altri componenti la famiglia!

Ma basta in Bucci a voi steno, ma pure per altri motivi lo avete ritenuto degno del carcere e ne li ne informiamo in qui sono rivelate per lo meno crepite in questo da 20 arrestati, solo 5 voi avete ritenuto dovessero comparire avanti alla legge!

Pappalardo Federico

È una parte loro e come tale non merita tutto il credito a gli parla, con il numero pensare con il lavoro di chi è stato offeso o danneggiato.

Ma costui in fondo dice che non aver visto Lolantoni giuppe, ma è ben strano come abbia potuto identificare tra tanta folla Raimondo Cortese nell'atto di colpire Ernesto Pappalardo.

Lepore è un teste fuori dell'ordinamento
 delle tre locali: vuole l'autonomia giovanile
 ma non sente alcuna sua parola d'invito
 né lo vuole entrare nel Municipio

Patroni Ernesto, l'istore vuole Maresalunga
 Filomena con la benedizione, ma nell'atto
 di lasciarla al primo degnerare del
 fermento: è una povera donna che non
 vuole, ne prevede conseguenze gravi.

Li offriamo un attimo di
 più in Pappalardo: Patroni Federico: legge
 vi fuo la sua dichiarazione scritta: basta
 al portone, agitato, per rifugiarsi in casa volge
 la faccia contro il portone e vuole stare
 in questa posizione, periplo vivente
 Remondo Paolo le dà una bomba
 a mano - vicolo stretto fumano di
 anche noi a questo punto e con conseguenze
 per fortuna tanto lievi!

Non è questa la pena della sua scelta.
 Ma ora Patroni si spera, l'istamente
 vorrei dire, contro la sua di omertà
 e una bomba esplosiva producevoogli
 qualche lenore, e un'altra cosa inesplosiva
 e viene poi raccolta dal carapini
 il primo teste e disparico del noi sentito.

Che se in casa Patroni si fosse
 in guerra e armati lo dicono gli
 istanti ignori Patroni e che più
 al portone si fosse qualcuno il Pappalardo
 Ernesto che stava per rifugiarsi
 lo appressiamo della ginetta di Patroni Maresal. Fig.

Exhibit II (4)

2

Ma Pappalardo è stato colpito
da una bestia nata: ma come si vede
come si identifica in quella situazione
di cui, di tempo e di luogo?

Noi potremmo dire che anche
una persona e non sappiamo di preciso
che chi voglia, può produrre quelle
le unioni di cui parla il dott. Polovani.

Ma di ciò non occorre parlare e non
per indovinare alle Corti le espressioni
e gli inevitabili equivoci cui si sono
lasciati andare anche il proprio

Padroni - Pappalardo legati tra loro
da stretti vincoli di parentela.

Ma di ciò basta perché non
dovrà più a lungo in una Corte Militare
incontrare Magistrati intelligenti e
che tanta cura hanno posta nella
istruzione di questa causa.

Dirò del discorso brevemente.

Di Torino e di Nello hanno visto all'uscita
e al ritorno da Bonifacio l'imputato
Raimondo Paolo. Egli si giunge in
piazza quella ora, vi arriva come
lo spettatore che ha perduto per
lo meno i due terzi dello spettacolo
gratuito - e vi arriva per forza
d'interesse, attratto dalla singolarità
inimitabile di un tale avvenimento
nel suo penficio paesello.

di Mauro Antonio e altri non vedono
vibrare il colpo di bastone del lontano
Raimondo le costui piange sguendo
la curvatura di tutti le curve
prendere parte, ne come protagonista
ne come figura di contorno.

di Tolentino Giovanni, questo gariboldiano
nuovo Pucci, parla Mammì Giuseppe
e Raimondo Giuseppe: egli è una
vittima delle altre espressioni malvoci
ma non ha la facoltà di P. Antonio
di trovarsi contemporaneamente
alle prese con le compagne e in
tutta alla folle.

hasimolo andare questo lavoratore
dei campi, modesto e sconosciuto
egli ha già tanto sofferto, nulla colpa.

Marmelozzo: porta la bandiera
o vero emblema della Patria in mano
a Giovanna D'Arco. Non è un'eroina
è una madre che cerca i figli
e n'ha in cambio una bandiera
che le è imposta tra le mani. Non
è lei evadita al Municipio, la ri
vede solo dimenarsi all'Eratto via
per qualche minuto e torna a casa!

Per prendere parte nel senso giuridico
oltre che materiale della parola,
occorre che vi sia il corpo, ma è
soprattutto indispensabile che vi sia
lo spirito. Questo la legge prevede
questo principio.

Non volete che siano questi 5 miei
clienti o non degli altri, gente
che non sa quello che fa e cosa vuole
e cosa ottiene di certo, verso una
determinata azione?

Vedete la con questa cosa,
molto per la modestia degli delle
parti che in esse si muovono.

Nello spirito del Proclama e nel suo
art 2° per. 32, c'è altra visione
permanente, più alta, più alta, e
si perseguono altre finalità

disponibili per usare questa
terminologia più intelligibile, pubblica
nelle forme, private, locali, contingenti,
legata a uomini e cose del posto,
nelle relazioni.

Ma questa povera, tanto povera

gate di contadini ignoranti, conosciute
il vostro Proclama, signori delle
Corte? Il 21 ottobre è a solo qualche
giorno dall'occupazione. In che
giorno fu affisso e reso pubblico
il proclama del Governo Militare
Alleato.

Non parlo avanti a voi questioni
giuridiche. Mi rivolgo a voi perché
col vostro cuore vogliate veder chiaro
e rimproverare il fatto con verità
e giustizia.

Ritornate alle armi i giovani, chiamate
al nuovo appello, ritornate al lavoro
e alle opere di pace, alle famiglie
la madre e i vecchi!

Se qualcuno e Dio non voglia dubbe
essere costretto, costrutto in
limiti modesti le sanzioni e accorrate
secondo il Proclama il beneficio della
sospensione condizionale della pena!

Io so che le Corti se che
indulgere è anche e soprattutto
un atto di forza e di comprensione
e di forza.

TRIBUNALE MILITARE INFERIORE INGLESE

- LARINO -

Difende:

- Accused*
- ④ Raimondo Paolo di Costanzo - 19 yrs - Farmer
 - ③ Raimondo Costanzo fu Paolo - 49 yrs - "
 - ② Colantonio Giuseppe di Giovanni - 54 yrs - "
 - ① Colantonio Giovanni di Giuseppe - 60 yrs - "
 - ⑤ Mazzalunga Filomena fu Luigi - 39 yrs - Housewife.

Tutti detenuti a Larino, domiciliati in Monterio nei Frentani.

Imputati di aver preso parte ad una dimostrazione non autorizzata

(Proclama n. 2 Sez. 32) e lesioni a lesioni di bomba a mano.

Prego voler ammettere per la udienza di venerdì, 5 novembre 1943, ore 11,

i seguenti testimoni a disciolto: ed emettere il relativo ordine di

comparizione: Proclama n. 4, art. VI-

- 1 Carfagnini Michele di Giovanni - Monterio
 - 2 Lepore Mariacostanza di Giovambattista - "
 - 3 Di Iorio Giovanni di Antonio - "
 - 4 Di Tiello Rosina fu Giuseppe - "
 - 5 Di Emilio Antonio fu Filomeno - Monterio
 - 6 Moriello Raffaele fu Saverio - "
 - 7 Montanaro Alberto fu Emanuele - "
 - 8 Raimondo Giuseppe di Giovanni - "
 - 9 Mancini Giuseppe di Costanzo - "
 - 10 Paoloza Carmelo di Paolo - "
- in Banca di Giustizia del Tribunale in*

tutti residenti in Monterio nei Frentani.

Con osservanza.

Larino, 2 novembre 1943.

Witnesses for accused.

Difende:

Raimondo Paolo di Costanzo - 19 yrs - Farmer
 Raimondo Costanzo fu Paolo - 49 yrs - "
 Colantonio Giuseppe di Giovanni - 34 yrs - "
 Colant nio Giovanni di Giuseppe - 60 yrs - "
 Venzalunga Filomena fu Luigi - 59 yrs - Housewife.

Tutti detenuti a Larino, domiciliati in Montorio nei Frentani.

Imputati di aver preso parte ad una dimostrazione non autorizzata (Proclama n. 3 Sez. 32). e lesioni a mezzo di bomba a mano.

Frego voler ammettere per le udienze di venerdì, 5 novembre 1943, ore 11,

i seguenti testimoni a disculpas ed emettere il relativo ordine di comparizione: Proclama n. 6, art. VI-

- 1 Cardignini Michele di Giovanni - Montorio
- 2 Lepore Mariacostanza di Giovandattista "
- 3 Di Iorio Giovanni di Antonio "
- 4 Di Tiello Rosina fu Giuseppe "
- 5 Di Mauro Antonio fu Filomeno - Montorio
- 6 Mariello Raffaele fu Saverio - "
- 7 Montanaro Alberto fu Emanuele "
- 8 Raimondo Giuseppe Antonio fu Giovanni "
- 9 Mancini Giuseppe di Costanzo "
- 10 Paolozza Carmela di Raimondo - "

Montorio fu Saverio

tutti residenti in Montorio nei Frentani.

Con osservanza.

Larino, 2 novembre 1943.

12 Montorio Maria "
 13 Montorio Maria fu Saverio "
 Spadelliana

Witnesses for accused.

Exhibit II (a)

FOGLIO DI ACCUSATO

Nome dell'imputato *V. Colantonio Giovanni* - *Carimondo Polango*
 Residenza *V. Colantonio Giuseppe* - *Carimondo Paolo*
- V. Mazzalunga di Palermo -
via di Montorio dei Sforza -

Proclama N.2 Art.2 Sez.32

Prende parte a qualsiasi dimostrazione o
 adunata non autorizzata del Governo Militare
 Alleato

ciò che

il 21 Ottobre ha preso parte nella dimostrazione
 in Montorio fuori del Municipio e nella Esatoria

CHARGE SHEET

Name of Accused
 Address

Proclamation No.2 Art.2 Sec.32

Taking part in any public demonstration or
 assembly not authorized by the Allied Military
 Government.

in that

on 21 October 43 he took part in the public
 demonstration outside the Municipio at Montorio
 and in and outside the Treasury.

B

CHARGE SHEET

Exhibit II - (4)

Name of Accused.....Reinondo Costanzo.....

Monterio Nei Prentana

Address.....

Accusation

Art. 582 II Codice Penale Italiano

Whoever is responsible for causing personal injury from which results hurt mental or physical

Particulars

in that

on 21 October 1943 he struck one Pappalardi upon the head outside the Treasury.

Exhibit III

Manzalonga Filomena di Luigi e di Di Staulo Carmela, nata a Montorio nei Frentani il 18-1-1904;

20-7-1931= Pretore Larino multa L. 400 lesioni volontarie;

.....

Raimondo Costanzo fu Paolo e fu Di Vito Chiara, nato a Montorio nei Frentani il 14-1-1894;

16-10-1935=Pretore Larino ammenda L. 50 contravvenzione alla legge sulla disciplina sul lavoro;

3-7-10-1938=Tribunale Campobasso ~~assoluzione per insufficienza di prove per maltrattamenti lesioni volontarie;~~

30-6-1942=Tribunale Larino ammenda L. 500 per omessa annotazione di sferimature di gremio sulle schede di macinazione.

.....

Colantonio Giuseppe di Giovanni e di Frenchilli Annina, nato a Montorio nei Frentani il 23-11-1904;

30-11-1931=Pretore Larino ammenda L. 300 contravvenzione all'art. 650 del C.P.

22-6-1933=Giudice Istruttore Larino non doversi procedere ~~perché il fatto non costituisce reato~~ ~~maltrattamenti lesioni volontarie~~;

.....

Colantonio Giovanni di Giuseppe e fu Greco Maria Felicia, nato a Montorio nei Frentani il 14-10-1883;

31-3-1935=Giudice Istruttore Campobasso non doversi procedere ~~perché istinta l'azione penale per furto in casa~~;

13-8-1943=Decreto Pretore Larino ammenda L. 100 per contravvenzione all'art. 650 del C.P.;

25-9-1908=Pretore Larino giorni 20 di reclusione per lesioni.

.....

Exhibit IV - (a)

Io sottoscritto Pappalardi Ernesto da Montorio nei Prentani. Giuro innanzi a voi rappresentanti del Governo Alleato di dire tutta la verità null'altro che la verità

Lo giuro:

Il giorno 21 G.M. verso le ore 16,15 mi trovavo vicino alla mia abitazione a pulire un po' di grano per il mio fabbisogno, notavo in quel mentre una immensa folla che si dirigeva verso la casa di mio cognato, ha nome di Ernesto Patroni. Prevedendo un caso di aggressione da parte dei dimostranti ebbe a fare presso i medesimi opera di perorazione, pronunziandomi che se i predetti avessero pretesa i ruoli della Esattoria Comunale ci sarebbero stati consegnati buonariamente

Non appena finito di pronunziarmi sopraggiunse un secondo scaglione di persone, fra cui vi era il Raimondo Costanzo che io conobbi molto bene, è dallo stesso Raimondo fui colpito da un grosso bastone al centro della testa, come rilevasi dal reperto medico rilasciato dal Dott. Michele Adovasio.

Aggiungo che anche il figlio di Raimondo Costanzo di nome Paolo teneva con se una bomba a mano.

In fede mi sottoscrivo.

Montorio, li 4-11-1943-

M.B. Ho visto in quella dimostrazione una donna con le bandiere a spalle che io non conoscevo.

Mi sottoscrivo:

Pappalardi Ernesto.

Statement of PAPPALARDI ERNESTO.

On the 21st October at approx 16.15h. I was near my house intent on cleaning some ground when I noticed a crowd on their way to the house of my brother-in-law called ERNESTO PATRONI. Thinking that the crowd was going to do something drastic, I went up to them and told them that the papers and registers would be given to them without hesitation.

As soon as I had finished explaining, a second group of people amongst which was RAIMONDO COSTANZO whom I know very well, from him I received a blow in the middle of my head done by a wooden implement (i.e. baton).

I also state that the son of RAIMONDO COSTANZO called PAOLO had with him a hand-grenade.

3

N.B. I saw amongst the crowd a woman with a flag in her hand whom I do not recognise.



Exhibit IV (b)

Esprit II (c)

La postscripta La, pharado Guro

La Mentrio nei Prontari.

Guro insorgi a l'approvazione.

Del Guro allato a l'ine tutte

la spinta mult'altro che la spinta.

Lo Guro:

H Guro 21 C. m. Nera le ora

16. 1/2 an' tr'altro vicino alla via

abitazione la prima era l'P. Guro

per mio fortissimo, molto in

quell'istante ma immenso folle

che si tingeva verso la casa.

miò loggato, e sono i Guro

Portoni. Preceduto un caso i' ag.

pressione la parte di l'insistenza.

che si fece presso i' miei miei

opere i' per me, per me, per me

che in i' prete, per me, per me

Roschi della Gura comune

di sacchero stati congregate

convarianze.

che abbiamo finiti a l'insistenza

1420
del Montano era prete.
Quiso innanzi a lui rappresentarsi
del Governo alleato e lui tutta
la vita nell'altro che la vita.

Ho visto:

Il giorno 21 C. era morto le ore
16.15 anni trascorsi vicino alla mia
abitazione seppure era poi il giorno
per mio fratello, morto in
quell'istante, ma immenso dolore
che si stringeva verso la casa e
mio cognato, e come si è morto
Portoni. Prevedendo un caso si agì
previdenza la parte di lì in avanti
che si fece presso i miei amici
opere di permanenza, presunzioni
che se i fratelli avessero potuto
Rivolte della storia comune
e si sarebbero stati congregate
humanamente.

Non appena finiti i funerali
mi si propinquo un nuovo
accogliere i persone fra cui
si era il Reimondo Costanzo

che io conosco molto bene, è
 dello stesso raimondo fin
 col pinto. La cui grossa barba
 ed i crinetti e delle teste come
 i denti. La cui testa è molto
 intarsiata col dente. Perché
 i denti.

Dejingo ed anche il figlio
 di Raimondo Costanzo, e non
 solo, tutta la sua
 famiglia è nuova.

La sua famiglia è molto
 numerosa, di. v. n. 1942.

ed. B. Ho visto in quella di
 mostrazione una cosa con
 la barba e quella che io
 non conosco.
 non è molto.

Papalana E. Enrich

1422

Sufficient space on this form for the notes of evidence, other sheets should be attached and for prosecution marked Exhibit B and evidence for Accused marked Exhibit C).

EVIDENCE FOR PROSECUTION

Poppalardi Frederico - sworn - testified that accused ① forced door to Tax Office, and that accused ③ hit Poppalardi Frederico with stick.

Giuseppe Bucci - sworn - testified he saw accused ② standing in the door way of Tax Office as a part of the crowd which was demonstrating.

Giuseppe Ettore - sworn - testified that at time and place charged a crowd burned the tax records of his Office & that accused ⑤ led the crowd & threw a stone which broke a window in his house. That accused ③ threw a hand grenade which exploded & injured ~~the~~ witnesses' son.

Pietro Alessandro - sworn - saw accused ⑤ leading crowd & accused ③ throw grenade.

Doctor Andonasso Michele - sworn - testified that witnesses whose statements are included as Exhibits IV & V were unable to travel to court without transportation, because of their respective physical conditions.

Exhibits IX-(c) and V-(c) were introduced as evidence substantiated to and were received as evidence of the testimony of the respective witnesses. In each Exhibit, (c) is the original signed statement (a) is a typewritten copy of same and (b) is a rough translation made by the sworn interpreter in court.

Pappalardi Frederico - sworn - testified that accused ① forced door to tax office, and that accused ③ hit Pappalardi Ernesto with stick.

Leonaro Bucci - sworn - testified he saw accused ② standing in the door way of tax office as a part of the crowd which was demonstrating.

Leone Ettore - sworn - testified that at time and place charged a crowd burned the tax records of his office & that accused ⑤ led the crowd & threw a stone which broke a window in his house. That accused ③ threw a hand grenade which exploded & injured ~~the~~ witness's son.

Patroni Alessandro - sworn - saw accused ⑤ leading crowd & accused ③ throw grenade.

Doctor Ardovasso Michele - sworn - testified that witnesses whose statements are included as Exhibits IV & V were unable to travel to court without transportation, because of their respective physical conditions.

Exhibits IX-(c) and V-(c) were introduced in evidence submitted to and were received as evidence of the testimony of the respective witnesses. In each Exhibit, (c) is the original signed statement (a) is a typewritten copy of same and (b) is a rough translation made by the sworn interpreter in court.

Evidence for accused.

See Exhibit I for names & addresses of witnesses for accused. They and he referred to by the number standing opposite their respective names. Each was duly sworn.

EVIDENCE FOR ACCUSED

- ① That I saw grenades were scattered around on ground, left by the armies.
- ② Personally removed a grenade from the vicinity of tax collectors home before the disturbance.
- ③ Saw accused #3 going out in the country about 0730 or 8000 hrs.
- ④ Saw accused #3 returning from country at about 1400 or 1500 hrs.
- ⑤ No pertinent testimony
- ⑥ " "
- ⑦ There is bad feeling between witnesses Buessi & accused #1.
- ⑧ Same as ⑦ supra
- ⑨ " " "
- ⑩ That accused ⑤ went out to see to the safety of Mr. Address
- ⑪ No pertinent testimony
- ⑫ Did not see accused ③ throw grenade, & was near him

Accused ③ took stand: testified that crowd forced her to accompany them to burn tax records. Accused ③ took stand & testified that at about 1430 hours, while demonstration in progress he was invited to come along with the demonstrators.

Exhibits VI (a) & (b) are argument of accused counsel.

Note - I found the Santos Alberto, Pres. of Tribunal which sits at Larrino, in Campobasso & brought him to

- ② Personally removed a grenade from the body of tax collectors home before the disturbance.
- ③ Saw accused #3 going out in the country about 0730 or 800 hrs.
- ④ Saw accused #3 returning from country at about 1400 or 1500 hrs.
- ⑤ No pertinent testimony
- ⑥ " "
- ⑦ There is bad feeling between witness Buccini & accused #1.
- ⑧ Same as ⑦ supra
- ⑨ " " "
- ⑩ That accused ⑤ went out to see to the safety of Mr. Mulholland
- ⑪ No pertinent testimony
- ⑫ Did not see accused ③ throw grenade, & was near him

Accused ③ took stand; testified that crowd forced her to accompany them to burn tax records.

Accused ③ took stand; testified that at about 1430 hours, while demonstration in progress he was invited to come along with the demonstrators.

Exhibits VII(a) & (b) are argument of accused counsel.

Note - I found Mr. Santos Alberto, Pres. of Tribunal which sits at Larcino, in Campobasso; brought him to Larcino to sit with me as assessor. He recommended 5 mo. for all accused except those who caused injuries & 9 mo. for them. He said the demonstration was not in any way one against the elected Gov. but rather one against the Fascist and the unjust taxes with which the people were burdened during past few years. I concur in this opinion.

Edmund J. Mueser.

1426