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ALLIED MILITARY CO
OCT. 1943 - JAN. 1944

10000/142/946

ALLIED MILITARY COURT RECORDS, 5TH ARMY AREA
OCT. 1943 - JAN. 1944

MEMO.

D.F.C.A.O.

10 January 44.

Herewith record of proceedings of a Superior Military Court held in Naples on 27 Nov 43, in the case of Stanzo Carlo. The accused was convicted of possession of arms and ammunition in violation of Proclamation No. 2, Article I, Section 5 and sentenced to two years imprisonment, and a fine of 20,000 lire.

2. Under the provisions of Section 3, Article VIII, Proclamation 4, this case must be reviewed by you, since the sentence exceeds "two years' imprisonment or a fine of 50,000 lire". This review is not the review contemplated by Section I of the said Article which is made upon application by the accused, but is a routine examination which does not prejudice the accused's rights to a review upon application.

3. I have examined the record and see no reason for disturbing the conviction and sentence.

Wash Hines

Major, A.U.S.,
Chief Legal Officer.

A 13

Form No. 8

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF AN ALLIED MILITARY COURT

Held at JARVIS, ILLINOIS

on the 27th day of NOVEMBER 1943

Before JOHN W. CHAPMAN, Lieutenant Colonel, Judge Advocate General, President and Judicial Officer, constituting a court of the Allied Military Government under authority of Article 18, Paragraph 1, of the Charter of the Allied Military Government, and JOHN W. CHAPMAN, Lieutenant Colonel, Judge Advocate General, constituting the court.

REFERENCE No. 1

ACCUSED

Name: SPANZO, CARLO
Address: DEPERIA
Description: born of Silvio and Pasquero Filozzo; 15 Mardi, 1916 in New York, U.S.A.
Occupation: Farm Laborer
Age: 27 years

INTERPRETER

Name: Pfc. CHARLES L. AMBLO, A.I.G. is duly sworn

PROSECUTING OFFICER

Name: V.N.C. de Vio Corvey, Captain (British)

12

ADVOCATE FOR ACCUSED

Name and Address: Armando Puglie

CHARGE (S)

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

Copy of Charge Sheet Attached

The charges are read and explained to the accused

PROCEEDINGS OF AN ALLIED MILITARY COURT

Held at BARCELONA, SPAIN

on the 27th day of NOVEMBER 1945

Before JOHN W. CHAPMAN, Lieutenant Colonel, Judge Advocate General, President and Judicial Officer, constituting the Summons with Return Court of the Allied Military Government under authority of Orders and rank of President and of Magistrate Allied Military Court Orders No. 6, Headquarters, Fifth Army, 15 Nov. 43

REFERENCE No. 1

ACCUSED

Name: SUNZIG, CARLO
Address: DUGENTA
Description: Born of Silvio and Rugiero Filomena, 15 March, 1916 in New York, U.S.A.
Occupation: Farm Laborer
Age: 27 years

INTERPRETER

Name: Pfc. CHARLES L. ANGIOLO, A.M.C. is duly sworn

PROSECUTING OFFICER

Name: V.M.C. de Vic Cesar, Captain (British) **12**

ADVOCATE FOR ACCUSED

Name and Address: Armando Puglia

CHARGE (S)

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

Copy of Charge Sheet Attached
The charges are read and explained to the accused

HO AC & J
FOR BARRISTERS AC. CASE NO. 89

1. The evidence, any statements by the prosecution and defence 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

Maresciello Brindisi Sabatello, Carabinieri Reale, was sworn and testified as follows: My name is Brindisi Sabatello. I am maresciello of the Carabinieri Reale stationed at Dugenta. On 24 October 1943, I was informed that the accused had at his home arms and ammunition which he had failed to surrender as was required by order of the Allied Military Government. The date for the surrender of firearms was 19 October 1943. I, accompanied by Corporal Maggiore Marino, Raffaele and Private Staino, Umberto of the Carabinieri, went to the house of the accused, searched it and found a revolver loaded with five cartridges. The accused was present during the search. The accused was charged at that time but was not arrested because we had no transportation to take him to prison at Naples. On 4 November 1943, transportation being available, he was arrested and taken to the police station at Dugenta. He was drunk at the time of arrest. He said: "English, American or Italian laws have no effect. The only law that is effective is the law of the Germans. The Royal Carabinieri should go and dig ditches."

Marino, Raffaele was sworn and testified as follows: My name is Marino, Raffaele. I am Corporal Maggiore of the Carabinieri stationed at Dugenta. On 27 October 1943, I accompanied the maresciello to the home of accused and was present when a revolver loaded with five cartridges was found there. He was not arrested at that time. When he was arrested on 4 November 1943, he had come to the police station and requested the return of some other articles that had been seized at the time of the search of his house. When the request was refused, he commenced to insult the maresciello and others. Among other things, he said, "there are no more laws in this country. One thing there is the German and another thing the American. Up to now it has been the German."

The accused, through his advocate, was given the opportunity of cross-examining each witness for the prosecution.

CASE FOR THE DEFENSE

The court explained to the accused his rights as to making or not making a statement in his own behalf. The accused elected to make a statement. He was sworn and testified as follows: I was born in New York. I have never belonged to the Fascist Party. I deserted from the Italian Army and refused to serve in it because as a born American I had the right to refuse to fight against my brothers. I took the revolver to the police station myself on 27 October 1943. I went to the police barracks on 2 November 1943, because at the time of the search of my house the maresciello had seized many articles including some clothing belonging to my wife. As she was in a really way I wanted to get her clothing. I told the maresciello, "I will go to the American command to get a receipt and

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

CASE FOR THE PROSECUTION

Maresciello Brindisi Sabatelli, Carabinieri Reale, was sworn and testified as follows: My name is Eraldo Sabatelli. I am maresciello of the Carabinieri Reale stationed at Dugento. On 24 October 1943, I was informed that the accused had at his home arms and ammunition which he had failed to surrender as was required by order of the Allied Military Government. The date for the surrender of firearms was 19 October 1943. I, accompanied by Caporal Maggiore Marino, Raffaele and Private Staino, Umberto of the Carabinieri, went to the house of the accused, searched it and found a revolver loaded with five cartridges. The accused was present during the search. The accused was charged at that time but was not arrested because we had no transportation to take him to prison at Naples. On 4 November 1943, transportation being available, he was arrested and taken to the police station at Dugento. He was drunk at the time of arrest. He said: "English, American or Italian laws have no effect. The only law that is effective is the law of the Germans. The Royal Carabinieri should go and dig ditches."

Marino, Raffaele was sworn and testified as follows: My name is Marino, Raffaele. I am Caporal Maggiore of the Carabinieri stationed at Dugento. On 27 October 1943, I accompanied the maresciello to the home of accused and was present when a revolver loaded with five cartridges was found there. He was not arrested at that time. When he was arrested on 4 November 1943, he had come to the police station and requested the return of some other articles that had been seized at the time of the search of his house. When the request was refused, he commenced to insult the maresciello and others. Among other things, he said, "There are no more laws in this country. One thing there is the German and another time the American. Up to now it has been the German."

The accused, through his advocate, was given the opportunity of cross-examining each witness for the prosecution.

CASE FOR THE DEFENSE

The court explained to the accused his rights as to making or not making a statement in his own behalf. The accused elected to make a statement. He was sworn and testified as follows: I was born in New York. I have never belonged to the Fascist Party. I deserted from the Italian Army and refused to serve in it because as a born American I had the right to refuse to fight against my brothers. I took the revolver to the police station myself on 23 October 1943. I went to the police barracks on 2 November 1943, because at the time of the search of my house the maresciello had seized many articles including some clothing belonging to my wife. As she was in a family way I wanted to get her clothing. I told the maresciello, "I will go to the American command to get a receipt and you can give me back the stuff." The maresciello said, "Here I am in command." He took my bicycle away from me because he was afraid I would go to the Americans. He told me that my receipt for the purchase of the bicycle was not valid. He then put me in prison. I said he couldn't put me in prison because the Americans are in command. He said, "Here I am in command."

Questioned by the court, the accused testified as follows: I was born in New York City in 1916. I came to Italy at the age of nine years with my

Form. No. 4

ALLIED MILITARY GOVERNMENT

(Governò Militare Alleato)

CHARGE SHEET 1

(Foglio d'Accusa)

Place (luogo) Castel Capuano
 Date (data) November 27th, 1943,

Stanzo Carlo
 Name of defendant (nome dell'accusato)
 Dugenta
 Address (indirizzo)

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

First charge Being in possession of firearms and ammunition
 Particulars contrary to Proc 2-Art 1-Para 2 (5X)

In that he on the 24th day of October, at Dugenta in the Province of Naples was found in possession of one revolver and six rounds of ammunition.

Second charge Uttering words hostile or disrespectful toward the

Allied Military Government contrary to Proc 2 Art 2 Para 36.

In that he on the 24th day of October 1943 whilst under arrest in Dugenta Police Barracks spoke in a disrespectful or hostile manner of the Allied Military Gov't in the presence of BRINDISI SABATILLO and other TRADIZIONE Carabinieri Reali,

Prima accusa Essendo in possesso delle armi e munizioni in
 Dettagli alla Proclama 2 Art 1 Para 5 **II**

Che nel giorno del 24 di Ottobre 1943 a Dugenta, Provincia di Napoli, egli fu trovato in possesso di una rivoltella e sei cartucce di munizioni

Seconda accusa

Dettagli Esprimendo parole ostili e dispregiative al Governo Militare Alleato al contrario del Proclama 2 Art 2 Para 36, che egli nel giorno 24 di Ottobre 1943 mentre sotto arresto nelle caserma di Carabinieri a Dugenta parlò in una maniera ostile e dispregiativa al Governo Militare Alleato nelle vicinanze della caserma di Carabinieri a Dugenta presso gli uffici di Questura.

The above charges are referred for trial before

Superior Court, Castel Capuano

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

CHARGE SHEET

(Foglio d'Accusa)

Stanzo Carlo
Name of defendant
(nome dell' accusato)

Place (luogo) Castel Capuano
Date (data) November 27th, 1943,

Dugenta Address
(indirizzo)

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

First charge Being in possession of firearms and ammunition
Particulars contrary to Proc 2-Art 1-Para 1-Para 2 (5A)

In that he on the 24th day of October, at Dugenta in the Province of Naples was found in possession of one revolver and six rounds of ammunition.

Second charge Uttering words hostile or disrespectful toward the Allied Military Government contrary to Proc 2 Art 2 Para 30.

In that he on the 24th day of October 1943 whilst under arrest in Dugenta Police Barracks spoke in a disrespectful or hostile manner of the Allied Military Gov't in the presence of BRINDISI SABBATELLO and other **TRADIZIONE** Carabinieri Reali,

Prima accusa Essendo in possesso delle armi e munizioni in
Dettagli alla Procedura 2 Art 1 Para 5

Che nel giorno del 24 di Ottobre 1943 a Dugenta, Provincia di Napoli, egli fu trovato in possesso di una rivoltella e sei cartucce di munizione

Seconda accusa
Dettagli Esprimendo parole ostili e dispregiative al Governo Militare Alleato al contrario del Programma 2 Art 2 Para 30, che egli nel giorno 24 di Ottobre 1943 mentre sotto arresto nelle caserma di Carabinieri a Dugenta parlò in una maniera ostile e dispregiative al Governo Alleato nella presenza di BRINDISI SABBATELLO ed altri carabinieri Reali.

The above charges are referred for trial before Superior Court, Castel Capuano
(Le suddette accuse sono riferite a processo davanti Corte Superiore, Castel Capuano (nome e indirizzo della corte))

By order (Per ordine)
J. M. J. de V. V. V. V. V. V. V.
Judge, Summary Military Court or other authorized person.
(Giudice, Tribunale Militare inferiore o altro individuo autorizzato).

DECLARATION:

The undersigned Archbishop, of Dugenta Don Pasquale De Rosa fu Domenico, by request of the commander of the RR.58. for the truth declare that it is to my knowledge that Stanzo Carlo fu Silvio e fu Ruggiero Filemena, born in New York March 15th, 1916 and living in Dugenta, during the period of German tyranny, lived with the German troops and wore the German uniform, and armed pointed to them the abitations of Dugenta citizens so that they could be looted, he also terrorized this population, threatening them with arms and hand grenades given to him by the Germans. He threatened death to anyone who wouldn't do whatever he said.

When the allied troops arrived, fearing identification of his conduct as a spy and traitor, he made friends with them and tried to do every little thing he could for them, pointing out the fact that he was born in New York and so their friend. He was helped in his spy work in favor of the Germans and against the Italian and allies by his brother-in-law Crischi Antonio fu Raffaele e di Vainso Anna Maria, born in Dugenta Apr. 17th, 1925 living in Dugenta, and Crisci Andrea fu Raffaele e di Vainso Anna Maria, born in Dugenta March 24th, 1928.

In good faith of the above I sign myself

STAZIONE TERMINALE DEI CARABINIERI REALI DI NAPOLI

Stazione di Bugenta

DICHIARAZIONE

Il sottoscritto Arciprete -Parroco di Bugenta-Don Pasquale De Rosa fu Domenico ha richiesto del comandante la Stazione dei Carabinieri Reali di Bugenta, per la verità dichiara che è a mia conoscenza che STANZO Carlo fu Silvio e fu Ruggiero Filomena, nato a New York il 15 marzo 1916, domiciliato a Bugenta, durante il periodo della tirannide tedesca, viveva con la soldatesca tedesca e vestiva l'uniforme tedesca e arrato indicava ad essi le abitazioni dei cittadini di Bugenta facendoli saccheggiare, durante tale periodo cercava di terrorizzare questa popolazione minacciandola con le armi e con le bombe a mano avute dagli stessi tedeschi, di ucciderla se eventualmente essa non avrebbe fatto quando lui ordinava in piena armonia con i soldati tedeschi.

All'arrivo delle truppe Alleate per terra che avessero denunziato a queste il suo comportamento di spia e di traditore le ha avvicinate cercando di rendergli servizi facendole ad esse conoscere che egli era loro amico perché nato a New York e con tale asserzione ha cercato di far scendere ogni indizio di accusa a suo carico avvalorando per altro di essere stato per ben due volte denunciato per reato di di servizio=Veriva seguita nel servizio di spia in favore dei tedeschi ed a causa degli italiani e delle truppe Alleate anche dai cognati Crisci Antonio fu Raffaele e di Valuso Anna Maria, nato a Bugenta il 17 aprile 1925, ivi domiciliato, e da Crisci Andrea in Raffaele e di Valuso Anna, nato a Bugenta il 24 marzo 1926=

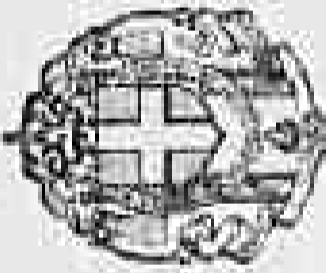
In fede al quanto sopra, il sottoscritto.

Bugenta, li 3 Novembre 1943=

Don Pasquale De Rosa

16 MARZO 1944
 COMANDANTE STAZIONE
Carabinieri

9



LEGIONE TERRITORIALE DEI CARABINIERI REALI DI NAPOLI

V. P. P. 1171

N. 10 del Verbale

Stazione di Dugenta

PROCESSO VERBALE di

domanda di STANZO CARLO FU SILVIO e FU RUCCIERO
MILANO, nato a New York il 15 marzo 1916, domiciliato
a Lugente, per inosservanza al n. 6 dell'art.
1 del Protocollo n. 2 del Generale Comandante le
Forze Alleate e Governatore Militare H. 3. Milano
car.

L'anno mille novecento quarantatre addì ventiquattro otto-
bre in Dugenta.
Nei sottoriscritti BRINDISI sbattello, mareciello n. 11 loge-
gio e fedi condivide in suddetta stazione, MARINO Raffae-
le appunto e fedi e STANZO Umberto carabiniere e pis-
ta della suddetta stazione, riferiamo alla competente au-
torità che alle ore 18 di ieri fummo informati da DI CARO
BO Alfonso di Enrico e di Guido Caterino, nato a Dugenta,
il 7 novembre 1908, sergentemaggiore di carriera presso
il 6° Reggimento Antieri - Bologna, che era venuto a na-
verbio con certo STANZO Carlo fu Silvio perchè questi non
aveva ubbidito a quanto prescritto dal n. 6 art. 1 del Pro-
tocollo n. 2 e firma del Generale Alexander nel consegnare
in questo ufficio le armi possedute entro il giorno 19
ottobre 1947, come ha manifesto affisso al pubblico, e vo-
leva versargli a forza una pistola automatica con f. 8 mi-
le n. 1171.

Nei predetti militari, venuti in civitas, abbiamo ricerca-
to lo STANZO e proceduto al fermo accompagnandolo nella
sua casa.

Si siamo recati al domicilio dello STANZO e se perquisi-
zione operata abbiamo rinvenuto la seguente roba di pro-
venienza furtiva appartenente a vicilli di all'amministra-
zione militare italiana:

- Uno scatoletto eschilto alla Giapponese;
- Una bottiglia argentea (o metallo bianco);
- Una scatola contenente un portastoviglie di metallo bi-
- Uno spillo con cuneo raffigurante una donna suonatrice
di un liro;

Uno sprusso, profumo al vetro (metallo cristallo);

V. C. Feltri
LEGIONE TERRITORIALE DEI CARABINIERI REALI DI NAPOLI

N. 40 del Verbale

Stazione di Duquenois

PROCESSO VERBALE di

semenza di STANCO CARLO FU SILVIO E FU RUCCIERO
MILANO, nato a New York il 15 marzo 1910, comin-
ciato a Lugano, per insurrezione al n. 6 dell'art.
I del Protocollo n. 2 del Generale Comandante le
Forze Alleate e Governatore Militare H.R. Alexan-
der.

L'anno millesecentoventy siate anni ventiquattro otto-
tre in Duquenois.

Nei sottoscritti SILVIO Sabatello, maresciallo d' illo-
gio e piedi con mente la suddetta stazione, MARINO Raffae-
le spuntato a piedi e STANCO Umberto carabinieri e pie-
di della suddetta stazione, riferiscono alla competente au-
torità che alle ore 18 di ieri furono informati da DI CARO
BO Alfonso di Torino e di Guido Caterina, nato a Lugano
il 7 novembre 1908, sergente maggiore di carriera presso
il 6° Reggimento Artieri - Bologna, che era venuto a si-
verbio con certo STANCO Carlo fu Silvio perchè questi non
aveva ubbidito a quanto prescritto dal n. 6 art. I del Pro-
tollo n. 2 a firma del Generale Alexander nel consegnare
in questo ufficio le armi possedute entro il giorno 12
ottobre 1945, come è manifesto affisso al pubblico, e vo-
leva vendergli a forza una pistola automatica con fucile
da marò.

Nei predetti militari, vestiti in divisa, abbiamo ricerca-
to lo STANCO e proseguito al fermo accompagnandolo nella
sua casa.

Ci siamo recati al domicilio dello STANCO e in perquisi-
zione operativa abbiamo rinvenuto le seguenti robe di pro-
venienza furtiva appartenente a vicilli ed all'amministra-
zione militare Italiana:

Uno scottolo tessile in stile giapponese;
Un bambino argenteo (o metallo bianco);
Uno scottolo contenente un portafoglio di metallo bian-
co spillo con cameo raffigurante una donna venettrice
di via Lira;

Uno spruzzapolvere al vetro (nesso cristallo);
pezze di porcellana;

Un pezzo di noci dell'armata 1942;
Kg. 5,700 di tabacco di contrabbando;
Otto acciaratori militari;

Quattro camicie militari;
 Quattro pantaloni militari;
 Una maglia militare G.V.;
 Una anorakina;
 Una bicicletta bianca;
 Una fondina per pistola automatica color nero;
 Una pistola a rotazione a **Blanco** colpi, carica;
 Della pistola automatica che voleva rendere al DI CARO la rivola-
 to soltanto la fondina, ma l'arma non fu possibile rintracciarla e
 lo **BLANCO** pur confermandoci il possesso non ha voluto indicarci ove
 l'aveva nascosta, dichiarando che nessuna legge poteva punire il fatto
 che un italiano è stato delle autorità allegate, ma semplicemente i tedeschi
 non avrebbero potuto leggere leggi e pretendere che venissero rispetta-
 tate, e nessun'altro.

Quanto è stato rinvenuto dell'abitazione dello **BLANCO** è stato sequestra-
 to e trovato in questa caserma a disposizione delle autorità competenti.
 Per l'assoluta mancanza di armi si è trasportato e per la strada interrotta
 che non possiamo trascurare lo **BLANCO** nelle carceri, per cui viene denun-
 ziato a piede libero e sarà tratto in arresto appena sarà possibile
 effettuare la sua traduzione in qualche carcere e sarà fatto seguito
 al presente verbale.

Poiché lo **BLANCO** alle ore 6 del 24 ottobre 1943 ci ha dichiarato che
 il DI CARO affidò al carico aveva nel suo domicilio roba di prove-
 niente irriparabile, ed siamo venuti subito nel domicilio operando mini-
 zione per la ricerca, ma con esito negativo.

Lo **BLANCO** denuncia il DI CARO in possesso di biciclette di
 provenienza furtiva ed abbiamo potuto accertare che il DI CARO possiede
 due biciclette su una ed una da donna di cui ha potuto rintracciare
 esecra il legittimo proprietario.

Di quanto presente abbiamo redatto il presente processo verbale in quat-
 tro copie per rimetterne una al Tribunale Militare del Governo Militare
 alleato in Napoli, una per conoscenza al Tribunale Militare Italiano
 in Napoli, una al Comando della Terza Armata Carabinieri Reali di Piedimonte
 Stabia ed una per gli atti di questo ufficio.

Fatto, letto e omesso in data e luogo di cui sopra e sottoscrittamente.

Antonio Maffei
Procedente Schullo 111to All. a p.

LEGIONE TERRITORIALE DEI CARABINIERI REALI DI
NAPOLI

N° 70 of Statement of Charges.

Station of DUGENTA

Statement of charges against Stanzo Carlo fu Silvio
e fu Ruggiero Filomena born in New York March 15th, 1916
and living in Dugenta, for act against paragraph 6 of Art.
1 of the proclamation N°2 of the General Commanding the
Allied Forces and Military Governor H.R. Alexander.

24 October, 1943

We the undersigned Brindisi Sabatiello, w/o commanding
of the Station, Marino Raffaele, corporal and Stefano Umberto
pvt. refer to the competent authority that at 1800 of yester-
day we were informed by Di Cerbò Alfonso di Enrico e di Guido
Caterina, born in Dugenta Nov. 7th, 1908, a sergeant (Staff)
with the 6^o Regiment Mecanized- Bologna, that he had had an
argument with Stanzo Carlo fu Silvio because the same had not
obeyed the orders contained in par. 6 of Art. 1 of the Procl.
N°2 signed by Gen. Alexander about the return to this Office
of all arms, the deadline of the order being Oct. 19th, 1943,
as by the manifest publicly affixed, he also wanted to force
a sale on the S/Sergeant of a pistol and holster.

We the above mentioned soldiers, in uniform, have
searched for Stanzo, and have arrested him and brought him to
our barracks.

We then proceeded to Stanzo's residence and searched
it thoroughly we found the following articles belonging to the
Italian Military Administration:

- 1) A box chiselled Japanese style.
- 2) A small statue of a boy in white metal.
- 3) A box containing a napkin's ring in white metal.
- 4) A Pin with cameo representing a woman playing the lira.
- 5) A perfume vaporizer in glass (half crystal)
- 6) Parts of parachute).
- 7) A bag of walnuts.
- 8) Kg. 5700 of smuggled tobacco.
- 9) 8 Towels (Army issue)
- 10) 4 Shirts (" ")
- 11) 4 under pants (Army issue)

e fa Gugliero Filomena born in New York March 15th, 1916 and living in Dugenta, for act against paragraph 6 of Art. 1 of the proclamation No 2 of the General Commanding the Allied Forces and Military Governor H.R. Alexander.

24 October, 1943

We the undersigned Brindisi Sabatiello, w/o commanding of the Station, Marino Raffaele, corporal and Staiano Umberto pvt. refer to the competent authority that at 1800 of yesterday we were informed by Di Cerbo Alfonso di Enrico e di Guido Caterina, born in Dugenta Nov. 7th, 1908, a sergeant (Staff) with the 6° Regiment Mecanized- Bologna, that he had had an argument with Stanzo Carlo fu Silvio because the same had not obeyed the orders contained in par. 6 of Art. 1 of the Procl. No 2 signed by Gen. Alexander about the return to this Office of all arms, the deadline of the order being Oct. 19th, 1943, as by the manifest publicly affixed, he also wanted to force a sale on the S/Sergeant of a pistol and holster.

We the above mentioned soldiers, in uniform, have searched for Stanzo, and have arrested him and brought him to our barracks.

We then proceeded to Stanzo's residence and searched it throughly, we found the following articles belonging to the Italian Military Administration:

- 1) A box chiselled Japanese style.
- 2) A small statue of a boy in white metal.
- 3) A box containing a nappin's ring in white metal.
- 4) A pin with cameo representing a woman playing the lira.
- 5) A perfume vaporizer in glass (half crystal)
- 6) Parts of parachute).
- 7) A bag of walnuts.
- 8) Kg. 5700 of smuggled tobacco.
- 9) 8 Towels (Army issue)
- 10) 4 Shirts (" ")
- 11) 4 under pants (Army issue)
- 12) an undershirt " "
- 13) One oil-cloth
- 14) A bicycle (Bianchi)
- 15) An holster (for pistol), brown.
- 16) A revolver loaded, six rounds.

The automatic pistol offered in sale to Di Cerbo couldn't be found, and Stanzo although admitting possession of it, would not tell where it would be found, declaring that no law either Allied or Italian could dictate laws and have them respected.

(2)

All that was found in Stanze's residence is being held and can be found in this barracks at the disposal of the competent authorities. Lacking transportation and due to the conditions of roads we can't take Stanze to jail, so that he is charged while as yet free, he will be arrested as soon as transportation to jail is possible, and this charges can then be prosecuted.

Since Stanze had told us that Di Cerbo Alfonso, di Enri-co, was in possession of stolen goods we searched immediately the residence of same but with negative outcome.

Stanzo also accused Di Cerbo of having stolen bicycles, and although Di Cerbo has turn bicycles, one for man and one for woman, he has proved without a doubt ownership of same.

Of all the above we have made four copies, one for the Military Tribunal of the A.M.C. of Naples, one for the Italian Military Tribunal of Naples, one to the R.R.CC. of Piedimonte d'Alife and one for this office.

Written, read, and closed in date and place as above, we now sign,

Territorial Legion of RR. CC. of Naples

No. 101 Statement

Station of Dugenta

Statement of charges against STANZO CARLO FU SILVIO E FU RUGGIERO FICHERA, born in New York, March 15th, 1916 and living in Dugenta, for acts against par. 6 of art. 1 of Proclamation No. 2 of the Commander of the Allied Forces and Military Governor, Gen. Alexander, and for aiding Germans troop in looting of private properties.

Nov. 3rd, 1943 in Dugenta. We, the undersigned BRINDISI Sabatello W/O, commanding the above mentioned Station, Corp. MARINO Raffaele, and Pvt. STAIANO Umberto, inform the competent authority that since the reserve mentioned in statement No. 70 Oct. 24th, 1943, has been eliminated, we have arrested STANZO CARLO FU SILVIO FU RUGGIERO FICHERA, born in New York March 15th 1916 and living in Dugenta, guilty of the crime of being found in possession of a revolver loaded after the date fixed for the return of all arms to the authorities, by manifests published on Oct. 19th, 1943.

While investigating further, we found from various sources, that Stanzo, during the period of tyranny by the German troops, placed himself at the disposal of the German soldiers, pointing to them those houses where looting was most fruitful. Stanzo often dressed in the German uniform as a disguise from the Dugenta population. He went about armed and often fired in the air in public places to scare the citizens. We include a declaration from the Archpriest of Dugenta, Don Pasquale De Rosa which proves the accusations against Stanzo Carlo. Other witnesses refused to give their names fearing the vengeance of the accused, who is known as a violent character. It has also been proved that he abuses his wife and relatives, who charged him to this Legion in the past.

In the last days, knowing of what he was accused, he tried to bribe member of this Corp. and called himself a victim of the Italian authority.

While he was arrested, in our barrack, at full voice so that he could be heard in the street, he flung insults against the laws of the Allied Government and against the RR. CC; repeating that no one could enforce the law as the German could. Stanzo at the time of the arrest was very drunk. He was charged twice with discretion. The in-laws of the accused, mentioned in the declaration of the Archpriest, have run away and we await orders from the competent authority, to look for them and arrest them if necessary. Written, read, and signed

Military Governor, Gen. Alexander, and for aiding Germans
troop in looting of private properties.

Nov. 3rd, 1943 in Dugenta. We, the subscribed BRINDISI Sabatiello V/O, commanding the above mentioned Station, Corp. MARINO Raffaele, and Pvt. STALINO Umberto, inform the competent authority that since the reserve mentioned in statement No. 70 Oct. 24th, 1943, has been eliminated; we have arrested STANZO CARLO FU SILVIO FU RUGGIERO FLORENZA, born in New York March 15th 1916 and living in Dugenta, guilty of the crime of being found in possession of a revolver loaded after the date fixed for the return of all arms to the authorities, by manifests published on Oct. 19th, 1943.

While investigating further, we found from various sources, that Stanzo, during the period of tyranny by the German troops, placed himself at the disposal of the German soldiers, pointing to them those houses where looting was most fruitful. Stanzo often dressed in the German uniform as a disguise from the Dugenta population. He went about armed and often fired in the air in public places to scare the citizens. We include a declaration from the Archpriest of Dugenta, Don Pasquale De Rosa which proves the accusations against Stanzo Carlo. Other witnesses refused to give their names fearing the vengeance of the accused, who is known as a violent character. It has also been proved that he abuses his wife and relatives, who charged him to this Legion in the past.

In the last days, knowing of what he was accused, he tried to bribe a member of this Corp. and called himself a victim of the Italian authority.

While he was arrested, in our barrack, at full voice so that he could be heard in the street, he flung insults against the laws of the Allied Government and against the RR. CC; repeating that no one could enforce the law as the German could. Stanzo at the time of the arrest was very drunk. He was charged twice with desertion. The in-laws of the accused, mentioned in the declaration of the Archpriest, have run away and we await orders from the competent authority, to look for them and arrest them if necessary. Written, read, and signed

LEGIONE GERMANICO DELLE CARABINIERI RE.SI DI NAPOLI

A. 101 DEL VERBALE

STAZIONE DI DUGENTA

PROCESO VERBALE DI ARRESTO DI STANZO CARLO FU SILVIO A SU RUGGIERO FILO-
MENA, nato a New York il 15 marzo 1916, domiciliato a Du-
genta, per inosservanza al n. 0 art. I del Proclama n. 2
del Comandante le Forze Allegate e Governatore Militare
Generale H.R. Alexander e per aver aiutato le truppe te-
desche nel saccheggioimento delle abitazioni civili.

L'anno milienovecentotrentatre ed il 5 novembre in Dugenta, nei sottoscritti BALDINI Sabatello, Marchello d'alloggio a piedi com-
mandante la stazione, appunto a piedi MARINO Raffaele e carabi-
niere GIULIO Umberto della riserva, riferisco alla competente autorità
e addeglimento della riserva espressa nel verbale di questo ufficio n. 70
del 24 ottobre 1943, abbiamo presentato all'arresto di STANZO CARLO FU SIL-
VIO A SU RUGGIERO FILOMENA, nato a New York il 15 marzo 1916, domiciliato
a Dugenta, colpevole del reato di essere stato trovato in possesso di una
pistola a rotazione a cinque colpi con relative cartucce dopo la data fissata per la loro resa per mezzo di avviso pubblicato (19-10-1943).
Nel corso di successive indagini ci è risultato dalla voce pubblica che
lo STANZO CARLO durante il periodo della viramide delle truppe tedesche
si mise a disposizione dei soldati tedeschi ed indicava ad essi le abiter-
zioni di quei cittadini ove potevano trovare nella roba facciale sac-
cheggiare senza che egli comparisse, e, spesso, vestiva in divisa tedesca
per evitarne il riconoscimento da parte dei cittadini. Circostanza armata
e spesso sparava colpi in aria nell'abitato per spaventare i cittadini.
Si allega una dichiarazione rilasciataci dall'arciprete di Dugenta Don
Pasquale De Rosa dalla quale rileviamo le accuse attribuite allo STANZO
e che parecchie persone non ci sono rese note per le scuse tenendo lo
STANZO in quanto per il suo carattere è tenuto ritenendolo espone di
eventuali tentativi. L'elemento che maltratta la moglie ed i figliuoli
che spesso in passato hanno denunciato a quest'arma il congiunto perchè
fosse ricambiato.

In questi ultimi giorni lo STANZO sapendo di quale reato veniva accusato
abilmente ha cercato di evadere militare allegati andati balli nella
sua abitazione per farli divertire e stringere amicizia, coi quali si è
attaccato a vittima da parte delle autorità italiane allo scopo di de-
viare ogni sospetto sulla sua condotta avversa al governo Militare Alle-
ato.

All'atto del suo arresto, nella nostra camera - ad alta voce da potersi
ascoltare benissimo nei paventi - pronunciava parole offensive contro
le leggi del governo militare allegato e contro l'Arma, e sereno e
nessuno poteva imporre leggi e rispetto all'infuori del tedesco.
Le condizioni dello STANZO non erano normali perchè ubriaco.
Lo STANZO fu denunciato due volte per il reato di diserzione.
I Cognati dello STANZO menzionati nella dichiarazione del sergente DE
ROSA: CARLO Antonio e ANTONIO fu Raffaele, si sono dati alla latitanza e
si attendono ordini dall'autorità competente se devono ricercare e pro-

Conte, per l'osservanza del n. 6 art. I del Proclama N. 2
 del Comandante le Forze Alleate e Governatore Militare
 Generale H. S. Alexander e per aver aiutato le truppe te-
 sche nei saccheggiamento delle abitazioni civili.

L'anno millenovecentotrentatré addì 3 novembre in Dugenta. ---
 noi sottoscritti BALDIBI Gabriele, MARCESIILLO d'Alloggio e PIESI con-
 nate la suddetta stazione, appunto e PIESI MARINO Raffaele e curabi-
 liere ~~Umberto~~ della medesima, riferiamo alla competente autorità
 a scioglimento della riserva espressa nel verbale di questo ufficio N. 70
 del 24 ottobre 1943, abbiamo proceduto all'arresto di STANZO CARLO FU SII-
 VIO e FU RUJILLO FLORENZA, nato a New York il 15 marzo 1916,omicidiato
 a Dugenta, colpevole del reato di omicidio trovato in possesso di una
 pistola a rotazione e cinque colpi con relativa cartucce dopo la data fis-
 sata per la loro resa per mezzo di avviso pubblicato (19-10-1943). ---
 nel corso di successive indagini ci è rimbalzato dalla voce pubblica che
 lo STANZO CARLO durante il pericolo della tiramide delle truppe tedesche
 si mise a disposizione dei soldati tedeschi ed indicava a essi le abita-
 zioni di quei cittadini ove potevano trovare della roba facendole asce-
 cheggiare senza che egli cooperasse, e, spesso, vestiva in divisa tedesca
 per evitarne il riconoscimento da parte dei cittadini. Circoscrive armato
 e spesso sparava colpi in aria nell'abitato per spaventare i cittadini.
 Si allega una dichiarazione rilasciata dall'arciprete di Dugenta Don
 Pasquale De Rosa dalla quale rilevasi le accuse attribuite allo STANZO
 e che parecchie persone non si sono rese note per le accuse tenute lo
 STANZO in quanto per il suo carattere è tenuto ritenendolo capace di
 eventuali vendette. L'elemento che maltratta la moglie ed i figliuoli
 che spesso in passato hanno tentato a quest'arma i congiunti perchè
 fosse richiamato. ---

In questi ultimi giorni lo STANZO sapendo di quale reato veniva accusato
 abilmente ha cercato di avvicinare militari alleati dando balli nella
 sua abitazione per farli divertire e stringere amicizia, coi quali si è
 atteggiato a vittima da parte delle autorità italiane allo scopo di de-
 viare ogni sospetto sulla sua condotta avverta al governo militare alle-
 ato.

All'atto del suo arresto, nella nostra caserma ad alta voce da poterli
 ascoltare benissimo dai passanti - pronunciava parole offensive contro
 le leggi del governo militare alleato e contro l'Arma, avvertendo che
 nessuno poteva imporle leggi e rispetto all'infuori dei tedeschi. ---

Le condizioni dello STANZO non erano normali perchè ubbriaco.
 Lo STANZO fu denunziato due volte per il reato di diserzione. ---
 I Cognati dello STANZO menzionati nella dichiarazione del sergente DA
 ROSA: CRISCI Antonio e Andrea fu Raffaele, si sono dati alla latitanza e
 si attendono ordini dall'autorità competente se devono ricercare e pro-
 cedere al loro arresto.

Di quanto precede abbiamo redatto il presente verbale in quattro copie
 per rimetterne una al Tribunale Militare Alleato di Napoli, a disposizione
 ne del quale restano in arresto che viene trattenuto nelle carceri giudi-
 ciarie di Napoli, una al Tribunale Militare Italiano di Napoli, per conca-
 scenza, una al comando se la tenenza di Piedimonte d'Alife e una per gli
 atti di questo ufficio. ---

Fatto, letto, chiusa e sottoscritto. V

Stanzoni
Procedura Subordinata M. P. n. 2

1685

From, b

ALLIED MILITARY GOVERNMENT COMMITMENT

To: The officer in Charge.
of Loggione (Prison) ~~(Hall) (Camp)~~ or any other prison, jail or camp to
which the prisoner may be hereafter lawfully transferred.

Whereas one Stango, Carlo has been convicted of the offence of
possession of firearms contrary to Proclamation 2
and has been sentenced by the Superior Military Court of Naples
Name of Court.

to serve a sentence of 2 years and to pay a fine of lire 20000
and additional 6 months if the fine is not paid
the said sentence to commence on 27 November, 1943
Date.

Now, therefore you are hereby authorized to receive the said Stango, Carlo
NAME OF ACCUSED
into your custody and detain him in accordance with the sentence so imposed or unit
further order of this Court or a competent military authority and for so doing this shall be
sufficient warrant.

Signed this 27th day of November 1943

John W. Chapman
Presiding Officer Stal.
Superior Military Court
Naples

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

COMMITMENT

To: The officer in Charge.

of Poggioreale (Prison) ~~(Jail)~~ or any other prison, jail or camp to which the prisoner may be hereafter lawfully transferred.

Whereas one Stango, Carlo has been convicted of the offence of Possession of firearms contrary to Proclamation 2 and has been sentenced by the Superior Military Court of Naples Name of Court.

to serve a sentence of 2 years and to pay a fine of lire 20000 and additional 6 months if the fine is not paid the said sentence to commence on 27 November, 1943 Date.

Now, therefore you are hereby authorized to receive the said Stango, Carlo 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 27th day of November 1943

John W. Chapman
Presiding Officer U.S.A.
Superior Military Court
Naples

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

father and mother. My mother became sick and my father returned to America without us. I have never returned to the United States. I am a farm laborer and work by the day. I do not own a farm. On 23 October 1943, a friend quarreled with my wife and struck her. She complained to the police who brought the friend before them for questioning. He informed the police that I had a revolver. The police sent for me and required me to bring the revolver and ammunition to them. The house was searched the next day, 24 October 1943.

The case for the defense was closed.

After the court had made its findings, the Prosecutor offered evidence of character of accused in form of a written statement signed by Don Pasquale de Rosa, Archbishop of Dugento, which is attached to the record. The statement was not considered by the court.

John W. Chapman

JOHN W. CHAPMAN,
Lt. Col., J.A.C.D.,
President and Sole
Member.

PLEAS OF THE ACCUSED

The accused STANZO, CARLO first charge; pleads Not Guilty third charge.	pleads Guilty to the second charge; pleads to the
The accused first charge; pleads third charge.	pleads to the second charge; pleads to the
The accused first charge; pleads third charge.	pleads to the second charge; pleads to the

FINDINGS OF THE COURT

The accused STANZO, CARLO 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
 guilty / not guilty of the second charge; guilty / not guilty of the first charge;
 guilty / not guilty of the third charge.

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

SENTENCE OF THE COURT

The Court sentences the accused STANZO, CARLO, to be imprisoned for a period of two years from the 27th day of November, 1943, and to pay a fine of 20,000 lire; and, in the event the fine be not paid before the expiration of the period of two years, to be imprisoned for an additional period of six months.

The Court sentences the accused: Ordered that the revolver and ammunition be confiscated and delivered to the Civil Affairs Police Officer, City of Naples.

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

REVIEW

Findings & Sentence confirmed

Ms Carl Brando Deeto

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

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

FINDINGS OF THE COURT

The accused STANZO, CARLO 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 STANZO, CARLO, to be imprisoned for a period of two years from the 27th day of November, 1943, and to pay a fine of 20,000 lire, and, in the event the fine be not paid before the expiration of the period of all offences charged in the above proceedings of which the said accused has been found guilty.

The Court sentences the accused to be imprisoned for an additional period of six months 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 be imprisoned for an additional period of six months 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 be imprisoned for an additional period of six months in respect of all offences charged in the above proceedings of which the said accused has been found guilty.

REVIEW

Findings & sentence confirmed.

Ms Carl Brinda Deeto

Dated 18/1/44. 194

Signature

CONFIRMATION OF DEATH SENTENCE

Dated

194

Signature

IN LIEU OF FORM
SUMReturn of cases heard by Summary CourtsIn 5th Army Area after Nov. 1, 1943

<u>NAME OF ACCUSED</u>	<u>CHARGE</u>	<u>PLEA</u>	<u>FINDING</u>	<u>SENTENCE</u>	<u>PL</u>
2. Russo Antonio	Looting	Not guilty	Not guilty		Na
3. Pisani Pompeo	Looting	"	"		Na
4. Battimiello Luigi	Black Market	Guilty	Guilty	3 months in jail suspens	"
5. Adamo Carmine	" "	"	"	" "	"
6. Cirillo Pasquale	" "	"	"	" "	"
7. Di Natale Clementina	" "	"	"	" "	"
8. Canzenella Anna	" "	"	"	" "	"
9. Napoletano Gennaro	Black Market	Guilty	Guilty	15 days in jail suspens	"
10. Messina Giuseppe	" "	"	"	" "	"
11. Nolano Anna	" "	"	"	" "	"
12. Dr. Mangiapia Leone	Black Market	Not guilty	Not guilty		"

In lieu of ~~Form 8~~
Summary Record

Return of cases heard by Summary Courts

In 5th Army Area after Nov. 1, 1943

<u>CHARGE</u>	<u>PLEA</u>	<u>FINDING</u>	<u>SENTENCE</u>	<u>PLACE OF TRIAL</u>	<u>NAME OF JUDGE</u>
Looting	Not guilty	Not guilty		Naples	Lt. C.H.A. Katzen
Looting	"	"		Naples	"
Black Market	Guilty	Guilty	<u>3 months in jail suspended</u>	Naples	"
" "	"	"	" "	"	"
" "	"	"	" "	"	"
" "	"	"	" "	"	"
Black Market	Guilty	Guilty	<u>15 days in jail suspended</u>	"	"
" "	"	"	" "	"	"
" "	"	"	" "	"	"
Black Market	Not guilty	Not guilty		"	"

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1692