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

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ALLIED MILITARY COU
NOV., DEC. 1943

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

10000/142/947

ALLIED MILITARY COURT RECORDS, 8TH ARMY AREA
NOV., DEC. 1943

Case No. 114

FORM No. 8

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at FORLI DEL SANNIO PROVINCE CAMPOBASSO

on the 29 DEC 1943 day of 194

Before WILLIAM A. LESSA 2D LT.

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

REFERENCE No. L-17

ACCUSED

Name: - PRONI TOMASO

Address: - AQUAVIVA (COMMUNE FORLI), CB

Description: -

Occupation: - PEASANT

Age: - 16

INTERPRETER

Name: NONE is duly sworn

PROSECUTING OFFICER

Name: WILLIAM A. LESSA 2D LT.

ADVOCATE FOR ACCUSED

Name: NONE

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).

STEALING PROPERTY OF THE ALLIED FORCES

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

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at FORLI DEL SANNIO PROVINCE CAMPOBASSO

on the 29 DEC 1943 day of 194

Before WILLIAM A. LESSA 2D LT.

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

REFERENCE No. L-17

ACCUSED

Name: - PRONI TOMASO

Address: - AQUAVIVA (COMMUNE FORLI), CB

Description: -

Occupation: - PEASANT

Age: - 16

INTERPRETER

Name: NONE is duly sworn

PROSECUTING OFFICER

Name: WILLIAM A. LESSA 2D LT.

ADVOCATE FOR ACCUSED

Name: NONE

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).

STEALING PROPERTY OF THE ALLIED FORCES

PROC. NO. 2, ARTICLE II, SECTION 27

HEADQUARTERS A.C. CASE NO.

The Charges are read and explained to each accused.

NO AC 90

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

PLEAS OF THE ACCUSED

The Accused	pleads	NG	to the 1st charge
	pleads		to the 2nd charge
	pleads		to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

NONE

FINDINGS OF THE COURT

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.

SENTENCE OF THE COURT

The Court sentences the accused

to 3 MONTHS SUSPENDED SENTENCE

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

ALLIED MILITARY COURT — OFFICIAL UNIT WM. A. LESSA C.A.C.

William A. Lessa
(Signature of Judge of Allied Military Court)

WILLIAM A. LESSA 2D LT.

REVIEW

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

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

NONE

FINDINGS OF THE COURT

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.

SENTENCE OF THE COURT

The Court sentences the accused

to 3 MONTHS SUSPENDED SENTENCE

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

ALLIED MILITARY COURT
OFFICIAL
Lt. Col.
WM. A. LESS
C. A. O.
LT

William A. Lessa
(Signature of Judge of Allied Military Court)

WILLIAM A. LESSA 2D LT.

REVIEW

Date 194 Signature .....

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

FORM No. 4

GOVERNO MILITARE ALLEATO

FOGLIO D'ACCUSA

PLACE Luogo: Forlì del Sannio

DATE Data: 29 December 1943

Proni Tomaso
(NAME OF DEFENDANT)
(Nome dell'Accusato)

Aquaviva, Prov. Campobasso
(ADDRESS)
(Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Stealing property of the Allied Forces (Proc. 2, Art. II Sec. 27)

Particulars: Apprehended 27 December 1943 while stealing 2 sacks of forage belonging to Allied Forces.

Second Charge:

Particulars:

TRADUZIONE

Prima Accusa: Furto in danno delle Forze Alleato (Proc. Nº 2, Art. II, Sez. 27)

Dettagli: Arrestato giorno 27 Dicembre 1943 mentre rubava della paglia di proprietà dell' amministrazione delle Forze Alleato.

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 Summary Court, Forlì
(NAME AND ADDRESS OF COURT)
(Nome e indirizzo della Corte)

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

FOGLIO D'ACCUSA

PLACE Luogo: Forlì del Sannio

DATE Data: 29 December 1943

Proni Tomaso
(NAME OF DEFENDANT)
(Nome dell'Accusato)

Aquaviva, Prov. Campobasso
(ADDRESS)
(Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Stealing property of the Allied Forces (Proc. 2, Art. II Sec. 27)

Particulars: Apprehended 27 December 1943
while stealing 2 sacks of forage belonging to Allied Forces.

Second Charge:

Particulars:

TRADUZIONE

Prima Accusa: Furto in danno delle Forze Alleato (Proc. N° 2, Art. II, Sez. 27)

Dettagli: Arrestato giorno 27 Dicembre 1943 mentre rubava della paglia di proprietà dell' amministrazione delle Forze Alleato.

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 Summary Court, Forlì
(NAME AND ADDRESS OF COURT)
(Nome e indirizzo della Corte)

Per ordine

William A. Lessa 2d Lt.
Firma dell'Individuo Autorizzato

HEADQUARTERS A.C. CASE NO. 10

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

(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

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

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

EVIDENCE FOR ACCUSED

CASE No 113

FORM No. 8

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at FORLI DEL SANNIO PROVINCE CAMPOBASSO

on the 29 DEC 1943 day of 194

Before WILLIAM A. LESSA 2D LT.

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

REFERENCE No. L-16

ACCUSED

Name: - PRONI GERARDO

Address: - AQUAVIVA (COMMUNE FORLI) CB

Description: -

Occupation: - PEASANT

Age: - 21

INTERPRETER

Name: NONE is duly sworn

PROSECUTING OFFICER

Name: WILLIAM A. LESSA 2D LT.

ADVOCATE FOR ACCUSED

Name: NONE

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).

STATUTE LAW OF THE UNITED NATIONS

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

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at FORLI DEL SANNIO PROVINCE CAMPOBASSO

on the 29 DEC 1943 day of 194

Before WILLIAM A. LESSA 2D LT.

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

REFERENCE No. L-16

ACCUSED

Name: - PRONI GERARDO

Address: - AQUAVIVA (COMMUNE FORLI) CB

Description: -

Occupation: - PEASANT

Age: - 21

INTERPRETER

Name: NONE is duly sworn

PROSECUTING OFFICER

Name: WILLIAM A. LESSA 2D LT.

ADVOCATE FOR ACCUSED

Name: NONE

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).

STEALING PROPERTY OF THE ALLIED FORCES

PROC. NO. 2 ARTICLE II SEC. 27

The Charges are read and explained to each accused.

HEADQUARTERS A.C. CASE NO. 91 HQ AC 91

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

PLEAS OF THE ACCUSED

The Accused	pleads	NG	to the 1st charge
	pleads		to the 2nd charge
	pleads		to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

NONE

FINDINGS OF THE COURT

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.

SENTENCE OF THE COURT

The Court sentences the accused

to THREE MONTHS SUSPENDED SENTENCE

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

GOVERNMENT ... MILITARY ... REVIEW

William A. Lessa
(Signature of Judge of Allied Military Court)
WILLIAM A. LESSA 2D LT.

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

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

NONE

FINDINGS OF THE COURT

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.

SENTENCE OF THE COURT

The Court sentences the accused

to THREE MONTHS SUSPENDED SENTENCE

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

GOVERNMENT OF CEYLON MILITARY REVIEW

William A. Lessa
(Signature of Judge of Allied Military Court)
WILLIAM A. LESSA 2D LT.

Date 194 Signature .....

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

Legione Territoriale dei Carabinieri Reali di Bari
Stazione di Forlì d[illegible] Sannio

N°74 del Verbale

PROCESSO VERBALE di denunzia di PRONI Gerardo di Giovanni e di Frati Camilla nato ad Acquaviva d'Iserna il 22/6/1922 contadino e PRONI Tommaso di Giovanni e di Frati Camilla,nato ad Acquaviva d'Iserna il 24/12/1927,contadino, per tentato furto (art.624).----------

---------ooOoo---------

L'anno millenovecentoquarantatré addì 29 del mese di dicembre,in Forlì del Sannio,nell'ufficio di stazione alle ore 17.--
Noi sottoscritti vicebrigadiere a piedi NICOTRA Salvatore, della della suddetta stazione e Carabiniere D'ANTONIO Nicola, della medesima, riferiamo alla competente autorità che verso le ore 11,30 di oggi si é presentato nel nostro ufficio il Capitano inglese MASON del 2 1/C No 2 Pack Coy. facendosi la seguente denunzia verbale:----------
Verso le ore 15,30 del 27 corrente i militari inglesi WILLIS F. al n.1138969 di matricola e Newman H.4927646 di matr. del reparto Royal Artiglieria di stanza ad Acquaviva d'Isernia,hanno sorpreso due ragazzi intenti a rubare del foraggio lasciato incustodito del reparto 2 Pack Coy.in località Caiavuni (tenere di Acquaviva d'Isernia.----------
Avuta tale denunzia, noi suduetti militari, vestiti in divisa, alle ore 12 di oggi ci siamo recati sul posto per accertare il fatto e per la identificazione degli autori del tentato furto. Infatti,giunti sul posto abbiamo accertato che da detta località erano stati asportati circa due quintali di paglia mangiativa appartenente al suddetto reparto sommergiata.----------
Esperite indagini sugli autori del tentato furto,abbiamo potuto accertate che essi erano certi PRONI Gerardo e Tommasso, entrambi fratelli,in oggetto generalizzati.----------
Interrogati in merito al tentato furto,essi hanno ammesso che il giorno precedente si erano portati nella suduetta Caiavuni per prendere due sacchi di paglia che avevano lasciati i militari inglesi ivi incustodia,credendosi che non ne facessero più uso e anche per rifarsi di una parte di foraggio che gli stessi militari inglesi avevano loro requisito alcuni giorni prima.----------
Non risulta che i detti fratelli PRONI abbiano altre volte preso della paglia nella località Caiavuna,né é stato possibile accertare gli autori della paglia mancante,si é potuto solo sapere che qualche giorno prima persone sconosciute avevano asportato alcuni sacchi di paglia che in effetti non sono del comune di Acquaviva d'Iserna.Nondimeno,quest'Arma continuerà nelle indagini per addivenire alla scoperta degli autori della paglia mancante e nel

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

PROCESSO VERBALE di denunzia di FRONI Gerardo di Giovanni e di Frati Camilla nato ad Acquaviva d'Iserna il 22/6/1922 contadino e FRONI Tommaso di Giovanni e di Frati Camilla,nato ad Acquaviva d'Iserna il 24/12/1927,contadino, per tentato furto (art.624).----------

---------ooOoo---------

L'anno millenovecentoquarantatré addì 29 del mese di dicembre,in Forlì del Sannio,nell'ufficio di stazione alle ore 17.--

Noi sottoscritti vicebrigadiere a piedi NICOFRA Salvatore, della della suddetta stazione e Carabiniere D'ANTONIO Nicola, della medesima, riferiamo alla competente autorità che verso le ore 11,30 di oggi si é presentato nel nostro ufficio il Capitano inglese MASON del 2 1/C No 2 Pack Coy. facendoci la seguente denunzia verbale:----------

Verso le ore 15,30 del 27 corrente i militari inglesi WILLIS F. al n.1138969 di matricola e Newman H.4927646 di magr. del reparto Royal Artiglieria di stanza ad Acquaviva d'Isernia,hanno sorpreso due ragazzi intenti a rubare del foraggio lasciato incustodito del reparto 2 Pack Coy.in località Caiavuni (tenere di Acquaviva d'Isernia.----------

Avuta tale denunzia, noi suduetti militari, vestiti in divisa, alle ore 12 di oggi ci siamo recati sul posto per accertare il fatto e per la identificazione degli autori del tentato furto. Infatti,giunti sul posto ~~abbiamo~~ abbiamo accertato che da detta località erano stati asportati circa due quintali di paglia mangiativa appartenente al suddetto reparto sommergiata.----------

Esperite indagini sugli autori del tentato furto,abbiamo potuto accertare che essi erano certi PRONI Gerardo e Tommasso, entrambi fratelli,in oggetto generalizzati.----------

Interrogati in merito al tentato furto,essi hanno ammesso che il giorno precedente si erano portati nella suduetta frazione Caiavuni per prendere due sacchi di paglia che avevano lasciati i militari inglesi ivi incustodia,credendosi che non ne facessero più uso e anche per rifarsi di una parte di foraggio che gli stessi militari inglesi avevano loro requisito alcuni giorni prima.----------

Non risulta che i detti fratelli PRONI abbiano altre volte preso della paglia nella località Caiavuna,né é stato possibile accertare gli autori della paglia mancante,si é potuto solo sapere che qualche giorno prima persone sconosciute aveva asportato alcuni sacchi di paglia che in effetti non sono del comune di Acquaviva d'Iserna.Nondimeno,quest'Arma continuerà nelle indagini per addivenire alla scoperta degli autori della paglia mancante e nel caso di esito positivo farà seguito al presente processo verbale.

Perché consti abbiamo compilato il presente verbale in tre copie per rimetterne una al Sig.Giudice del Mandamento di Forlì del Sannio,una ai nostri sig.superiori e l'altra agli atti di ufficio.----------

Fatto,letto e chiuso in data e luogo di cui sopra ci sottoscriviamo.----------

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

FORM No. 4

GOVERNO MILITARE ALLEATO

FOGLIO D'ACCUSA

PLACE Luogo: Forlì del Sannio

DATE Data: 29 December 1943

Proni Gerardo
(NAME OF DEFENDANT)
(Nome dell'Accusato)

Aquaviva, Prov. Campobasso
(ADDRESS)
(Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Stealing property of the Allied Forces (Proc. 2, Art. II, Sec. 27)

Particulars: Apprehended 27 December 1943 while stealing 2 sacks of forage belonging to Allied Forces.

Second Charge:

Particulars:

TRADUZIONE

Prima Accusa: Furto in danno del Forze Alleato (Proc. Nº 2, Art. II, Sez. 27)

Dettagli: Arrestato giorno 27 Dicembre mentre rubavano della paglia di proprità dell' amministrazione delle Forze Alleato.

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 Summary Court, Forlì
(NAME AND ADDRESS OF COURT)
(Nome e indirizzo della Corte)

Per ordine

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

FOGLIO D'ACCUSA

PLACE Luogo: Forlì del Sannio

DATE Data: 29 December 1943

Proni Gerardo
(NAME OF DEFENDANT)
(Nome dell'Accusato)

Aquaviva, Prov. Campobasso
(ADDRESS)
(Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Stealing property of the Allied Forces (Proc. 2, Art. II, Sec. 27)

Particulars: Apprehended 27 December 1943 while stealing 2 sacks of forage belonging to Allied Forces.

Second Charge:

Particulars:

TRADUZIONE

Prima Accusa: Furto in danno del Forze Alleato (Proc. Nº 2, Art. II, Sez. 27)

Dettagli: Arrestato giorno 27 Dicembre mentre rubavano della paglia di proprità dell' amministrazione delle Forze Alleato.

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 Summary Court, Forlì
(NAME AND ADDRESS OF COURT)
(Nome e indirizzo della Corte)

Per ordine

William A. Lessa, 2ª Lt.
Firma dell'Individuo Autorizzato

HEADQUARTERS A.G. CASE NO. 91

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

(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

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

Case No. 111

FORM No. 8

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at ~~CAMPOBASSO~~ FORLI DEL SANNIO PROVINCE CAMPOBASSO

on the 28 DEC 43 day of 194

Before WILLIAM A. LESSA 2D LT.

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

REFERENCE No. L-14

ACCUSED

Name: - VENEZIALE LUIGI

Address: - LONGANO CB

Description: -

Occupation: - PEASANT

Age: - 26

INTERPRETER

Name: NONE is duly sworn

PROSECUTING OFFICER

Name: ~~NONE~~ WILLIAM A. LESSA 2D LT.

ADVOCATE FOR ACCUSED

Name: NONE

1 ~

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).

VIOLATION PROC. NO. 2 ART. II SEC. 43

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

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at ~~CAMPOBASSO~~ FORLI DEL SANNIO PROVINCE CAMPOBASSO

on the 28 DEC 43 day of 194

Before WILLIAM A. LESSA 2D LT.

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

REFERENCE No. L-14

ACCUSED

Name: - VENEZIALE LUIGI

Address: - LONGANO CB

Description: -

Occupation: - PEASANT

Age: - 26

INTERPRETER

Name: NONE is duly sworn

PROSECUTING OFFICER

Name: ~~NONE~~ WILLIAM A. LESSA 2D LT.

ADVOCATE FOR ACCUSED

Name: NONE

1 ~ ?

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).

VIOLATION PROC. NO. 2 ART. II SEC. 43
APPREHENDED TRAVELING WITHOUT PERMIT IN FORLI 27 DEC 1943

The Charges are read and explained to each accused.

HEADQUARTERS A.C. CASE NO. 92 HQ AC 92

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

PLEAS OF THE ACCUSED

The Accused pleads G to the 1st charge

pleads to the 2nd charge

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

NONE

FINDINGS OF THE COURT

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.

PROCLAMATIONS NOT POSTED IN HIS TOWN

SENTENCE OF THE COURT

The Court sentences the accused

to FINE OF LIRE 100

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

ALLIED MILITARY GOVERNMENT OFFICIAL LIEUT. A. LESSA A.U.S.

William A. Lessa
(Signature of Judge of Allied Military Court)
WILLIAM A. LESSA 2D LT.

REVIEW

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

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

NONE

FINDINGS OF THE COURT

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.

PROCLAMATIONS NOT POSTED IN HIS TOWN

SENTENCE OF THE COURT

The Court sentences the accused

to

FINE OF LIRE 100

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

ALLIED MILITARY GOVERNMENT OFFICIAL LIEUT. A. LESSA A.U.S. REVIEW

William A. Lessa
(Signature of Judge of Allied Military Court)
WILLIAM A. LESSA 2D LT.

Date 194 Signature .....

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

L-14

FORM No. 4

GOVERNO MILITARE ALLEATO

FOGLIO D'ACCUSA

PLACE / Luogo: Forlì del Sannio

DATE / Data: 28 December 1943

Veneziale Luigi
(NAME OF DEFENDANT)
(Nome dell'Accusato)

Longano, CB
(ADDRESS)
(Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Violation Sec. 10, Article 2a, Sec. 43

Particulars: [illegible] in Forlì [illegible] on 7 Dec 1943.

Second Charge:

Particulars:

TRADUZIONE

Prima Accusa: Violazione Sec. 10, Articolo 2a, Sec. 43

Dettagli: [illegible] in Forlì il giorno 7 dicembre 1943.

Seconda Accusa:

Dettagli:

1.1

(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 [illegible]
(NAME AND ADDRESS OF COURT)
(Nome e indirizzo della Corte)

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

FOGLIO D'ACCUSA

PLACE / Luogo: Forlì del Sannio

DATE / Data: 28 December 1943

Veneziale Luigi
(NAME OF DEFENDANT)
(Nome dell'Accusato)

Longano, CB
(ADDRESS)
(Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Violation Sec. 75, Article 82, Sec. 43

Particulars: Unauthorized traveling in Forlì without permit on

7 Dec 1943.

Second Charge:

Particulars:

TRADUZIONE

Prima Accusa: Violazione dell'Art. 75, articolo 82, sez. 43

Dettagli: Essendo privo illegalmente di permesso di circolazione

nel 7 dicembre 1943.

Seconda Accusa:

Dettagli: 1

(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 Allied Hdqrs, Forli
(NAME AND ADDRESS OF COURT)
(Nome e indirizzo della Corte)

Per ordine

William A. Lessa
Firma dell'Individuo Autorizzato

2nd Lt., Civil Affairs Officer

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

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

Farmer
26

(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

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

EVIDENCE FOR ACCUSED

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

Case No 110

FORM No. 8

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Forlì del Sannio, CB

on the 28 Dec '43 day of 194

Before WILLIAM A. LESSA 2D LT. (Name & rank of President Members and/or Magistrate constituting the Court)

REFERENCE No. L-13

ACCUSED

Name: - FIELLI GIUSEPPE

Address: - LONGANO, CB

Description: -

Occupation: - PEASANT

Age: - 50

INTERPRETER

Name: NONE is duly sworn

PROSECUTING OFFICER

Name: WILLIAM A. LESSA 2D LT

ADVOCATE FOR ACCUSED

Name: NONE

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).

VIOLATION PROC. NO. 2 ART. II SEC. 43

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

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Forlì del Sannio, CB

on the 28 Dec '43 day of 194

Before WILLIAM A. LESSA 2D LT. (Name & rank of President / Members and/or Magistrate constituting the Court)

REFERENCE No. L-13

ACCUSED

Name: - FIELLI GIUSEPPE

Address: - LONGANO, CB

Description: -

Occupation: - PEASANT

Age: - 50

INTERPRETER

Name: NONE is duly sworn

PROSECUTING OFFICER

Name: WILLIAM A. LESSA 2D LT

ADVOCATE FOR ACCUSED

Name: NONE

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).

VIOLATION PROC. NO. 2 ART. II SEC. 43
APPREHENDED TRAVELING IN FORLI WITHOUT PERMIT ON 27 DEC 43

The Charges are read and explained to each accused.

HEADQUARTERS A.C. CASE NO.

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

PLEAS OF THE ACCUSED

The Accused

pleads G to the 1st charge

pleads to the 2nd charge

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

NONE

FINDINGS OF THE COURT

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.

PROCLAMATIONS NOT POSTED IN HIS TOWN

SENTENCE OF THE COURT

The Court sentences the accused

to FINE OF LIRE 100

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

£

ALLIED MILITARY GOVERNMENT OFFICIAL LIEUT. WM. A. LESSA C.A.C.

William A. Lessa
(Signature of Judge of Allied Military Court)
WILLIAM A. LESSA 2D LT

REVIEW

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

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

NONE

FINDINGS OF THE COURT

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.

PROCLAMATIONS NOT POSTED IN HIS TOWN

SENTENCE OF THE COURT

The Court sentences the accused

to FINE OF LIRE 100

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

£

ALLIED MILITARY GOVERNMENT OFFICIAL LIEUT. WM. A. LESSA C.A.S.

REVIEW

William A. Lessa
(Signature of Judge of Allied Military Court)
WILLIAM A. LESSA 2D LT

Date 194 Signature .....

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

FORM No. 4

GOVERNO MILITARE ALLEATO

FOGLIO D'ACCUSA

PLACE Luogo: Forlì del Sannio

DATE Data: 28 December 1943

Fielli Giuseppe
(NAME OF DEFENDANT)
(Nome dell'Accusato)

Longano, CB
(ADDRESS)
(Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Violation Proc. No. 1, Article II, Sec. 4)

Particulars: Unauthorized carrying in Forlì [illegible]
7 Dec 1943.

Second Charge:

Particulars:

TRADUZIONE

Prima Accusa: Violazione del Proc. N., Articolo II, Sez. 4)

Dettagli: Avendo portato illegalmente in possesso di [illegible]
[illegible] il giorno 7 Dicembre 1943.

Seconda Accusa:

Dettagli:

1.2

(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 [illegible]

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

FOGLIO D'ACCUSA

PLACE Forlì del Sannio
Luogo

DATE 28 December 1943
Data

Fielli Giuseppe
(NAME OF DEFENDANT)
(Nome dell'Accusato)

Longano, CB
(ADDRESS)
(Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Violation Decr. No. 9, Article II, Sec. 4)

Particulars: Approached traveling in Forlì without permit on 27 Dec 1943.

Second Charge:

Particulars:

TRADUZIONE

Prima Accusa: Violazione del Decr. No. 9, articolo II, sec. 4)

Dettagli: Arrestato perchè sprovvisto di permesso di circolazione a Forlì il giorno 27 dicembre 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 Summary Court, Forlì.
(NAME AND ADDRESS OF COURT)
(Nome e indirizzo della Corte)

Per ordine

William A. Lessa
Firma dell'Individuo Autorizzato
1st Lt., Civil Affairs Officer

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

(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

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

Case No. 109

FORM No. 8

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Forlì del Sannio, CB

on the 28 day of Dec 1943

Before WILLIAM A. LESSA, 2d Lt.

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

REFERENCE No. L-12

ACCUSED

Name: - Veneziale Andrea

Address: - Longano, CB

Description: -

Occupation: - Peasant

Age: - 46

INTERPRETER

Name: None is duly sworn

PROSECUTING OFFICER

Name: WILLIAM A. LESSA 2D LT

ADVOCATE FOR ACCUSED

Name: None

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).

Violation of Proc. No. 2, Article II, Sec. 43

Declassified E.O. 12356 Section 3.3/NND No. T85016

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Forlì del Sannio, CB

on the 28 day of Dec 1943

Before WILLIAM A. LESSA, 2d Lt.

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

REFERENCE No. L-12

ACCUSED

Name: - Veneziale Andrea

Address: - Longano, CB

Description: -

Occupation: - Peasant

Age: - 46

INTERPRETER

Name: None is duly sworn

PROSECUTING OFFICER

Name: WILLIAM A. LESSA 2D LT

ADVOCATE FOR ACCUSED

Name: None

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).

Violation of Proc. No. 2, Article II, Sec. 43

The Charges are read and explained to each accused.

HEADQUARTERS A.C. CASE NO. 24 HQ AC 94

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

PLEAS OF THE ACCUSED

The Accused pleads G to the 1st charge

pleads to the 2nd charge

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

None

FINDINGS OF THE COURT

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.

Proclamations not posted in his town.

SENTENCE OF THE COURT

The Court sentences the accused

to Fine of Lire 100

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

L

ALLIED MILITARY GOVT. OFFICIAL USE ONLY WM. A. LESSA 2D LT C.A.C.

William A. Lessa
(Signature of Judge of Allied Military Court)
WILLIAM A. LESSA 2D LT

REVIEW

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

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

None

FINDINGS OF THE COURT

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.

Proclamations not posted in his town.

SENTENCE OF THE COURT

The Court sentences the accused

to Fine of Lire 100

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

£

ALLIED MILITARY GOVERNMENT OFFICIAL USE WM. A. LESSA C.A.C.

William A. Lessa

(Signature of Judge of Allied Military Court)
WILLIAM A. LESSA 2D LT

REVIEW

Date 194 Signature .....

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

FORM No. 4

GOVERNO MILITARE ALLEATO

FOGLIO D'ACCUSA

PLACE Luogo: Forlì del Sannio

DATE Data: 28 December 1943

Veneziale Andrea
(NAME OF DEFENDANT)
(Nome dell'Accusato)

Longano, CB
(ADDRESS)
(Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Violation Proc. No. 2, Article II, Sec. 4)

Particulars: Apprehended traveling in Forli without permit on 27 Dec 194[illegible].

Second Charge:

Particulars:

TRADUZIONE

Prima Accusa: Violazione del Proc. N° 2, Articolo II, Sez. 4)

Dettagli: Fermato perchè sprovvisto di permesso di circolazione a Forli il giorno 27 Dicembre 194[illegible]

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 Summary Court, Forli
(NAME AND ADDRESS OF COURT)

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

FOGLIO D'ACCUSA

PLACE / Luogo: Forlì del Sannio

DATE / Data: 28 December 1943

Veneziale Andrea
(NAME OF DEFENDANT)
(Nome dell'Accusato)

Longano, CB
(ADDRESS)
(Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Violation Proc. No. 2, article II, Dec. 43

Particulars: Apprehended traveling in Forlì without permit on 27 Dec 1943.

Second Charge:

Particulars:

TRADUZIONE

Prima Accusa: Violazione del Proc. N° 2, Articolo II, Dec. 43

Dettagli: Arrestato perchè sprovvisto di permesso di circolazione a Forlì il giorno 27 Dicembre 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 Summary Court, Forlì
(NAME AND ADDRESS OF COURT)
(Nome e indirizzo della Corte)

Per ordine

William A. Lessa
Firma dell'Individuo Autorizzato

WILLIAM A. LESSA
2d Lt., Civil Affairs Officer

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

Case No. 108

FORM No. 8

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Forlì del Sannio, CB

on the 28 day of Dec 1943

Before WILLIAM A. LESSA, 2d Lt.

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

REFERENCE No. L-11

ACCUSED

Name: - Donia Luigi

Address: - Longano, CB

Description: -

Occupation: - Peasant

Age: - 43

INTERPRETER

Name: None

is duly sworn

PROSECUTING OFFICER

Name: WILLIAM A. LESSA, 2d Lt.

ADVOCATE FOR ACCUSED

Name: None

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).

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

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Forlì del Sannio, CB

on the 28 day of Dec 1943

Before WILLIAM A. LESSA, 2d Lt.

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

REFERENCE No. L-11

ACCUSED

Name: - Donia Luigi

Address: - Longano, CB

Description: -

Occupation: - Peasant

Age: - 43

INTERPRETER

Name: None

is duly sworn

PROSECUTING OFFICER

Name: WILLIAM A. LESSA, 2d Lt.

ADVOCATE FOR ACCUSED

Name: None

: 116

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).

Violation of Proclamation No. 2, Article II, Sec. 43

Apprehended traveling in Forlì without permit on 27 December 1943

HEADQUARTERS A.C. CASE NO.

The Charges are read and explained to each accused.

HQ A-C 95

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

PLEAS OF THE ACCUSED

The Accused

pleads G to the 1st charge

pleads to the 2nd charge

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

None

FINDINGS OF THE COURT

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.

Proclamations not posted in his town.

SENTENCE OF THE COURT

The Court sentences the accused

to Fine of Lire 100

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

£ .

ALLIED MILITARY OFFICIAL ISSUE WM. A. LESSA C.A.O.

William A. Lessa
(Signature of Judge of Allied Military Court)
WILLIAM A. LESSA, 2d Lt.

REVIEW

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

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

None

FINDINGS OF THE COURT

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.

Proclamations not posted in his town.

SENTENCE OF THE COURT

The Court sentences the accused

to Fine of Lire 100

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

ALLIED MILITARY GOVT. OFFICIAL LIEUT. WM. A. LESSA C.A.O.

William A. Lessa
(Signature of Judge of Allied Military Court)
WILLIAM A. LESSA, 2d Lt.

REVIEW

Date 194 Signature .....

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

FORM No. 4

GOVERNO MILITARE ALLEATO

FOGLIO D'ACCUSA

PLACE Luogo: Forlì del Sannio

DATE Data: 28 December 1943

Donia Luigi
(NAME OF DEFENDANT) (Nome dell'Accusato)

Longano, CB
(ADDRESS) (Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Violation Proc. No. 2, Article II, Sec. 43

Particulars: Apprehended traveling in Forlì without permit on 27 Dec 1943.

Second Charge:

Particulars:

TRADUZIONE

Prima Accusa: Violazione del Proc. N° 2, Articolo II, Sez. 43

Dettagli: Fermato perchè sprovvisto di permesso di circolazione a Forlì il giorno 27 Dicembre 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 Summary Court, Forlì
(NAME AND ADDRESS OF COURT) (Nome e indirizzo della Corte)

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

FOGLIO D'ACCUSA

PLACE Luogo: Forli del Sannio

DATE Data: 28 December 1943

Donia Luigi
(NAME OF DEFENDANT)
(Nome dell'Accusato)

Longano, CB
(ADDRESS)
(Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Violation Proc. No. 2, Article II, Sec. 43

Particulars: Apprehended traveling in Forli without permit on 27 Dec 1943.

Second Charge:

Particulars:

TRADUZIONE

Prima Accusa: Violazione del Proc. N° 2, Articolo II, Sez. 43

Dettagli: Fermato perchè sprovvisto di permesso di circolazione a Forlì il giorno 27 Dicembre 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 Summary Court, Forli
(NAME AND ADDRESS OF COURT)
(Nome e indirizzo della Corte)

Per ordine

William A. Lessa
Firma dell'Individuo Autorizzato
WILLIAM A. LESSA
2d Lt., Civil Affairs Officer

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

CASE No. 107

FORM No. 8

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Forlì del Sannio, Province Campobasso

on the 28 December 1943 of 194

Before WILLIAM A. LESSA, 2d Lt.

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

REFERENCE No. L-10

ACCUSED

Name: - Veneziale Antonio Paoplo

Address: - Longano, CB

Description: -

Occupation: - Peasant

Age: - 40

INTERPRETER

Name: None is duly sworn

PROSECUTING OFFICER

Name: WILLIAM A. LESSA, 2d Lt.

ADVOCATE FOR ACCUSED

Name: None

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).

Violation of Proclamation No. 2, Article II, Sec. 43.
Apprehended traveling in Forlì without permit on 27 December 1943

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

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Forlì del Sannio, Province Campobasso

on the 28 December 1943 194

Before WILLIAM A. LESSA, 2d Lt.

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

REFERENCE No. L-10

ACCUSED

Name: - Veneziale Antonio Paolo

Address: - Longano, CB

Description: -

Occupation: - Peasant

Age: - 40

INTERPRETER

Name: None is duly sworn

PROSECUTING OFFICER

Name: WILLIAM A. LESSA, 2d Lt.

ADVOCATE FOR ACCUSED

Name: None

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).

Violation of Proclamation No. 2, Article II, Sec. 43.
Apprehended traveling in Forlì without permit on 27 December 1943

HEADQUARTERS A.C. CASE NO. 96

The Charges are read and explained to each accused.

HQ AC 96

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

PLEAS OF THE ACCUSED

The Accused	plead-	G	to the 1st charge
	plead-		to the 2nd charge
	pleads		to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

None

FINDINGS OF THE COURT

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.

Proclamations not posted in his town.

SENTENCE OF THE COURT

The Court sentences the accused Lire 100 fine.

to

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

ALLIED MILITARY GOVERNMENT OFFICIAL LIEUT. WM. A. LESSA C.A.C.

William A. Lessa
(Signature of Judge of Allied Military Court)
WILLIAM A. LESSA, 2d Lt.

REVIEW

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

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

None

FINDINGS OF THE COURT

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.

Proclamations not posted in his town.

SENTENCE OF THE COURT

The Court sentences the accused Lire 100 fine.

to

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

ALLIED MILITARY GOVERNMENT OFFICIAL USE WM. A. LESSA C.A.C.

William A. Lessa
(Signature of Judge of Allied Military Court)
WILLIAM A. LESSA, 2d Lt.

REVIEW

Date 194 Signature .....

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

FORM No. 4

GOVERNO MILITARE ALLEATO

FOGLIO D'ACCUSA

PLACE Luogo: Forlì del Sannio

DATE Data: 28 December 1943

Veneziale Antonio
(NAME OF DEFENDANT)
(Nome dell'Accusato)

Longano, CB
(ADDRESS)
(Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Violation Proc. No. 2, Article II, Sec. 43

Particulars: Apprehended traveling in Forlì without permit on 27 Dec 1943.

Second Charge:

Particulars:

TRADUZIONE

Prima Accusa: Violazione del Proc. N° 2, Articolo II, Sez. 43

Dettagli: Fermato perchè sprovvisto di permesso di circulazione a Forlì il giorno 27 Dicembre 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 Summary Court, Forlì
(NAME AND ADDRESS OF COURT)
(Nome e indirizzo della Corte)

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

FOGLIO D'ACCUSA

PLACE Luogo: Forlì del Sannio

DATE Data: 28 December 1943

Veneziale Antonio
(NAME OF DEFENDANT)
(Nome dell'Accusato)

Longano, CB
(ADDRESS)
(Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Violation Proc. No. 2, Article II, Sec. 43

Particulars: Apprehended traveling in Forlì without permit on 27 Dec 1943.

Second Charge:

Particulars:

TRADUZIONE

Prima Accusa: Violazione del Proc. N° 2, Articolo II, Sez. 43

Dettagli: Fermato perchè sprovvisto di permesso di circulazione a Forlì il giorno 27 Dicembre 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 Summary Court, Forlì
(NAME AND ADDRESS OF COURT)
(Nome e indirizzo della Corte)

Per ordine

William A. Lessa
Firma dell'Individuo Autorizzato
WILLIAM A. LESSA
2d Lt., Civil Affairs Officer

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

CASE NO. 106

FORM No. 8

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Roccamandolfi (Province Campobasso)

on the 13 day of Dec 1943

Before William A. Lessa, 2d Lt.

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

REFERENCE No. L-9

ACCUSED

Name: - Iannuccilli Antonio di Giovanni

Address: - Roccamandolfi

Description: -

Occupation: - ~~18~~ Shepherd

Age: - 18

INTERPRETER

Name: None is duly sworn

PROSECUTING OFFICER

Name: Mar. Mastrolia Pasquale, RRCC

ADVOCATE FOR ACCUSED

Name: None

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).

Theft (See L-8) Aricle 625, No. 2, Italian Penal Code

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

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Roccamandolfi (Province Campobasso)

on the 13 day of Dec 1943

Before William A. Lessa, 2d Lt.

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

REFERENCE No. L-9

ACCUSED

Name: - Iannuccilli Antonio di Giovanni

Address: - Roccamandolfi

Description: -

Occupation: - ~~18~~ Shepherd

Age: - 18

INTERPRETER

Name: None is duly sworn

PROSECUTING OFFICER

Name: Mar. Mastrolia Pasquale, RRCC

ADVOCATE FOR ACCUSED

Name: None

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).

Theft (See L-8) Article 625, No. 2, Italian Penal Code

HEADQUARTERS A.C. CASE NO.

The Charges are read and explained to each accused.

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

PLEAS OF THE ACCUSED

The Accused pleads NG to the 1st charge

pleads to the 2nd charge

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

None

FINDINGS OF THE COURT

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.

SENTENCE OF THE COURT

The Court sentences the accused

to

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

William A. Lasse

(Signature of Judge of Allied Military Court)

ALLIED MILITARY GOVERNMENT — WM. A. LASSE — OFFICIAL LIAISON OFFICER — C.A.O.

REVIEW

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

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

None

FINDINGS OF THE COURT

The Accused
is found ~~guilt~~y/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.

SENTENCE OF THE COURT

The Court sentences the accused

to

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

William A-Lesse
(Signature of Judge of Allied Military Court)

ALLIED MILITARY GOVERNMENT OFFICIAL LEGAL WM. A. LESSE C.A.O.

REVIEW

Date 194 Signature .....

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

FORM No. 4

L-9

GOVERNO MILITARE ALLEATO

FOGLIO D'ACCUSA

PLACE Luogo: Roccamandolfi

DATE Data: 3 December 1943

~~Ianuuu~~ Iannuccilli Antonio di Giovanni — (NAME OF DEFENDANT / Nome dell'Accusato)

Roccmandolfi — (ADDRESS / Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Theft. Article 625, No. 2, Italian Penal Code

Particulars: Theft of 4 q. potatoes, 30 k. fava beans, 1 sack, 1 copper vessel, 4 k. apples, 3 k. nuts from 30 Nov. to 2 Dec.

Second Charge:

Particulars:

TRADUZIONE

Prima Accusa: Furto. Articolo 625, N° 2, Codice Penale Italiano

Dettagli: Furto di 4 q. di patate, 30 k. di fave, 1 sacco, 1 caldaio di ramo, 4 k. di mele, 3 k. di noce dal 30 Nov al 2 Dic.

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 Summary Court, Roccamandolfi
(NAME AND ADDRESS OF COURT / Nome e indirizzo della Corte)

William A. Lessa, 2d Lt.

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

FOGLIO D'ACCUSA

PLACE / Luogo: Roccamandolfi

DATE / Data: 8 December 1943

~~Iannuccilli~~ Iannuccilli Antonio di Giovanni — Roccmandolfi

(NAME OF DEFENDANT) (Nome dell'Accusato) — (ADDRESS) (Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Theft. Article 625, No. 2, Italian Penal Code

Particulars: Theft of 4 q. potatoes, 30 k. fava beans, 1 sack, 1 copper vessel, 4 k. apples, 3 k. nuts from 30 Nov. to 2 Dec.

Second Charge:

Particulars:

TRADUZIONE

Prima Accusa: Furto. Articolo 625, N° 2, Codice Penale Italiano

Dettagli: Furto di 4 q. di patate, 30 k. di fave, 1 sacco, 1 caldaio di rame, 4 k. di mele, 3 k. di noce dal 30 Nov al 2 Dic.

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 Summary Court, Roccamandolfi

(NAME AND ADDRESS OF COURT) (Nome e indirizzo della Corte)

Per ordine

William A. Lessa, 2d Lt.
Civil Affairs Officer

Firma dell'Individuo Autorizzato

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

(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 Accus marked Exhibit C).

EVIDENCE FOR PROSECUTION

None.

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

CASE No. 108

FORM No. 8

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Roccamandolfi (Province Campobasso)

on the 12 day of Dec. 1943

Before William A. Lessa, 2d Lt

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

REFERENCE No. L-8

ACCUSED

Name: - Bizzaro Rosalina di Antonio

Address: - Roccamandolfi

Description: -

Occupation: - Housewife

Age: - 44

INTERPRETER

Name: None is duly sworn

PROSECUTING OFFICER

Name: William A. Lessa, 2d Lt.

ADVOCATE FOR ACCUSED

Name: None

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).

Theft, Article 625, No. 2: Italian Penal Code

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

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Roccamandolfi (Province Campobasso)

on the 12 day of Dec. 1943

Before William A. Lessa, 2d Lt

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

REFERENCE No. L-8

ACCUSED

Name: - Bizzaro Rosalina di Antonio

Address: - Roccamandolfi

Description: -

Occupation: - Housewife

Age: - 44

INTERPRETER

Name: None

is duly sworn

PROSECUTING OFFICER

Name: William A. Lessa, 2d Lt.

ADVOCATE FOR ACCUSED

Name: None

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).

Theft. Article 625, No. 2; Italian Penal Code
Between 30 Nov. and 2 Dec. stole 4 Q potatoes, 30 Q fava beans, 1 sack (empty), 1 copper vessel, 4 K apples, 3 K nuts from Martelli Liberato, Roccamandolfi.

HEADQUARTERS A.C. CASE NO.

The Charges are read and explained to each accused.

HQ A-98

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

PLEAS OF THE ACCUSED

The Accused	pleads	G	to the 1st charge
	pleads		to the 2nd charge
	pleads		to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournment being made)

None

FINDINGS OF THE COURT

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.

SENTENCE OF THE COURT

The Court sentences the accused

to Six months in jail, parole allowed after one month is behavior has been satisfactory.

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

ALLIED MILITARY GOVERNMENT OFFICIAL WM. A. LESSA LIEUT. C.A.D.

(Signature of Judge of Allied Military Court)

REVIEW

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

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

None

FINDINGS OF THE COURT

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.

SENTENCE OF THE COURT

The Court sentences the accused

to Six months in jail, parole allowed after one month is behavior has been satisfactory.
in respect of all the offences charged in the above proceedings of which the said accused has been found guilty.

ALLIED MILITARY GOVERNMENT OFFICIAL LIEUT. WM. A. IESSI C.A.C. REVIEW

A. William D. Rosa
(Signature of Judge of Allied Military Court)

Date 191 Signature .....

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

FORM No. 1

L-8

GOVERNO MILITARE ALLEATO

FOGLIO D'ACCUSA

PLACE / Luogo: Roccamandolfi

DATE / Data: 3 December 1943

Bizzaro Rosalina di Antonio
(NAME OF DEFENDANT)
(Nome dell'Accusato)

Roccamandolfi
(ADDRESS)
(Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Theft. Article 625, No. 2, Italian Penal Code

Particulars: Theft of 4 q. potatoes, 30 k. fava beans, 1 sack, 1 copper vessel, 4 k. apples, 3 k. nuts from 30 Nov to 2 Dec.

Second Charge:

Particulars:

TRADUZIONE

Prima Accusa: Furto. Articolo 625, N° 2, Codice Penale Italiano

Dettagli: Furto di 4 q. di patate, 30 k. di fave, 1 sacco, 1 caldaio di rame, 4 k. di mele, 3 k. di noce dal 30 Nov al 2 Dic.

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 Summary Court, Roccamandolfi
(NAME AND ADDRESS OF COURT)
(Nome e indirizzo della Corte)

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

FOGLIO D'ACCUSA

PLACE (Luogo) Roccamandolfi

DATE (Data) 8 December 1943

Bizzaro Rosalina di Antonio
(NAME OF DEFENDANT)
(Nome dell'Accusato)

Roccamandolfi
(ADDRESS)
(Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Theft. Article 625, No. 2, Italian Penal Code

Particulars: Theft of 4 q. potatoes, 30 k. fava beans, 1 sack,
1 copper vessel, 4 k. apples, 3 k. nuts from 30 Nov to 2 Dec.

Second Charge:

Particulars:

TRADUZIONE

Prima Accusa: Furto. Articolo 625, Nº 2, Codice Penale Italiano

Dettagli: Furto di 4 q. di patate, 30 k. di fave, 1 sacco,
1 caldaio di rame, 4 k. di mele, 3 k. di noce dal 30 Nov al 2 Dic.

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 Summary Court, Roccamandolfi
(NAME AND ADDRESS OF COURT)
(Nome e indirizzo della Corte)

Per ordine

William A. Lessa
Firma dell'Individuo Autorizzato

William A. Lessa, 2d Lt.
Civil Affairs Officer

COMUNE DI ROCCAMANDOLFI

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

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

(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 Accu marked Exhibit C).

EVIDENCE FOR PROSECUTION

Martelli Liberato testifies that the property involved is his and was found in possession of accused.

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

CASE No 104

FORM No. 8

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Roccamandolfi (Province Campobasso)

on the 12 day of Dec. 1943

Before William A. Lessa, 2d Lt.

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

REFERENCE No. L-7

ACCUSED

Name: - Ciallella Maria Gaetana

Address: - Roccamandolfi

Description: -

Occupation: - Housewife

Age: -

INTERPRETER

Name: None is duly sworn

PROSECUTING OFFICER

Name: William A. Lessa, 2d Lt.

ADVOCATE FOR ACCUSED

Name: None

108

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).

(1) Violation of Proc. No. 2, Article II, Sec. 32--Taking

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

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Roccamandolfi (Province Campobasso)

on the 12 day of Dec. 1943

Before William A. Lessa, 2d Lt.

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

REFERENCE No. L-7

ACCUSED

Name: - Ciallella Maria Gaetana

Address: - Roccamandolfi

Description: -

Occupation: - Housewife

Age: -

INTERPRETER

Name: None is duly sworn

PROSECUTING OFFICER

Name: William A. Lessa, 2d Lt.

ADVOCATE FOR ACCUSED

Name: None

108

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).

(1) Violation of Proc. No. 2, Article II, Sec. 32--Taking part in a public demonstrtation not authorized by the Allied Militery Government on 5 December 1943.

(2) Violation of Proc. No. 2, Article II, Sec. 44--Refusing to give name to an officer of the Allied Forces.

The Charges are read and explained to each accused.

HEADQUARTERS A.C. CASE NO.

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

PLEAS OF THE ACCUSED

The Accused

pleads NG to the 1st charge

pleads G to the 2nd charge

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

None

FINDINGS OF THE COURT

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.

(1) She was instigated by others, particularly one Pinelli Maria Cleofe; and that she attempted no violence.

SENTENCE OF THE COURT

The Court sentences the accused

to One month in jail but allowed parole after one week if behavior has been good.
in respect of all the offences charged in the above proceedings of which the said accused has been found guilty.

ALLIED MILITARY COURT
WILL ... C. A. C.
REVIEW

William A. Lee
(Signature of Judge of Allied Military Court)

Finding on 1st charge confirmed; sentence reduced

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

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

None

FINDINGS OF THE COURT

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.

(1) She was instigated by others, particularly one Pinelli Maria Cleofe; and that she attempted no violence.

SENTENCE OF THE COURT

The Court sentences the accused

to One month in jail but allowed parole after one week if behavior has been good.
in respect of all the offences charged in the above proceedings of which the said accused has been found guilty.

ALLIED MILITARY WM. ... C. A. O. REVIEW

William A. Lee
(Signature of Judge of Allied Military Court)

Finding on first charge confirmed: sentence reduced to One week imprisonment.
Finding & sentence on second charge quashed

Date 23/1/44. 194 Signature [illegible]
Brigadier Deputy

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

(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

CHARGE NO. 1

Witnesses D'Angelo Liberata di Pelligrino, De Filippis Maria Luisa, as well as others whose testimony was merely corroborative, states that at about 1030 hrs. on Sunday 5 December the accused was yelling and creating a commotion during the distribution of grain and salt at the municipio. She kept shouting with other women that the commune officials and employees must all be ousted because they were Fascists.

CHARGE NO. 2

2D Lt. William A. Lessa, CAO of Roccamandolfi, testifies that on December 5th, 1943, accused refused to give her name when he asked for it.

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

EVIDENCE FOR ACCUSED

None

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

LEGIONE TERRITORIALE DEI CARABINIERI REALI DI BARI

N° 63 del verb.le. Stazione di Castelpagano nel Sannio

PROCESSO VERBALE di arresto di BIZZARRO Rosolina di Antonio e fu Tartelli Maria Domenica,nata il 28 Ottobre 1896 a Roccamandolfi,ivi domiciliata,e del di lei figlio IANNUCCILLI Antonio di Giovanni e di Bizzarro Rosolina,nato il 20 Giugno 1925 a Roccamandolfi,ivi domiciliato,contadino,responsabili di furto con circostanze aggravanti di cui all'art.625 n°7 del codice penale comune,in danno di Del Riccio Raffaele fu Costantino,di anni 61,da Roccamandolfi.

L'anno millenovecentoquarantatre,addì 7 del mese di Dicembre,all'ufficio del comando della stazione di Castelpagano nel Sannio,ore 10.

Il giorno 3 del corrente mese,si è presentato a noi sottoscritti militari il nominato DEL RICCIO Raffaele,denunziandosi che ignoti ladri,dopo aver forzato la porta di un suo pagliaio,sito in via S.Giovanni dell'abitato di Roccamandolfi,gli asportarono le seguenti derrate alimentari:
1°) quintali 4 circa di patate;2°)Kg.30 circa di fave piccole;3°)Un sacchetto contenenti le fave;4°)Una caldaia di rame della capacità di litri 6 contenente dei peri;5°)Kg.4 di mele grosse;6°)Kg.3 circa di noci.

Noi sottoscritti Mastrolia Pasquale,maresciallo comandante la stazione,e appuntato Timelli Giacomo,il giorno 6 corrente mese,proseguendo nelle indagini per la scoperta degli autori del furto in esame e per il sequestro della refurtiva,siamo venuti a conoscenza che il furto era stato perpetrato dalla nominata BIZZARRO Rosolina con l'ausilio del figlio IANNUCCILLI Antonio,e che la refurtiva si trovava in un pagliaio di proprietà della famiglia di MUCCILLI Geramia fu Gaetano,di anni 70,da Roccamandolfi,ove abitualmente la BIZZARRO depositava le proprie derrate,col beneplacito del Muccilli.Recatici in detto pagliaio coi predetti militari,alle ore 10 di ieri stesso,rinvenimmo nascosto sotto ad alcuni rami di legna,Kg.160 di patate,la caldaia di rame ed il sacchetto,che il Del Riccio ha riconosciutiper quelli rubatigli e conseguentemente gli sono stati consegnati allo stesso derubato.Perquisita la casa della BIZZARRO,sull'altro è stato rinvenuto degli oggetti rubati,avendo la stessa dichiarato di aver consumato le altre derrate.

La BIZZARRI si è resa rea confessa,adducendo di aver commesso il furto in una sera del ~~del~~ 30 Novembre al 2 del corrente mese,che non sa precisare.
La stessa esclude che il di lei figlio abbia preso parte al furto,col dire di averlo commesso da sola,perchè spinta dalla miseria e non trovava sul luogo derrate alimentari d'acquistare.Tale giustificazione non è attendibile perchè data la quantità dei generi asportati avrà bisogno certamente di aiuto.

Il figlio Iannucilli Antonio,afferma di non saper nulla del furto,ed ammette che lo stesso sia stato commesso dalla madre a sua insaputa.

Noi militari verbalizzanti,ritenendo entrambi i suddetti responsabili del furto in argomento,ieri stesso alle ore 10,30,si è proceduto all'arresto dei

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

L'anno millenovecentoquarantatre,addì 7 del mese di Dicembre,all'ufficio del comando della stazione di Castelvetro nel Sannio,ore IO.

Il giorno 3 del corrente mese,si è presentato a noi sottoscritti militari il nominato DEL RICCIO Raffaele,denunziandoci che ignoti ladri,dopo aver forzato la porta di un suo sottano,sito in via S.Giovanni dell'abitato di Rossomandolfi,gli asportarono le seguenti derrate alimentari:
I°) quintali 4 circa di patate;2°)Kg.30 circa di fave piccole;3°)Un sacchetto contenenti le fave;4°)Una saldaia di rame della capacità di litri 6 contenente dei peri;5°)Kg.4 di mele grosse;6°)Kg.3 circa di noci.

Noi sottoscritti Mastrolia Pasquale,maresciallo comandante la stazione,e appuntato Tirelli Giacomo,il giorno 6 corrente mese,procedendo nelle indagini per la scoperta degli autori del furto in esame e per il sequestro della refurtiva,siamo venuti a conoscenza che il furto era stato perpetrato dalla nominata BIZZARRO Rosolina con l'ausilio del figlio IANNUCCILLI Antonio,e che la refurtiva si trovava in un sottano di proprietà della famiglia di IUCCILLI Geremia fu Gaetano,di anni 70,da Rossomandolfi,ove attualmente la BIZZARRO depositava le proprie derrate,col beneplacito del Muccilli.Recatici in detto sottano noi predetti militari,alle ore IO di ieri stesso,rinvenimmo nascosto sotto ad alcuni rami di legna,Kg.I60 di patate,la saldaia di rame ed il sacchetto,che il Del Riccio ha riconosciutiper quelli rubatigli e conseguentemente gli sono stati consegnati allo stesso derubato.Perquisita la casa della BIZZARRO,null'altro è stato rinvenuto degli oggetti rubati,avendo la stessa dichiarato di aver consumate le altre derrate.

La BIZZARRI si è resa rea confessa,adducendo di aver commesso il furto in una sera del ~~del~~ 30 Novembre al 2 del corrente mese,che non sa precisare.
La stessa esclude che il di lei figlio abbia preso parte al furto,voglio dire di averlo commesso da sola,perchè spinta dalla miseria e non trovava sul luogo derrate alimentari d'acquistare.Tale giustificazione non è attendibile perchè data la quantità dei generi asportati aveva bisogno certamente di aiuto.

Il figlio Iannuccilli Antonio,afferma di non saper nulla del furto,ed ammette che lo stesso sia stato commesso dalla madre a sua insaputa.

Noi militari verbalizzanti,ritenendo entrambi i suddetti responsabili del furto in argomento,ieri stesso alle ore IO,30,si è proceduto all'arresto dei medesimi,che associamo al locale carcere a disposizione del commissario per gli affari civili Alleato.

Di quanto sopra,abbiamo redatto il presente processo verbale in duplice copia,di cui una la rimettiamo all'ufficio dell'ARTIGOT,di Castelvetro nel Sannio e l'altra la tratteniamo negli atti del nostro ufficio.

Fatto,letto e chiuso in data e luogo di cui sopra,si sottoscriviamo.

Giacomo Tirelli
Mastrolia Pasquale m.c.

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

FORM No. 4

GOVERNO MILITARE ALLEATO

FOGLIO D'ACCUSA

PLACE Roccamandolfi
Luogo

DATE 8 December 1943
Data

Ciciliella Marie Gaetana
(NAME OF DEFENDANT)
(Nome dell'Accusato)

Roccamandolfi
(ADDRESS)
(Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Violation of Proc. No. 2, Article II, Sec. 32 ~~and 44~~

Particulars: Taking part in public demonstration not authorized by the Allied military Covernment on 5 December 1943

Second Charge: Violation of Proc. No. 2, Article II, Sec. 44

Particulars: Refusing to give name to an officer of the Allied Forces.

TRADUZIONE

Prima Accusa: Violazione del Proc. N° 2, Articolo II, Sez. 32

Dettagli: Prende part a una pubblica dimostrazione non autorizzata dal Governo Militare Alleato il 5 Dicembre 1943

Seconda Accusa: Violazione del Proc. N° 2, Articolo II, Sez. 44

Dettagli: Rifiuto di dare il nome a un ufficiale delle Forze Alleate.

(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 Summary Court, Roccamandolfi
(NAME AND ADDRESS OF COURT)
(Nome e indirizzo della Corte)

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

FOGLIO D'ACCUSA

PLACE Roccamandolfi
Luogo

DATE 8 December 1943
Data

Ciallella Remo Gaetano
(NAME OF DEFENDANT)
(Nome dell'Accusato)

Roccamandolfi
(ADDRESS)
(Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Violation of Proc. No. 2, Article II, Sec. 32 ~~and 44~~

Particulars: Taking part in public demonstration not authorized by the Allied military Government on 5 December 1943

Second Charge: Violation of Proc. No. 2, Article II, Sec. 44

Particulars: Refusing to give name to an officer of the Allied Forces.

TRADUZIONE

Prima Accusa: Violazione del Proc. N° 2, Articolo II, Sez. 32

Dettagli: Prende part a una pubblica dimostrazione non autorizzata dal Governo Militare Alleato il 5 Dicembre 1943

Seconda Accusa: Violazione del Proc. N° 2, Articolo II, Sez. 44

Dettagli: Rifiuto di dare il nome a un ufficiale delle Forze Alleate.

(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 Summary Court, Roccamandolfi
(NAME AND ADDRESS OF COURT)
(Nome e indirizzo della Corte)

Per ordine

William A. Lessa
Firma dell'Individuo Autorizzato

William A. Lessa, 2d Lt.
Civil Affairs Officer

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

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

CASE No 103

FORM No. 8

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at CANTALUPO nel SANNIO

on the 11 day of Dec 1943

Before William A. Lessa, 2d Lt.

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

REFERENCE No. L-6

ACCUSED

Name: - Crivellone Settimio

Address: - Cantalupo

Description: -

Occupation: - Tailor

Age: - 39

INTERPRETER

Name: None is duly sworn

PROSECUTING OFFICER

Name: Mar. Mastolia Pasquale

ADVOCATE FOR ACCUSED

Name: None

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).

Violation of curfew order
(Proc. No. 2, Article II, Sec. 24)

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

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at CANTALUPO nel SANNIO

on the 11 day of Dec 1943

Before William A. Lessa, 2d Lt.

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

REFERENCE No. L-6

ACCUSED

Name: - Crivellone Settimio

Address: - Cantalupo

Description: -

Occupation: - Tailor

Age: - 39

INTERPRETER

Name: None is duly sworn

PROSECUTING OFFICER

Name: Mar. Mastolia Pasquale

ADVOCATE FOR ACCUSED

Name: None

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).

Violation of curfew order
(Proc. No. 2, Article II, Sec. 24)

The Charges are read and explained to each accused.

HEADQUARTERS A.C. CASE NO. 10[illegible] Hq AC Bd.

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

PLEAS OF THE ACCUSED

The Accused	pleads	G	to the 1st charge
	pleads		to the 2nd charge
	pleads		to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

None

FINDINGS OF THE COURT

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.

SENTENCE OF THE COURT

The Court sentences the accused

to Fine of L 100.00

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

ALLIED MILITARY GOVT. OFFICIAL LIEUT. WM. A. LESSA C.A.C.

William A. Lessa
(Signature of Judge of Allied Military Court)

REVIEW

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

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

None

FINDINGS OF THE COURT

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.

SENTENCE OF THE COURT

The Court sentences the accused

to Fine of L 100.00

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

ALLIED MILITARY OFFICIAL LIEUT. WM. A. LESSA C.A.C. AMCNT

REVIEW

William A. Lessa

(Signature of Judge of Allied Military Court)

Date 194 Signature .....

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

(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

Car. Gentile and Car. Maio statethe defendant was out after furfew on night of 8 December 1943 at 2000 hrs.

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

Case No 102

FORM No. 8

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at CANTALUPO del SANNIO Province of Campobasso

on the 6th day of Decem. 1943

Before William A. Lessa, 2d Lt.

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

REFERENCE No. L-5

ACCUSED

Name: - Di Re Antonio fu Libero

Address: - CANTALUPO del SANNIO

Description: - Tall, thin, elderly man with white moustache

Occupation: - Farmer

Age: - 70

INTERPRETER

Name: None is duly sworn

PROSECUTING OFFICER

Name: William A. Lessa, 2d Lt.

ADVOCATE FOR ACCUSED

Name: None

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).

Agitating against the payment of taxes on the slaughter of pigs. (Proc. No. 2, Article III)

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

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at CANTALUPO nel SANNIO Province of Campobasso

on the 6th day of Decem. 1943

Before William A. Lessa, 2d Lt.

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

REFERENCE No. L-5

ACCUSED

Name: - Di Re Antonio fu Libero

Address: - CANTALUPO nel SANNIO

Description: - Tall, thin, elderly man with white moustache

Occupation: - Farmer

Age: - 70

INTERPRETER

Name: None is duly sworn

PROSECUTING OFFICER

Name: William A. Lessa, 2d Lt.

ADVOCATE FOR ACCUSED

Name: None

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).

Agitating against the payment of taxes on the slaughter of pigs. (Proc. No. 2, Article III)

HEADQUARTERS A.C. CASE NO. 101

The Charges are read and explained to each accused.

AG-A0101

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

PLEAS OF THE ACCUSED

The Accused

pleads N G to the 1st charge

pleads to the 2nd charge

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

None

FINDINGS OF THE COURT

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.

SENTENCE OF THE COURT

The Court sentences the accused

to N G

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

William A. Lessa 2nd Lt.
(Signature of Judge of Allied Military Court)

REVIEW

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

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

None

FINDINGS OF THE COURT

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.

SENTENCE OF THE COURT

The Court sentences the accused

to N G

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

William A. Lessa 2nd Lt.
(Signature of Judge of Allied Military Court)

REVIEW

Date 194 Signature .....

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

L-5

FORM No. 1

GOVERNO MILITARE ALLEATO

FOGLIO D'ACCUSA

PLACE Luogo: Cantalupo nel Sannio

DATE Data: 6 December 1943

Di Re Antonio fu Libero
(NAME OF DEFENDANT)
(Nome dell'Accusato)

Cantalupo
(ADDRESS)
(Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Violation of Proc. No. 2, Article III

Particulars: ON Sunday afternoon, 5 December 1943, accused stated that since we are now under the Allied Government fees for the slaughter of pigs are no longer collectable.

Second Charge:

Particulars:

TRADUZIONE

Prima Accusa: Violazione del Proclama N° 2, Articolo III

Dettagli: Domenico pomerigio, 5 Dicembre 1943; fa propaganda per involiare il pubblico a non pagare le tasse dovuto per la macellazione dei suini.

Seconda Accusa:

Dettagli:

10?

(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 Summary Court, Cantalupo
(NAME AND ADDRESS OF COURT)
(Nome e indirizzo della Corte)

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

FOGLIO D'ACCUSA

PLACE / Luogo: Cantalupo nel Sannio

DATE / Data: 6 December 1943

Di Re Antonio fu Libero
(NAME OF DEFENDANT)
(Nome dell'Accusato)

Cantalupo
(ADDRESS)
(Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Violation of Proc. No. 2, Article III

Particulars: ON Sunday afternoon, 5 December 1943, accused stated that since we are now under the Allied Government fees for the slaughter of pigs are no longer collectable.

Second Charge:

Particulars:

TRADUZIONE

Prima Accusa: Violazione del Proclama N° 2, Articolo III

Dettagli: Domenico pomerigio, 5 Dicembre 1943; fa propaganda per involiare il pubblico a non pagare le tasse dovuto per la macellazione dei suini.

Seconda Accusa:

Dettagli:

107

(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 Summary Court, Cantalupo
(NAME AND ADDRESS OF COURT)
(Nome e indirizzo della Corte)

Per ordine

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

William A. Lessa
Firma dell'Individuo Autorizzato
William A. Lessa, 2d Lt.

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

L-5

FORM No. 1

GOVERNO MILITARE ALLEATO

FOGLIO D'ACCUSA

PLACE / Luogo: Cantalupo nel Sannio

DATE / Data: 6 December 1943

Di Re Antonio fu Libero
(NAME OF DEFENDANT / Nome dell'Accusato)

Cantalupo
(ADDRESS / Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Violation of Proc. No. 2, Article III

Particulars: ON Sunday afternoon, 5 December 1943, accused stated that since we are now under the Allied Government fees for the slaughter of pigs are no longer collectable.

Second Charge:

Particulars:

TRADUZIONE

Prima Accusa: Violazione del Proclama N° 2, Articolo III

Dettagli: Domenico pomeriggio, 5 Dicembre 1943; fa propaganda per involiare il pubblico a non pagare le tasse dovuto per la macellazione dei suini.

Seconda Accusa:

Dettagli:

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

Le suddette accuse sono riferite a processo davanti Summary Court, Cantalupo
(NAME AND ADDRESS OF COURT / Nome e indirizzo della Corte)

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

FOGLIO D'ACCUSA

PLACE (Luogo) Cantalupo nel Sannio

DATE (Data) 6 December 1943

Di Re Antonio fu Libero
(NAME OF DEFENDANT) (Nome dell'Accusato)

Cantalupo
(ADDRESS) (Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Violation of Proc. No. 2, Article III

Particulars: ON Sunday afternoon, 5 December 1943, accused stated that since we are now under the Allied Government fees for the slaughter of pigs are no longer collectable.

Second Charge:

Particulars:

TRADUZIONE

Prima Accusa: Violazione del Proclama N° 2, Articolo III

Dettagli: Domenico pomeriggio, 5 Dicembre 1943; fa propaganda per involiare il pubblico a non pagare le tasse dovuto per la macellazione dei suini.

Seconda Accusa:

Dettagli: 10?

(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 Summary Court, Cantalupo
(NAME AND ADDRESS OF COURT) (Nome e indirizzo della Corte)

Per ordine

William A. Lessa
Firma dell'Individuo Autorizzato

William A. Lessa, 2d Lt.

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

(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

Two witnesses, Celeste Gennarelli and Puca Antimo, state that accuesed was complianing against payment of tax, which admittedly is many times what it was a year ago. This occurred on Sunday, 5 December 1943, at Cantalupo.

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

Accused was not agitating. He was merely stating that a committee should go to see the CAO about the exhorbitant nature of the tax.

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

Case No. 101

FORM No. 8

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at CANTALUPO nel SANNIO Province of Campobasso

on the 4th day of Dec. 1943

Before William A. Lessa, 2d Lt.

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

REFERENCE No. L-4

ACCUSED

Name: - Gianfrancesco Nicola

Address: - CANTALUPO nel SANNIO

Description: -

Occupation: - Teamster

Age: -

INTERPRETER

Name: William A. Lessa, 2d Lt. is duly sworn

PROSECUTING OFFICER

Name: William A. Lessa, 2d Lt.

ADVOCATE FOR ACCUSED

101

Name: None

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).

Transporting materials in cart without proper permit.
(~~Articles~~ Proc. No. 2, Article II, Sec. 44)

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

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at CANTALUPO nel SANNIO Province of Campobasso

on the 4th day of Dec. 194 3

Before William A. Lessa, 2d Lt.

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

REFERENCE No. L-4

ACCUSED

Name: - Gianfrancesco Nicola

Address: - CANTALUPO nel SANNIO

Description: -

Occupation: - Teamster

Age: -

INTERPRETER

Name: William A. Lessa, 2d Lt. is duly sworn

PROSECUTING OFFICER

Name: William A. Lessa, 2d Lt.

ADVOCATE FOR ACCUSED

101

Name: None

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).

Transporting materials in cart without proper permit.
(~~Article~~ Proc. No. 2, Article II, Sec. 44)

HEADQUARTERS A.C. CASE NO. 102

The Charges are read and explained to each accused.

AC 102

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

PLEAS OF THE ACCUSED

The Accused pleads G to the 1st charge

pleads to the 2nd charge

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

None

FINDINGS OF THE COURT

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.

That he was on the way to fetch materials for which he had a valid permit and was seizing this opportunity to transport manure.

SENTENCE OF THE COURT

The Court sentences the accused

to Fine of £ 500.00

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

William A. Kraus 2nd Lt.
(Signature of Judge of Allied Military Court)

REVIEW

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

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

None

FINDINGS OF THE COURT

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.

That he was on the way to fetch materials for which he had a valid permit and was seizing this opportunity to transport manure.

SENTENCE OF THE COURT

The Court sentences the accused

to Fine of L 500.00

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

William A. Lessa, 2d Lt.
(Signature of Judge of Allied Military Court)

REVIEW

Date 194 Signature .....

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

FORM No. 4

GOVERNO MILITARE ALLEATO

FOGLIO D'ACCUSA

PLACE Luogo: Cantalupo nel Sannio

DATE Data: 3 December 1943

Gianfrancesco Nicola (NAME OF DEFENDANT / Nome dell'Accusato) — Cantalupo nel Sannio (ADDRESS / Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Viol. of Proc. No. 2, Artible II, Sec. 44

Particulars: Transporting materials in cart without proper permit

Second Charge:

Particulars:

TRADUZIONE

Prima Accusa: Violazione del Proc. N° 2, articolo 2°, Sez. 44

Dettagli: Trasportando materiale con un carretto senza permesso

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 Summary Court, Cantalupo
(NAME AND ADDRESS OF COURT / Nome e indirizzo della Corte)

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

FOGLIO D'ACCUSA

PLACE Luogo: Cantelupo nel Sannio

DATE Data: 3 December 1943

Gianfrancesco Nicola
(NAME OF DEFENDANT)
(Nome dell'Accusato)

Cantelupo nel Sannio
(ADDRESS)
(Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Viol. of Proc. No. 2, Article II, Sec. 44

Particulars: Transporting materials in cart without proper permit

Second Charge:

Particulars:

TRADUZIONE

Prima Accusa: Violazione del Proc. N° 2, Articolo 2°, Sez. 44

Dettagli: Trasportando materiale con un carretto senza permesso

Seconda Accusa:

Dettagli:

10

(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 Summary Court, Cantelupo
(NAME AND ADDRESS OF COURT)
(Nome e indirizzo della Corte)

Per ordine

Firma dell'Individuo Autorizzato
William A. Lessa, 2d Lt.
Civil Affairs Officer

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

(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

L/C Green of 5 Div HQ Pro Coy testifies that on 30 November 1943 he saw accused driving cart with manure in direction of "La Taverna," that portion of the town near the RR station.

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

EVIDENCE FOR ACCUSED

None

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

Case No. 100

FORM No. 8

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at CANTALUPO nel SANNIO Province of Campobasso

on the 4 day of Dec. 1943

Before William A. Lessa, 2d Lt.

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

REFERENCE No. L-3

ACCUSED

Name: - Gianfrancesco Gaetano

Address: - CANTALUPO nel SANNIO Province of Campobasso

Description: -

Occupation: - Teamster

Age: - 36

INTERPRETER

Name: 2d Lt. William A. Lessa is duly sworn

PROSECUTING OFFICER

Name: William A. Lessa, 2d Lt.

4 99

ADVOCATE FOR ACCUSED

Name: None

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).

Violation of curfew order. (Proc. No. 2, Article II, Sec. 24)

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

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at CANTALUPO nel SANNIO Province of Campobasso

on the 4 day of Dec. 1943

Before William A. Lessa, 2d Lt.

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

REFERENCE No. L-3

ACCUSED

Name: - Gianfrancesco Gaetano

Address: - CANTALUPO nel SANNIO Province of Campobasso

Description: -

Occupation: - Teamster

Age: - 36

INTERPRETER

Name: 2d Lt. William A. Lessa is duly sworn

PROSECUTING OFFICER

Name: William A. Lessa, 2d Lt.

ADVOCATE FOR ACCUSED

Name: None

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).

Violation of curfew order. (Proc. No. 2, Article II, Sec. 24)

HEADQUARTERS A.C. CASE NO. 103

The Charges are read and explained to each accused.

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

PLEAS OF THE ACCUSED

The Accused

pleads N G to the 1st charge

pleads to the 2nd charge

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

None

FINDINGS OF THE COURT

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.

That he was merely locking the door to the building near his home where he stored forage and that it was just shortly after curfew. Furthermore, the MP live in his house and had seen him do this often without reprimand

SENTENCE OF THE COURT

The Court sentences the accused Gianfrancesco Gaetano

to Fine of L 300.00

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

William A. Lessa
(Signature of Judge of Allied Military Court)

REVIEW

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

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

None

FINDINGS OF THE COURT

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.

That he was merely locking the door to the building near his home where he stored forage and that it was just shortly after curfew. Furthermore, the MP live in his house and had seen him do this often without reprimand.

SENTENCE OF THE COURT

The Court sentences the accused Gianfrancesco Gaetano

to Fine of L 300.00

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

William A. Lessa
(Signature of Judge of Allied Military Court)

REVIEW

Date 194 Signature .....

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

~~3~~

FORM No. 4

GOVERNO MILITARE ALLEATO

FOGLIO D'ACCUSA

PLACE (Luogo) Cantalupo nel Sannio

DATE (Data) 3 December 1943

Gianfrancesco Grasso
(NAME OF DEFENDANT) (Nome dell'Accusato)

(ADDRESS) (Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Violation of curfew order Proc. 2, Article II, Sec. 24

Particulars: Out after curfew on the night of 2 December 1943

Second Charge:

Particulars:

TRADUZIONE

Prima Accusa: Violazione del coprofuoco

Dettagli: Fuoro dello casa la sera giorno 2 Dicembre 1943

Seconda Accusa:

Dettagli: 95

(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 Summary Court, Cantalupo
(NAME AND ADDRESS OF COURT)

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

FOGLIO D'ACCUSA

PLACE (Luogo) Cantalupo nel Sannio

DATE (Data) 3 December 1943

Gianfrancesco Saturno
(NAME OF DEFENDANT) (Nome dell'Accusato)

(ADDRESS) (Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Violation of curfew order Proc. 2, Article II, Sec. 24

Particulars: Out after curfew on the night of 2 December 1943

Second Charge:

Particulars:

TRADUZIONE

Prima Accusa: Violazione del coprofuoco

Dettagli: Fuoro della casa la sera giorno 2 Dicembre 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 Summary Court, Cantalupo
(NAME AND ADDRESS OF COURT) (Nome e indirizzo della Corte)

Per ordine

Firma dell'Individuo Autorizzato
William A. Lessa, 2d Lt.
Civil Affairs Officer

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

(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

L/C Ellor of 5 Div HQ Pro Coy states that he saw accused at 1915 hrs at a distance of 50 yards from his home.

2 Dec. 1942

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

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

EVIDENCE FOR ACCUSED

None.

CASE No. 99

FORM No. 8

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Cantalupo nel Sannio, Province of Campobasso

on the 30th day of Nov. 1943

Before William A. Lessa, 2d Lt.

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

REFERENCE No. L-2

ACCUSED

Name: - Di Re Armando

Address: - Cantalupo

Description: - Tall, strong build, heavy features

Occupation: - Horse trader and teamster

Age: - 35

INTERPRETER

Name: None--Trial conducted in Italian. is duly sworn
The Court interpreted for the only English-speaking witness

PROSECUTING OFFICER

Name: William A. Lessa, 2d Lt.

ADVOCATE FOR ACCUSED

Name: None

97

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).

Transporting pigs with a permit issued to transport building

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

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Cantalupo nel Sannio, Province of Campobasso

on the 30th day of Nov. 194 3

Before William A. Lessa, 2d Lt.

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

REFERENCE No. L-2

ACCUSED

Name: - Di Re Armando

Address: - Cantalupo

Description: - Tall, strong build, heavy features

Occupation: - Horse trader and teamster

Age: - 35

INTERPRETER

Name: None--Trial conducted in Italian. is duly sworn
The Court interpreted for the only English-speaking witness

PROSECUTING OFFICER

Name: William A. Lessa, 2d Lt.

ADVOCATE FOR ACCUSED

Name: None

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).

Transporting pigs with a permit issued to transport building materials for repair of the local flour mill. (Violation of Proc. No. 2, Article II, Sec. 44)

HEADQUARTERS A.C. CASE NO. 104

The Charges are read and explained to each accused.

HQ A 104

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

PLEAS OF THE ACCUSED

The Accused Di Re Armando pleads Not guilty to the 1st charge

pleads to the 2nd charge

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

None

FINDINGS OF THE COURT

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.

That in going to fetch the materials his cart was empty, so he took advantage of this opportunity to transport two pigs.

SENTENCE OF THE COURT

The Court sentences the accused Di Re Armando

to Fine of L500.00

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

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

William R. Lessa 2d Lt.
(Signature of Judge of Allied Military Court)

REVIEW

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

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

None

FINDINGS OF THE COURT

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.

That in going to fetch the materials his cart was empty, so he took advantage of this opportunity to transport two pigs.

SENTENCE OF THE COURT

The Court sentences the accused Di Re Armando

to Fine of L500.00

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

William R. Lessa 2d Lt.
(Signature of Judge of Allied Military Court)

REVIEW

Date 194 Signature .....

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

FORM No. 4

GOVERNO MILITARE ALLEATO

FOGLIO D'ACCUSA

PLACE (Luogo) Cantalupo nel Sannio

DATE (Data) 30 November 1943

Di Re Armando
(NAME OF DEFENDANT)
(Nome dell'Accusato)

Cantalupo nel Sannio
(ADDRESS)
(Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Violation of Proc. No. 2; Article II, Sec. 44

Particulars: Transporting pigs with a permit issued to transport building materials for repair of the local flour mill.

Second Charge:

Particulars:

TRADUZIONE

Prima Accusa: Violazione del. Proc. N° 2, Articolo 2°, Sez. 44

Dettagli: Trasportava maialli invece il permesso rilasciato era esclusivamente per il trasporto di materiale da costruzione per il funzionamento del molino nel comune.

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 Summary Court, Cantalupo
(NAME AND ADDRESS OF COURT)
(Nome e indirizzo della Corte)

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

FOGLIO D'ACCUSA

PLACE / Luogo: Cantalupo nel Sannio

DATE / Data: 30 November 1943

Di Re Armando
(NAME OF DEFENDANT)
(Nome dell'Accusato)

Cantalupo nel Sannio
(ADDRESS)
(Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Violation of Proc. No. 2; Article II, Sec. 44

Particulars: Transporting pigs with a permit issued to transport building materials for repair of the local flour mill.

Second Charge:

Particulars:

TRADUZIONE

Prima Accusa: Violazione del. Proc. Nº 2, Articolo 2º, Sez. 44

Dettagli: Trasportava maiali invece il permesso rilasciato era esclusivamente per il trasporto di materiale da costruzione per il funzionamento del molino nel comune.

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 Summary Court, Cantalupo
(NAME AND ADDRESS OF COURT)
(Nome e indirizzo della Corte)

Per ordine

Firma dell'Individuo Autorizzato
William A. Lessa, 2d Lt.
Civil Affairs Officer

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

(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

L/Cpl Grace testified that the permit in the possession of the accused was for the transportation of building materials and was dated 18 November 1943, whereas on 30 November 1943 he was transporting within the Commune of Cantalupo two pigs.

Petrecca Giovanni, proprietor of the mill for whom accused states he was going to fetch materials, states that he had asked for the materials about ten days ago and had received but a portion of them and that he had no knowledge that the defendant was making this late trip.

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

EVIDENCE FOR ACCUSED

None

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

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

MEMO

DCCAO

23 Jan 44

Review of Summary Court Cases

1 In accordance with Proclamation No. 2, Article VII, Section III, it is recommended that you review the two attached records.

2. In the case of CIALLELLA MARIA GAETANA, the court acted both as prosecution and complaining witness as to the second charge and actually testified at the trial.

3. In the case of DE MATTEIS GIUSEPPE, the court again acted as prosecution and complainant, the defendant being convicted of disobeying an order given by the court in his capacity as CAO.

4. I believe these practices are dangerous, and likely to lead to miscarriages of justice, and recommend that the convictions and sentences be set aside.

Mark Herr

Major, AUS,
Chief Legal Officer.

Ciallella was in my opinion properly convicted on first charge.
Signed Col de Matteis
Sentence should be set aside pending procedure

DL 23/1/1944

Case No 98

FORM No. 8

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Cantalupo nel Sannio, Province of Campobasso

on the 30th day of Nov. 1943

Before William A. Lessa, 2d Lt.

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

REFERENCE No. L-1

ACCUSED

Name: - De Matteis Giuseppe

Address: - San Giuliano, Province of Campobasso (Permanent: Castelpagano, Province of Benevento)

Description: - Short, heavy set, blue eyes, brown hair, partly bald, ruddy complexion.

Occupation: - Commune secretary

Age: - 34

INTERPRETER

Name: None--Trial conducted entirely in Italian is duly sworn

PROSECUTING OFFICER

Name: William A. Lessa, 2d Lt.

ADVOCATE FOR ACCUSED

Name: None

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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).

Refusal to obey the order of the CAO, Cantalupo, to report there

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

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Cantalupo nel Sannio, Province of Campobasso

on the 30th day of Nov. 1943

Before William A. Lessa, 2d Lt.

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

REFERENCE No. L-1

ACCUSED

Name: - De Matteis Giuseppe

Address: - San Giuliano, Province of Campobasso
(Permanent: Castelpagano, Province of Benevento)

Description: - Short, heavy set, blue eyes, brown hair, partly bald, ruddy complexion.

Occupation: - Commune secretary

Age: - 34

INTERPRETER

Name: None--Trial conducted entirely in Italian is duly sworn

PROSECUTING OFFICER

Name: William A. Lessa, 2d Lt.

ADVOCATE FOR ACCUSED

Name: None

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).

Refusal to obey the order of the CAO, Cantalupo, to report there for duty in accordance with arrangements made with the Prefect. (Violation of Proc. No. 2, Article II, Sec. 44)

HEADQUARTERS A.C. CASE NO. 105

The Charges are read and explained to each accused.

HQ A.C. 105

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

PLEAS OF THE ACCUSED

The Accused De Matteis Giuseppe Not guilty to the 1st charge

pleads to the 2nd charge

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

None

FINDINGS OF THE COURT

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.

Accused states that he was unaware that the order, given verbally, came from the CAO because he was told merely that it was the "Commissario" who had sent from him. This could have meant the "mayor."

SENTENCE OF THE COURT

The Court sentences the accused

to Three months in jail, sentence suspended pending good behavior.

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

William A. Lessa, 2d Lt.
(Signature of Judge of Allied Military Court)

REVIEW

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

pleads to the 2nd charge

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

None

FINDINGS OF THE COURT

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.

Accused states that he was unaware that the order, given verbally, came from the CAO because he was told merely that it was the "Commissario" who had sent from him. This could have meant the "mayor."

SENTENCE OF THE COURT

The Court sentences the accused

to Three months in jail, sentence suspended pending good behavior.

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

William A. Lessa, 2d Lt.
(Signature of Judge of Allied Military Court)

REVIEW

Finding & sentence quashed.

Date 23/1/44 194

Signature M L Clark Brigadier
DECAN

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

FORM No. 4

GOVERNO MILITARE ALLEATO

FOGLIO D'ACCUSA

PLACE / Luogo: Cantalupe nel Sannio

DATE / Data: 30 November 1943

De Matteis Giuseppe
(NAME OF DEFENDANT)
(Nome dell'Accusato)

San Giuliano
(ADDRESS)
(Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Violation of Proc. No. 2, Article II, Sec. 44

Particulars: Refused to obey my order to come to Cantalupe to
perform duties as commune secretary

Second Charge:

Particulars:

TRADUZIONE

Prima Accusa: Violazione del Proc. N° 2, Articolo 2°, Sez. 44

Dettagli: Rifiuto intenzionale di ubbidire un ordine del
Governo Militare Alleato

Seconda Accusa:

Dettagli: 3 97

(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
(NAME AND ADDRESS OF COURT)

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

FOGLIO D'ACCUSA

PLACE
Luogo: Cantalupo nel Sannio

DATE
Data: 10 November 1943

De Matteis Giuseppe
(NAME OF DEFENDANT)
(Nome dell'Accusato)

San Giuliano
(ADDRESS)
(Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Violation of Proc. No. 2, Article II, Sec. 44

Particulars: Refused to obey my order to come to Cantalupo to assume duties as commune secretary

Second Charge:

Particulars:

TRADUZIONE

Prima Accusa: Violazione del Proc. N° 2, articolo 2°, Sez. 44

Dettagli: Rifiuto intenzionale di ubbidire un ordine del Governo Militare Alleato

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
(NAME AND ADDRESS OF COURT)
(Nome e indirizzo della Corte)

Per ordine

Firma dell'Individuo Autorizzato

William A. Lesca, 2d Lt.
Civil Affairs Officer

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

EXHIBIT B

N.3000

IL PREFETTO

DELLA PROVINCIA DI CAMPOBASSO

Atteso che per ragioni di servizio occorre trasferire ad altra sede il segretario titolare del Comune di S.Giuliano del Sannio De Matteis Giuseppe;

Veduta la delega del Ministero dell'Interno ad adottare i provvedimenti urgenti in materia di trasferimento dei segretari comunali nell'ambito della provincia;

DECRETA

Il Segretario comunale di grado VII De Matteis Giuseppe, titolare del Comune di S.Giuliano del Sannio è trasferito al Comune di Cantalupo del Sannio ove dovrà assumere servizio nel termine di giorni dieci dalla data del presente decreto.

I Podestà di S.Giuliano del Sannio e di Cantalupo del Sannio sono incaricati della esecuzione del presente decreto.

Campobasso, 13 novembre 1943

IL PREFETTO
(Salvatore)

All'Ufficiale dell'A.M.G.O.T.
«Servizi Civili»
Cantalupo del Sannio
Al Podestà di S.Giuliano del Sannio

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

IL PREFETTO

DELLA PROVINCIA DI CAMPOBASSO

Atteso che per ragioni di servizio occorre trasferire ad altra sede il segretario titolare del Comune di S.Giuliano del Sannio De Matteis Giuseppe;

Veduta la delega del Ministero dell'Interno ad adottare i provvedimenti urgenti in materia di trasferimento dei segretari comunali nell'ambito della provincia;

DECRETA

Il Segretario comunale di grado VII De Matteis Giuseppe, titolare del Comune di S.Giuliano del Sannio è trasferito al Comune di Cantalupo del Sannio ove dovrà assumere servizio nel termine di giorni dieci dalla data del presente decreto.

I Podestà di S.Giuliano del Sannio e di Cantalupo del Sannio sono incaricati della esecuzione del presente decreto.

Campobasso, 11 novembre 1943

IL PREFETTO
(Salvatore)

All'Ufficiale dell'A.M.G.O.T.
«Servizi Civili» Cantalupo del Sannio

al Podestà di S.Giuliano del Sannio
per conoscenza
al Podestà di Cantalupo del Sannio
per l'esecuzione

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

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

Martelli Carmine, "segretario applicato" for the Commune of Cantalupo nel Sannio, states that upon instructions from the CAO, 2d Lt. William A. Lessa, he proceeded in a military truck provided for that purpose to fetch the accused in order to exchange him for the present secretary of the commune. The exchange had been granted by the Prefect of the Province of Campobasso and Martelli had already been given notice of this and was given additional verification, in writing.

Martelli states that the "Commissario" at Cantalupo ordered him to leave at once and that he would in two days be able to return to San Giuliano, his present address, in order to dispose of his personal and official affairs. (Note: The term "commissario" is used by Italians to designate both CAOs and certain categories of mayors.)

Martelli further states that the accused refused to come, saying he was content where he was and that he had already spoken to the Vice-Prefect, who assured him verbally that he would cancel the original order of the Prefect.

The prosecution maintains that in view of the fact that it was a military truck that had called for the accused, that he had been told he had been "ordered" to come to Cantalupo, and that he had been handed a written order from the Prefect, there could be no doubt that the accused was aware he was under a legitimate order of the AMG. (See Exhibit B)

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

EVIDENCE FOR ACCUSED

Accused maintains that he can provide witnesses to prove he was never specifically told that it was the CAO who had summoned him from San Giuliano to Cantalupo.

He further states that he can prove through the Vice-Prefect that he had spoken to him at Campobadso and had received his verbal assurance that the transfer would be cancelled.

He states that at no time was he told it was a military vehicle that had arrived to fetch him.

Note: The Court accepts this evidence in view of the fact that witnesses are not easily available.

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

Case No. 97

PROCEEDINGS OF AN ALLIED MILITARY COURT.

Held at S.Vito Chietino
on the 22nd December, 1943
before F.Rawlings Capt. C.A.O.

Reference 2.

ACCUSED.

Names: (1) Scaglione Tomaso (2) Scaglione Antonio

Address: (1) (2) S.Vito Chietino.

Description: (1) 5ft 3", com.fresh, well built. dark hair.
(2) 5ft 4" " " " " grey "

Age: (1) 23 (2) 55

INTERPRETER.

Frantisek Kohn

PROSECUTING OFFICER

Lt. Gollop

ADVOCATE FOR ACCUSED

Enzo Maria Luca Dazio

CHARGE.

In wrongful possession of one mule, the property of the Allied Forces on 20th December, 1943.
Violation of Proclamation 2, Art.11, Sec.40

Accused pleaded not guilty.

SENTENCE OF COURT.

(1) 2 months imprisonment or 10,000 lire. (Fine not paid)
(2) 4 months imprisonment.

EVIDENCE FOR PROSECUTION.

Signed written statement of Pte.80088 Lorance, Pack Tpt. Coy. R.C.A.S.C. to the effect that he had seen accused with laden mule, which was clearly branded with W.D. sign and number.

F. Rawlings Capt.

Signature of Judge of A.M.G.
Summary Court.
S.Vito Chientino.

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

Reference 2.

ACCUSED.

Names: (1) Scaglione Tomaso (2) Scaglione Antonio

Address: (1) (2) S.Vito Chietino.

Description: (1) 5ft 3", com\.fresh, well built. dark hair.
(2) 5ft 4" " " " " grey "

Age: (1) 23 (2) 55

INTERPRETER.

Frantisek Kohn

PROSECUTING OFFICER

Lt. Gollop

ADVOCATE FOR ACCUSED

Enzo Maria Luca Dazio

CHARGE.

In wrongful possession of one mule, the property of the Allied Forces on 20th December, 1943.
Violation of Proclamation 2, Art.11, Sec.40

Accused pleaded guilty not guilty.

SENTENCE OF COURT.

(1) 2 months imprisonment or 10,000 lire. (Fine not paid)
(2) 4 months imprisonment.

EVIDENCE FOR PROSECUTION.

Signed written statement of Pte.80088 Lorance, Pack Tpt. Coy. R.C.A.S.C. to the effect that he had seen accused with laden mule, which was clearly branded with W.D. sign and number.

F. Rawlings Capt.

Signature of Judge of A.M.G.
Summary Court.
S.Vito Chientino.

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HQ A C 6 HEADQUARTERS A.C. CASE NO. 106

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

CASE No 96

FORM No. 8

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at S. Vito Chietino

on the 22nd day of Dec. 1943

Before F.Rawlings Capt. C.A.O.

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

REFERENCE No. 1

ACCUSED

Name: - D'Intino Angelina

Address: - S.Vito Chietino

Description: - 5 ft. pale complexion, black hair, thin build.

Occupation: - unemployed

Age: - 18

INTERPRETER

Name: Frantisek Kohn (Checkoslovakian) is duly sworn

PROSECUTING OFFICER

Name: Lt. Gollop C.A.O. S.Vito.

ADVOCATE FOR ACCUSED

Name: Emanuele Ciampoli

96

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).

Did steal on 20th December,1943, a quantity of assorted meats,

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

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at S. Vito Chietino

on the 22nd day of Dec. 1943

Before F.Rawlings Capt. C.A.O.

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

REFERENCE No. 1

ACCUSED

Name: - D'Intino Angelina

Address: - S.Vito Chietino

Description: - 5 ft. pale complexion, black hair, thin build.

Occupation: - unemployed

Age: - 18

INTERPRETER

Name: Frantisek Kohn (Checkoslovakian) is duly sworn

PROSECUTING OFFICER

Name: Lt. Gollop C.A.O. S.Vito.

ADVOCATE FOR ACCUSED

Name: Emanuele Ciampoli

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).

Did steal on 20th December,1943, a quantity of assorted meats, toothpowder, chocolate, matches and 1,000 cigarettes, the property of the Allied Forces, contrary to Proclamation 2, Art.11, Section 27.

HEADQUARTERS A.C. CASE NO. 107

The Charges are read and explained to each accused.

46 AC 107

C.I.O.

26/12

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

PLEAS OF THE ACCUSED

The Accused D'Intino pleads guilty to the 1st charge

pleads to the 2nd charge

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

Nil

FINDINGS OF THE COURT

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.

Accused stated to be of weak intellect and under medical treatment.

SENTENCE OF THE COURT

The Court sentences the accused D'Intino Angelina

to 6 months imprisonment - sentence suspended.

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

F. Hawkings Capt.
(Signature of Judge of Allied Military Court)

REVIEW

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

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

Nil

FINDINGS OF THE COURT

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.

Accused stated to be of weak intellect and under medical treatment.

SENTENCE OF THE COURT

The Court sentences the accused D'Intino Angelina

to 6 months imprisonment - sentence suspended.

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

F. Hawkings Capt.
(Signature of Judge of Allied Military Court)

REVIEW

Date 194 Signature .....

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

(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

Evidence of Pte.2364619 Hicks, 5 Corp Signals, to the effect that accused was seen by him with shaving stick, Erasmic, in her hand.

Lt.Gollop, C.A.O. gave evidence of searching house of accused and finding quantity of Allied Forces' property.

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

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

EVIDENCE FOR ACCUSED

CASE No. 93

FORM No 8.

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF ALLIED MILITARY COURT

held at BAGNOLI DEL TRIGNO
on the 13th day December 1943
before CAPT. E.A. BIS:

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

REFERENCE No. 8/4

ACUSED

NAME:- CIOLFITO PAOLO FU ANTONIO
Address:- CIVITANOVA DEL SANNIO
Description: -
Occupation: -

INTERPRETER

Name: is duly swor

PROSECUTING OFFICER

Name:

CHARGE (S)

(This space need not be completed if a copy of the Summons or Charge-sheet is

E 39

The Charges are read and explained to each accused.

HEADQUARTERS I.C. CASE NO 103

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

PROCEEDINGS OF ALLIED MILITARY COURT

held at BAGNOLI DEL TRIGNO
on the 13th day December 1943
before CAPT. E.A. GISS

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

REFERENCE No. 8/4

ACCUSED

NAME:- CIOLFITO PAOLO FU ANTONIO
Address:- CIVITANOVA DEL SANNIO
Description: -
Occupation: -

INTERPRETER

Name: is duly swor

PROSECUTING OFFICER

Name:

CHARGE (S)

(This space need not be completed if a copy of the Summons or Charge-sheet is

The Charges are read and explained to each accused.

HEADQUARTERS A.G. CASE NO. 108

HQ A-108

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

PLEAS OF THE ACCUSED

THE accudesd pleads guilty to the 1st charge
pleads to the 2nd charge
to the 3rd Charge

ADJOURNMENTS

(Times, dates and reasons dor adjournments being made)

CASE FOR PROSECUTION

The record of the evidence for the prosecution is attached (or endorsed hereon) and marked "B" in respect of all charges to which any accused has pleaded "Not Guilty".

CASE FOR DEFENCE

The record of the evidence for the Defence is attached (or endorsed hereon) and marked "C"

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

pleads to the 2nd charge

to the 3rd Carge

ADJOURNMENTS

(Times, dates and reasons dor adjournments being made)

CASE FOR PROSECUTION

The record of the evidence for the prosecution is attached (or endorsed hereon) and marked "B" in respect of all charges to which any Accused has plosded "Not Guilty".

CASE FOR DEFENCE

The record of the evidence for the Defence is attached (or endorsed here on) and marked "C"

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

8/4

GOVERNO MILITARE ALLEATO

UFFICIO D'ACCUSA

Place Ripalimosani del Trigno
Luogo

Date 13 Dec 43
Data

Ciolfito Paolo fu Antonio — Civitanova del Sannio
(Name of defendant) (Address)
(Nome dell'accusato) (Indirizzo)

I am charged with the following offence:
E qui accusato delle offese seguenti:

First charge: Contrary to Proclamation 2 Art 2 (37)
Particulars: In that he disseminated by speech a false rumour calculated to excite the people, viz. he accused the Communal Secretary of Civitanova del Sannio in public on 9 Dec 43 of having unwillingly to provide the people with salt unless they provided him with grain in return.

Second charge:
Particulars:

Prima accusa: Contrari al Proclama 2 Artt 2 (37)
Dettagli: Perchè ha detto a viva voce notizia falsa calcolata ad eccitare il popolo, ciò è ha detto il giorno 9 di dicembre 1943 al pubblico che il Segretario Comunale di Civitanova del Sannio non vuole vendere Sale ai popoli senza cambiarlo con grano.
Dettagli:

(Se non è redatto dall'ufficiale, voi dovete farvelo tradurre da un amico o presso qualsiasi ufficio di questura).

Le suddette accuse sono riferite a processi davanti Summary Military Court

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

Data 13 Dec 43

CIOLFITO PAOLO FU ANTONIO — CIVITANOVA DEL SANNIO

(Nome dell'accusato) (Indirizzo)

Is charged with the following offense:

e qui accusato delle offese seguenti:

First charge: Contrary to Proclamation 2 Art 2 (37)

Particulars: In that he disseminated by speech a false rumour calculated to excite the people, viz. he accused the Communal Secretary of CIVITANOVA DEL SANNIO in public on 9 Dec 43 of having unwillingly to provide the people with salt unless they provided him with grain in return.

Second charge:

Particulars:

Imputazione

Prima accusa: Contrari al Proclama 2 Art 2 (37).

Dettagli: Perchè ha detto a viva voce notizia falsa calcolata ad eccitare il popolo, ciò è ha detto il primo 9 di dicembre 1943 al pubblico che il Segretario Comunale di CIVITANOVA DEL ~~accusa seconda~~ SANNIO non vuole vendere Sale ai popoli senza cambiarlo con grano.

Dettagli:

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(Se non tradotto dall'ufficiale, voi dovete farvelo tradurre da un reo o presso qualsiasi ufficio di questura).

Le suddette accuse sono riferite a processo davanti SUMMARY MILITARY COURT

(Nome e indirizzo della corte)

BARENGO

Per ordine

Settori Capo Ats

(Giustizia, tribunale, ufficiale inferiore o altro individuo autorizzato.

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

FINDINGS OF THE COURT

The Accused
is fouad 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 te accused as to character is attached and marked "B".

SENTENCE OF THE COURT

The Court sentences the accused
to a fine of 500 lire.
in respect of all the offences charged in te above proceedings of which the said accused has been found guilty.

Hebei Capt.
CAO BAGNOLI.

REVIEW

Date 194 Signature.....

CONFIRMATION OF DEATH SENTENCE

Date 194 Signature.....

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

EVIDENCE FOR PROSECUTION

(If not sufficient space on this form for the notes of evidence, other sheets should be attached)

EVIDENCE FOR DEFENCE

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

CASE No. 92

FORM No.6

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF ALLIED MILITARY COURT

held at Bagnoli del Trigno
on the 13th day DEC. 1943
before CAPT. E.A. Biss

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

Reference No. B/7

ACCUSED

Name:- MASTRODONATO Emanuelle di Giovacchino
Address:- BAGNOLI
Description:-
Occupation:-

INFORMATION

Name: Pretuso Jose is duly sworn

PROSECUTING OFFICER

Rank:- Maresciallo of Carabinieri

OATH (S)

(This space need not be completed if a copy the Summons or Charge-sheet is

56

the Charges are read and explained to the accused.

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

held at Bagnoli del Trigno
on the 15th day DEC. 1943
before CAPT. E.A. Biss

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

Reference No. B/7

- ACCUSED

Name:- MASTRODONATO Emanuelle di Giovacchino
Address:- BAGNOLI
Description:-
Occupation:-

- INTERPRETER

Name: Pretuso Jose is duly sworn

- PROSECUTING OFFICER

Name:- Maresciallo of Carabinieri

- CHARGE (s)

(This space need not be completed if a copy the Summons or Charge-sheet is

36

The Charges are read and explained to said accused.

HEADQUARTERS A.C. CASE NO. 109

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

PLEAS OF THE ACCUSED

THE accused pleads guilty to the 1st charge

pleads to the 2nd charge

to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

CASE FOR PROSECUTION

The record of the evidence for the prosecution is attached (or endorsed hereon) and marked "B" in respect of all charges to which any accused has pleaded "Not Guilty".

CASE FOR DEFENCE

The record of the evidence for the Defence is attached (or endorsed hereon) and marked "C"

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

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

CASE FOR PROSECUTION

The record of the evidence for the prosecution is attached (or endorsed hereon) and marked "B" in respect of all charges to which any accused has pleaded "Not Guilty".

CASE FOR DEFENCE

The record of the evidence for the Defence is attached (or endorsed hereon) and marked "C"

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

For. N. 4 B/7

GOVERNO MILITARE ALLEATO

FOGLIO D'ACCUSA

(2)

Luogo BAGNOLI DEL TRIGNO

Data 14 Dec 43

CASTRODONATO EMANUELE DI GIOVACCHINO — BAGNOLI DEL TRIGNO
(NAME OF DEFENDANT) (ADDRESS)
(Nome dell'accusato) (Indirizzo)

IS CHARGED WITH THE FOLLOWING OFFENCES:
è qui accusato delle offese seguenti:

FIRST CHARGE: Contrary to Proclamation 2 Art 2 (24)

PARTICULARS: In that he was out in the street without a permit after the hour of curfew at BAGNOLI on 12 Dec 43

SECOND CHARGE:

PARTICULARS:

PRECISIONS

Prima accusa: Contrari al Proclama 2 Art 2 (24)

Dettagli: Perchè si trovò nelle strade senza permesso dopo il coprifuoco a BAGNOLI DEL TRIGNO il giorno 12 di dicembre 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 SUMMARY MILITARY COURT
(NAME AND ADDRESS OF COURT)
(nome e indirizzo della corte)

BAGNOLI

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

MASTRODONATO EMANUELE DI GIOVACCHINO — BAGNOLI DEL TRIGNO
(NAME OF DEFENDANT) — (ADDRESS)
(Nome dell'accusato) — (Indirizzo)

IS HEREBY GIVEN THE FOLLOWING OFFENCE;
e qui accusato delle offese seguenti:

FIRST CHARGE: Contravv Proclamation 2 Art 2 (24)
PARTICULARS: In that he was out in the street without a permit after the hour of curfew
at BAGNOLI on 12 Dec 43
SECOND CHARGE:
PARTICULARS:

TRADUZIONE

Prima accusa: Contravv al Proclama 2 Art 2 (24)
Dettagli: Perchè si trovò nelle strade senza permesso dopo il coprifuoco a BAGNOLI
DEL TRIGNO il giorno 12 di dicembre 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 SUMMARY MILITARY COURT
(Name and address of Court)
BAGNOLI (Nome e indirizzo della corte)

Per ordine

Maj Capt. Cmd.

Studio, Tribunale Militare Inferiore o altro Individuo autorizzato.

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

FINDINGS OF THE COURT

The Accused Castrodonato Emanuelle di Giovacchino
is found guilty: ~~not guilty~~ of the firs charge.

The Accused
is found guilty/not guilt of secnd charge.

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

The statement (if any) of accused on mitigation of punishment and the record of evidence (if any) of te accused as to character is attached and marked "D".

SENTENCE OF THE COURT

The Court sentences the accused Castrodonato Emanuelle
to a fine 100 lire
in respet of all the offences charged in te above proceedings of which the said accused has been found guilty.

Arturo Lutt
Cav. BARONI

REVIEW

Date 14. Dec. 1943 Signature.....

CONFIRMATION OF DEATH Sentence

Date 194 Signature.....

Declassified E.O. 12356 Section 3.3/NND No. T85016

EVIDENCE FOR PROSECUTION

(If not sufficient space on this form for the notes of evidence, other sheets should be attached)

EVIDENCE FOR DEFENCE

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

CASE No. 91

FORM No 6.

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF ALLIED MILITARY COURT

held at BAGNOLI DEL TRIGNO
on the 13th day December 1943
before CAPT. E.A. Biss

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

REFERENCE No. B/S

ACCUSED

NAME:- DE VITA MICHELE FU PIETRO
Address:- BAGNOLI DEL TRIGNO.
Description: -
Occupation: -

INTERPRETER

Name: is duly swor

PROSECUTING OFFICER

Name:

CHARGE (S)

(This space need not be completed if a copy of the Summons or Charge-sheet is

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The Charges are read and explained to each accused.

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

held at BAGNOLI DEL TRIGNO

on the 13th day December 1943

before CAPT. E.A. BISS

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

REFERENCE No. B/S

ACCUSED

NAME:- DE VITA MICHELE FU PIETRO

Address:- BAGNOLI DEL TRIGNO.

Description: -

Occupation: -

INTERPRETER

Name: is duly swor

PROSECUTING OFFICER

Name:

CHARGE (S)

(This space need not be completed if a copy of the Summons or Charge-sheet is

1 . 34

The Charges are read and explained to each accused.

HQ AC 110

HEADQUARTERS A.C. CASE NO. 110

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

PLEAS OF THE ACCUSED

The accused pleads guilty to the 1st charge
pleads to the 2nd charge
to the 3rd Charge

ADJOURNMENTS

(Times, dates and reasons dor adjournments being made)

CASE FOR PROSECUTION

The record of the evidence for the prosecution is attached (or endorsed hereon) and marked "B" in respect of all charges to which any Accused has pleaded "Not Guilty".

CASE FOR DEFENCE

The record of the evidence for the Defence is attached (or endorsed hereon) and marked "C"

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

pleads to the 2nd charge

to the 3rd Carge

ADJOURNMENTS

(Times, dates and reasons dor adjournments being made)

CASE FOR PROSECUTION

The record of the evidence for the prosecution is attached (or endorsed hereon) and marked "B" in respect of all charges to which any accused has pleaded "Not Guilty".

CASE FOR DEFENCE

The record of the evidence for the Defence is attached (or endorsed hereon) and marked "C"

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

Form/ M.4) B/5

GOVERNO MILITARE ALLEGATO

Foglio d'accusa

(3)

Place BAGNOLI DEL TRIGNO
Luogo
Date 13 Dec 43
Data

DE VITA MICHELE FU PIETRO — BAGNOLI DEL TRIGNO
(NAME OF DEFENDANT) (Address)
(Nome dell'accusato) (Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENCES:
è accusato delle offese seguenti:

FIRST CHARGE; Contrary to Proclamation 2 art 2 (24)

PARTICULARS: In that he was out in the street without a permit after the hour of curfew at Bagnoli on 10 Dec. 43

TRADUZIONE

PRIMA ACCUSA contrari al Proclama 2 Art 2 (24)

DETTAGLI: Perché si trovò nelle strade senza permesso dopo il coprifuoco a Bagnoli del Trigno il giorno 10 di dicembre 1943.

(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 Tribunale Militare
a Bagnoli del Trigno
(Name And Address Of Court
(Nome e indirizzo delle corte)

Per ordine

(((
Giudice, Tribunale Militare Inferiore o altro Individuo Autorizzato.

Capt. CAO

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

Place BAGNOLI DEL TRIGNO
Luogo
Date 13 Dec 43
Date

DE VITA MICHELE FU PIETRO — BAGNOLI DEL TRIGNO
(NAME OF DEFENDANT) (Address)
(Nome dell'accusato) (Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENCES:
e accusato delle offese seguenti:

FIRST CHARGE; Contrary to Proclamation 2 Art 2 (24)
PARTICULARS: In that he was out in the street without a permit after the hour of curfew at Bagnoli on 10 Dec. 43

TRADUZIONE

PRIMA ACCUSA contrari al Proclama 2 Art 2 (24)
DETTAGLI: Perché si trovò nelle strade senza permesso dopo il coprifuoco a Bagnoli del Trigno il,giorno 10 di dicembre 1943.

(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 Tribunale Militare a Bagnoli del Trigno
(Name And Address Of Court
(Nome e indirizzo della corte)

Per ordine

(((Ufficiale Cadet. Cte
Giudice, Tribunale Militare Inferiore o altro Individuo Autorizzato.

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

FINDINGS OF THE COURT

The Accused
is found guilty: [redacted] of the firs 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 te accused as to character is attached and marked "D".

SENTENCE OF THE COURT

The Court sentences the accused
to a fine of 100 lire
in respect of all the offences charged in te above proceedings of which the said accused has been found guilty.

Alberio Capt.
CAO BAGNOLI.

REVIEW

Date 194 Signature.....

CONFIRMATION OF DEATH SENTENCE

Date 194 Signature.....

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

EVIDENCE FOR PROSECUTION

(If not sufficient space on this form for the notes of evidence, other sheets should be attached)

EVIDENCE FOR DEFENCE

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

CASE No. 90

FORM N.8

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF ALLIED MILITARY COURT

held at BAGNOLI DEL TRIGNO
on the 13th day December 1943
before CAPT. E.A. BISS

(Nome e rank of President
(Melbers and/or Nagistrate
(constatuting the Court

Reference N. 8/6

ACUSED

NAME:- FINAMORE ANNINA FU ACHILLE
Addres;- BAGNOLI DEL TRIGNO
Description:-
Occupation:-

INTERPRETER

Name: is duly swor

-PROSECUTING OFFICER

Name:-

CARGE (S)

(This spaee need not be completed of a copy rhe Summons or Charge-sheet is

The Charger are read and explained to eah accused.

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

held at BAGNOLI DEL TRIGNO
on the 13th day December 1943
before CAPT. E.A. BISS

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

Reference No. 8/6

ACUSED

NAME:- FINAMORE ANNINA FU ACHILLE
Address:- BAGNOLI DEL TRIGNO
Description:-
Occupation:-

INTERPRETER

Name: is duly swor

-PROSECUTING OFFICER

Name:-

CARGE (S)

(This space need not be completed if a copy the Summons or Charge-sheet is

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The Charger are read and explained to cah accused.

HQ AC NI
HEADQUARTERS A.C. CASE NO. 111

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

PLEAS OF THE ACCUSED

The accuesd pleads guilty to the 1st charge
pleads ..... to the 2nd charge
to the 3rd charge

ADJOURNMENTES

tTimes, dates and reasone dor adjoirnmente being made)

CASE FOR PROSECUTION

The record od the evidenc for the prosecution is attached (or endorsed hereon) and marked "B" in respeet of all charges to ~~which~~ which any accused has ploadéd "Not Guilty".

CASE FOR DEFENCE

The record of the avidence for the Defence is attached (or endorsed hereon)and marked "C"

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

to the 3rd charge

ADJOURNMENTES

t"imes, dates and reasone dor adjoirmente being made)

CASE FOR PROSECUTION

The record od the evidenc for the prosecution is attached (or en= dorsed hereon) and marked "B" in respeet of all charges to ~~which~~ which any accused has ploadd "Not Guilty".

CASE FOR DEFENCE

The record of the avidence for the Defence is attached (or endersed hereon)and marked "C"

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

B/6

Form. 1.4

GOVERNO MILITARE ALLEATO

FOGLIO D'ACCUSA

Place BAGNOLI DEL TRIGNO
Luogo

Date 18 Dec 43
Data

FINAMORE ANNINA FU ACHILLE — BAGNOLI DEL TRIGNO
(NAME OF DEFENDANT) (Address)
(nome dell'accusato) (Indirizzo)

IN HEREBY ORDERED TO BE TRIED THE FOLLOWING OFFENCES:
e qui accusato delle offese seguenti:

FIRST CHARGE: Contrary to Proclamation 2 Art 2 (24)

PARTICULARS: In that she was out in the street without a permit after the hours of curfew at BAGNOLI on 11 Dec 43

SECOND CHARGE:

PARTICULARS:

TRADUZIONE

PRIMA ACCUSA: Contrari al Proclama 2 Art 2 (24)

DETTAGLI: Perchè si trovò nelle strade senza permesso dopo il coprifuoco a BAGNOLI DEL TRIGNO il giorno 11 di dicembre 1943

SECONDA ACCUSA:

DETTAGLI: 56

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

Le suddette accuse sono rinviate a processo davanti SUMMARY MILITARY COURT
(NAME AND ADDRESS OF COURT)
(Nome e indirizzo della corte)

BAGNOLI

per ordine

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

FINARDE ANNINA FU ACHILLE — BAGNOLI DEL TRIGNO

(NAME OF DEFENDANT) (Address)
(Nome dell'accusato) (Indirizzo)

IN RESPECT OF WHICH THE FOLLOWING CHARGES
e qui accusato delle offese seguenti:

FIRST CHARGE: Contrary to Proclamation 2 Art 2 (24)

PARTICULARS: In that she was out in the street without a permit after the hour of curfew at BAGNOLI on 11 Dec 43

SECOND CHARGE:

PARTICULARS:

TRADUZIONE

PRIMA ACCUSA: Contrari al Proclama 2 Art 2 (24)

DETTAGLI: Perchè si trovò nelle strade senza permesso dopo il coprifuoco a BAGNOLI DEL TRIGNO il giorno 11 di dicembre 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 SUMMARY MILITARY COURT
(NAME AND ADDRESS OF COURT)
(Nome e indirizzo della corte)

BAGNOLI

per ordine

Magg. Capt Cmdg

Giudice, Tribunale Militare Inferiore o altro Individuo Autorizzato.

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

FINDINGS OF THE COURT

The Acused
is found guilty: ~~not guilt~~ of the firs charge.

The Accused
is found guilty/not guilt of seond charge.

The Accuded
is found guilty/not guily of third charge.

The statoment (if any) of accused es mitigation of punishment and the record of evidence (if any) of te accused as te character is attached and markd "D".

SENTENCE OF THE COURT

The Court sentences the accused
to a fine of 100 Lire.
in respet of all the offenges chargeda in te above proseedings of which the said accused has been found guilty.

Maj. Lobb
Cdr DAGNOLI

REVIEW

Date 194 Signature.....

CONFIRMATION OF DEATH Sentence

Date 194 Signature.....

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

The Accused
is found guilty/not guilt of seond charge.

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

The statoment (if any) of accused es mitigation of punishment and the record of evidence (if any) of te accused as te character is attached and markd "D".

SENTENCE OF THE COURT

The Court sentences the accused
to a fine of 100 Lire.
in respet of all the offenges chargeds in te above proseedings of which the said accused has been found guilty.

Major Lehr
Cdo DAGNOLI

REVIEW

Date I94 Signature.....

CONFIRMATION OF DEATH Sentence 19

Date I94 Signature.....

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

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

EVIDENCE FOR DEFENSE

EVIDENCE FOR PROSECUTION

(If not sufficient space on this form for the notes of evidence, other sheets should be attached)

CASE No. 89.

FORM No. 6.

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF ALLIED MILITARY COURT

held at BAGNOLI DEL TRIGNO

on the 11 day March 1943

before CAPT. E. A. BISS (Name & rank of President (Members and/or Magistrate (constituting the Court

REFERENCE No. B/2

ACCUSED

Name:- GRANO DOMENICO DI GAETANO, DI GREGORIO ROSA FU PASQUALE, GRANO MICHELINA (DI GAETANO

Address:- BAGNOLI DEL TRIGNO

Description: -

Occupation: -

INTERPRETER

Name: is duly swor

PROSECUTING OFFICER

Name:

CHARGE (S)

(This space need not be completed if a copy of the Summons or Charge-sheet is

The Charges are read and explained to each accused.

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

held at BAGNOLI DEL TRIGNO

on the 11 day December 1943

before CAPT. E. A. BISS

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

REFERENCE No. B/2

ACCUSED

NAME:- GRANO DOMENICO DI GAETANO, DI GREGORIO ROSA FU PASQUALE, GRANO MICHELINA (DI GAETANO

Address:- BAGNOLI DEL TRIGNO

Description: -

Occupation: -

INTERPRETER:

Name: is duly swor

PROSECUTING OFFICER:

Name:

CHARGE (S)

(This space need not be complete if a copy of the Summons or Charge-sheet is

The Charges are read and explained to each accused.

HEADQUARTERS A.C. CASE NO. 112 [illegible] A.C. 112

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

PLEAS OF THE ACCUSED

The accused

pleads guilty to the 1st charge
pleads to the 2nd charge
to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

CASE FOR PROSECUTION

The record of the evidence for the prosecution is attached (or endorsed hereon) and marked "B" in respect of all charges to which any Accused has pleaded "Not Guilty".

CASE FOR DEFENCE

The record of the evidence for the Defence is attached (or endorsed hereon) and marked "C"

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

Form .4)

GOVERNO MILITARE ALLEATO
Foglio d'accusa

(1)

Luogo BAGNOLI DEL TRIGNO
Data 11 Dec 43
Date

GRANO DOMENICO DI GAETANO
DI GREGORIO ROSA FU PASQUALE
GRANO MICHELINA DI GAETANO

DI BAGNOLI DEL TRIGNO

(NAME OF DEFENDANT) (Address)
(Nome dell'accusato) (Indirizzo)

Io HARRY CHANCE AIDE DE CAMP DU LIEUTENANT GENERAL
e accuso delle offese seguenti:

FIRST CHARGE: Contrary to proclamation 2 art 2 (24)

PARTICULARS: In that he was out in the street without a permit after the hour of curfew at Bagnoli on 11 Dec. 43

TRADUZIONE

PRIMA ACCUSA contrari al proclama 2 art 2 (d)

DETTAGLI: perché si trovò nelle strade senza permesso dopo il coprifuoco a Bagnoli del Trigno il giorno 11 di dicembre 1943.

(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 Tribunale Militare
a Bagnoli del Trigno
(Name and address of Court)
(Nome e indirizzo della corte)

Per ordine

[illegible] Sottoten. Cdo

Giudice, Tribunale Militare Inferiore o altro individuo autorizzato.

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

GRANO DOMENICO DI GAETANO
DI GREGORIO ROSA FU PASQUALE
GRANO MICHELINA DI GAETANO

DI BAGNOLI DEL TRIGNO

Luogo
Date 11 Dec 43
Data

(Name of Defendant)
(Nome dell'accusato)

(Address)
(Indirizzo)

He is now charged with the following crime:
è accusato delle offese seguenti:

FIRST CHARGE: Contrary to proclamation 1 art 2 (24)

PARTICULARS: In that he was out in the street without a permit after the hour of curfew at Bagnoli on 10 Dec. 43

TRADUZIONE

PRIMA ACCUSA contrari al proclama 1 art 2 (24)

DETTAGLI: perchè si trovò nelle strade senza permesso dopo il coprifuoco a Bagnoli del Trigno il giorno 10 di dicembre 1943.

(se non tradotte dall'ufficiale, voi dovete farvele tradurre da un amico o prendere qualsiasi Ufficio di Traduzione).

Le suddette accuse sono riferite a processo davanti Tribunale Militare a Bagnoli del Trigno

(Name and Address of Court)
(Nome e indirizzo della corte)

Per ordine

1 '47

(Sgd) Sobrio Capt. CAO

Giudice, Tribunale Militare Inferiore o altro Individuo Autorizzato.

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

FINDINGS OF THE COURT

The Accused
is found guilty: ~~not guilt~~ of the firs 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 te accused as to character is attached and marked "I".

SENTENCE OF THE COURT

The Court sentences the accused
to *a fine of 100 lire each.*
in respect of all the offences charged in te above proceedings of which the said accused has been found guilty.

Patrin Capt.
CAO BRIGNOLI

REVIEW

Date I94 Signature.....

CONFIRMATION OF DEATH SENTENCE

Date I94 Signature.....

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

EVIDENCE FOR PROSECUTION

(If not sufficient space on this form for the notes of evidence, other sheets should be attached)

EVIDENCE FOR DEFENCE

Declassified E.O. 12356 Section 3.3/NND No. T85-016

FORM No 6.

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF ALLIED MILITARY COURT

held at BAGNOLI DEL TRIGNO
on the 11 day Dicembre 1943
before CAPT. E.A. BISS

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

REFERENCE No. B/3

ACCUSED

Name:- FINAMORE BALDUINO FU DOMENICO, POTESTA ANTONIETTA DI GIOVANNI, DI CRISTOFERO SALVATORE FU VINCENZO.
Address:- BAGNOLI DEL TRIGNO.
Description: -
Occupation: -

INTERPRETER

Name: is duly sworn

PROSECUTING OFFICER

Name:

CHARGE (S)

(This space need not be completed if a copy of the summons or Charge-sheet is

1 . 75

The Charges are read and explained to each accused.

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

held at BAGNOLI DEL TRIGNO
on the 11 day December 1943
before CAPT. E.A. BISS

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

REFERENCE No. B/3

ACCUSED

NAME:- FINAMORE BALDUINO FU DOMENICO, POTESTA ANTONIETTA DI GIOVANNI, DI CRISTOFERO SALVATORE FU VINCENZO.
Address:- BAGNOLI DEL TRIGNO.
Description: -
Occupation: -

INTERPRETER

Name: is duly swor

PROSECUTING OFFICER

Name:

CHARGE (S)

(This space need not be completed if a copy of the Summons or Charge-sheet is

1 . 73

The Charges are read and explained to each accused.

HQ AC 113

113

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

PLEA OF THE ACCUSED

The accused | pleads guilty | to the 1st charge
| pleads | to the 2nd charge
| | to the 3rd Charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

CASE FOR PROSECUTION

The record of the evidence for the prosecution is attached (or endorsed hereon) and marked "B" in respect of all charges to which any accused has pleaded "Not Guilty".

CASE FOR DEFENCE

The record of the evidence for the Defence is attached (or endorsed hereon) and marked "C"

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

to the 3rd Charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

CASE FOR PROSECUTION

The record of the evidence for the prosecution is attached (or endorsed hereon) and marked "B" in respect of all charges to which any Accused has pleaded "Not Guilty".

CASE FOR DEFENCE

The record of the evidence for the Defence is attached (or endorsed hereon) and marked "C"

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

Foglio N.

GOVERNO MILITARE ALLEATO

Foglio N° Accusa

Luogo BAGNOLI DEL TRIGNO
Data 11 Dec 43

FINAMORE BALDUINO FU DOMENICO
POTESTA ANTONIETTA DI GIOVANNI
DE CRISTOFARO SALVATORE FU VINCENZO

(Nome dell'accusato)

DI BAGNOLI DEL TRIGNO
(Indirizzo)

Is hereby charged with the following offence:
e accusato delle offese seguenti:

FIRST CHARGE: Contrary to proclamation 2 art 2 (24)

PARTICULARS: In that he was out in the street without a permit after the hour of curfew at Bagnoli on 10 Dec. 43

Traduzione

PRIMA ACCUSA Contrari al proclama 2 art 2 (24)

DETTAGLI: Perché si trovò nelle strade senza permesso dopo il coprifuoco a Bagnoli del Trigno il giorno 10 di dicembre 1943.

(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 Tribunale Militare a Bagnoli del Trigno
(Name and address of Court)
(Nome e indirizzo della corte)

per ordine

(Sig. Sottoten. Cabt. CMO
Giudice, Tribunale Militare Inferiore o altro individuo autorizzato.

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

FINAMORE BALDUINO FU DOMENICO — Data

POTESTA ANTONIETTA DI GIOVANNI

DE CRISTOFERO SALVATORE FU VINCENZO — DI BAGNOLI DEL TRIGNO

(NAME OF DEFENDANT) — (Address)
(Nome dell'accusato) — (Indirizzo)

Io HEREBY CHARGED WITH THE FOLLOWING OFFENCE:
e accusato delle offese seguenti:

FIRST CHARGE: Contrary to proclamation 2 art 2 (24)

PARTICULARS: In that he was out in the street without a permit after the hour of curfew at Bagnoli on 10 Dec. 43

TRADUZIONE

PRIMA ACCUSA contrari al proclama 2 art 2 (24)

DETTAGLI: perché si trovò nelle strade senza permesso dopo il coprifuoco a Bagnoli del Trigno il giorno 10 di dicembre 1943.

(se non tradotto dall'articolo, voi dovete farvelo tradurre da un amico o presso qualsiasi Ufficio di questura).

Le suddette accuse sono riferite a processo davanti Tribunale Militare a Bagnoli del Trigno
(Name And Address of Court)
(Nome e indirizzo della corte)

Per ordine

(Ufficiale Settore Cabl. CAO

Giudice, Tribunale Militare inferiore o altro individuo autorizzato.

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HEADQUARTERS [illegible] 113

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

FINDINGS OF THE COURT

The Accused
is found guilty/~~not guilty~~ of the firstcharge.

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 accused as to character is attached and marked "D".

SENTENCE OF THE COURT

The Court sentences the accused
to a fine of 100 lire each
in respect of all the offences charged in te above proceedings of which the said accused has been found guilty.

Robert Cabe
CAO BARNOLI

REVIEW

Date 194 Signature.....

CONFIRMATION OF DEATH SENTENCE

Date 194 Signature.....

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

EVIDENCE FOR PROSECUTION

(If not sufficient space on this form for the notes of evidence, other sheets should be attached)

EVIDENCE FOR DEFENCE

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

CASE No. 87

FORM N.8

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF ALLIED MILITARY COURT

Held at BAGNOLI DEL TRIGNO
on the 17th day December 1943
before CAPT. E.A. BISS

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

Reference No. B/8

ACCUSED

Name:- CIARNIELLO GUERINO DI ANDREA and MASTRODONATO PALMERINO FU ANDREA.
Address- BAGNOLI DEL TRIGNO.
Description:-
Occupation:- Bakers.

INTERPRETER

Name: PRETNAR JOSAR is duly sworn

-PROSECUTION OFFICER

Rank:- Maresciallo Carabinieri
CARUS (a)

(This space need not be completed if a copy the Summons or Charge-sheet is

The charges are read and explained to each accused.

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

held at BAGNOLI DEL TRIGNO
on the 17th day December 1943
before CAPT. E.A. BISS

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

Reference No. B/8

ACCUSED

Name:- CIARNIELLO GUERINO DI ANDREA and MASTRODONATO PALMERINO FU ANDREA.
Address:- BAGNOLI DEL TRIGNO.
Description:-
Occupation:- Bakers.

INTERPRETER

Name: PRETNAR JOSAR is duly sworn

PROSECUTING OFFICER

Name:- Maresciallo Carabinieri
GAMES (S)

(This space need not be completed if a copy the summons or charge-sheet is

72

The Charges are read and explained to each accused.

AD AC 114

HEADQUARTERS A.G. CASE NO. 114

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

PLEAS OF THE ACCUSED

THE accused pleads Not Guilty to the 1st charge
pleads to the 2nd charge
to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

CASE FOR PROSECUTION

The record of the evidence for the prosecution is attached (or endorsed hereon) and marked "P" in respect of all charges to whichh which any accused has pleaded "Not Guilty".

CASE FOR DEFENCE

The record of the evidence for the defence is attached (or endorsed [illegible] marked "D".

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

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

CASE FOR PROSECUTION

The record of the evidence for the prosecution is attached (or endorsed hereon) and marked "B" in respect of all charges to whichh which any accused has pleaded "Not Guilty".

CASE FOR DEFENCE

The record of the evidence for the Defence is attached (or endorsed hereon)and marked "C"

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

Legal

B/8

Form. 3).4

GOVERNO MILITARE ALLEATO

FOGLIO D'ACCUSA

Place Bagnoli
Luogo

Date 14. XII. 1943.
Data

di

CIARNIELLO Guerino fu Andrea, Bagnoli

MASTRODONATO Palmerino fu Andrea, Bagnoli

(NAME OF DEFENDANT) (Address)
(Nome dell'Accusato) (Indirizzo)

I, HEREBY CHARGE WITH THE FOLLOWING OFFENCES:
e qui accusato delle offese seguenti:

FIRST CHARGE: Contrary to Proclamation No. 8. Art. II.

PARTICULARS: In that they demanded a sum in excess of maximum prices officially in force in Bagnoli for the sale of grain.

SECOND CHARGE:

PARTICULARS:

TRADUZIONE

PRIMA ACCUSA: Contrari al Proclama No. 8. Art. II.

DETTAGLI: Perche hanno ~~denunciato~~ richiesto una somma che superava gli prezzi ufficiali in vigore in Bagnoli per grano.

SECONDA ACCUSA:

DETTAGLI:

5.11

(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 Summary Military Court
(NAME AND ADDRESS OF COURT)
(Nome e indirizzo della corte)

BAGNOLI

Per ordine

Declassified E.O. 12356 Section 3.3/NND No. T85016

CIARNIELLO Guerino fu Andrea, Bagnoli Date 14. XII. 1943.
Data
MASTRODONATO Palmerino fu Andrea, Bagnoli

(NAME OF DEFENDANT) (Nome dell'Accusato) (address) (Indirizzo)

YOU ARE HEREBY CHARGED WITH THE FOLLOWING OFFENCES:
E' qui accusato delle offese seguenti:

FIRST CHARGE: Contrary to Proclamation No. 8. Art. II.

PARTICULARS: In that they demanded a sum in excess of maximum prices officially in force in Bagnoli for the sale of grain

SECOND CHARGE:

PARTICULARS:

TRADUZIONE

PRIMA ACCUSA: Contrario al Proclama No. 8. Art. II.

DETTAGLI: Perche hanno ~~dissotterato~~ officiato una somma che superava gli prezzi ufficiali in vigore in Bagnoli per grano.

SECONDA ACCUSA:

DETTAGLI:

3.71

(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: Summary Military Court
(Name and address of court)
(Data e indirizzo della corte)
BAGNOLI

Per ordine

Fabbri Capt. (A.)

Giudice, Tribunale Militare Inferiore o altro Individuo autorizzato.

N. 8

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

FINDINGS OF THE COURT

The Accused

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

The Accused

is found guilty/not guilt of second charge.

The Accused

is found guilty/not guily of third charge.

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

SENTENCE OF THE COURT

The Court sentences the accused

to

in respet of all the offeages chargede in te above proceeding of which the said accused has been found guilty.

Fabio Capt
Ceo Bagnoli.

REVIEW

Date 1944 Signature.....

CONFIRMATION OF DEATH sentence

Date 1944 Signature.....

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

EVIDENCE FOR PROSECUTION

(If not sufficient space on this form for the notes of evidence, other sheets should be attached)

EVIDENCE FOR DEFENCE

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

CASE No. 86

SUMMARY MILITARY COURT

Held at Borgano

on the 6 day of December 1943

Before Edmund E. Torcellini, 1st Lieut., Sig.C., CAO, Borgano

REFERENCE No. 1, Borgano

ACCUSED

Name: Agostino Gianfrancesco

Address: Via Roma #103, Borgano

Occupation: Owns & Operates a hotel & restaurant

Age: 52

Name: Tripari Eduardo

Name: Carabiniere Pensiero Libero Vincenzo

Name: Avv. Raffaele Diamente

CHARGES

Charge Sheet Attached

PLEA OF THE ACCUSED

Guilty

P. 70

HEADQUARTERS A.G. CASE NO.

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

Held at Bocano

on the 6 day of December 1943

before Edmund E. Torcellini, 1st Lieut., Sig.C., C.A.O. Bocano

RESIDENCE No. 1, Bocano

ACCUSED

Name: Agostino Gianfrancesco

Address: Via Roma #103, Bocano

Occupation: Owns & Operates a hotel & restaurant

Age: 52

Name: Tripari Eduardo

PROSECUTING OFFICER

Name: Carabiniere Pensione Libero Vincenzo

ADVOCATE FOR ACCUSED

Name: Avv. Raffaele Diamente

CHARGES

Charge Sheet attached

PLEAS OF THE ACCUSED

The Accused pleads Guilty to the first charge

The Accused pleads to the second charge

The Accused pleads to the third charge

DISPOSITIONS

HEADQUARTERS A.C. CASE NO. 113 HQ AC 115

CASE FOR PROSECUTION

Giuseppi Lazzaro of Via Santa Antonia Abate #1 testified that on 4 December 1943 he went to Defendant's hotel and purchased 2 litres of wine of 10% and was charged 50 lire by the said defendant. He paid the money & also testified that there were several other persons in

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

the place who were also purchasing wine.
Cerza Pasquale & Vico Malizzia testified that he made an analysis & the said wine & found that it was of 10 degrees

The defendant did not offer any defense but stated that he had purchased the wine at 2-3 lire per litre and was therefore compelled to sell at 25 lire per litre. Claimed he was a victim of circumstances

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

The defendant did not offer any defense but stated that he had purchased the wine at 2·3 lire per litre and was therefore compelled to sell at 25 lire per litre. Claimed he was a victim of circumstances

Remarks of the Court

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

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

6 December 1943

SUBJECT: Fines

TO: Chief Legal Officer, Cagayan Province

1. Enclosed herewith is the record of a Summary Court case tried at Solana.

2. The Defendant in said case paid the fine and information is requested as to the disposition and method of transmittal of said fine.

1 Encl- Case Record

Edmund E. Torcellow
EDMUND E. TORCELLOW
1st Lieut., Sig. C.
CAO, Solana

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

GOVERNO MILITARE ALLEATO

FOGLIO D'ACCUSA

PLACE / luogo: Boiano (Campobasso)
DATE / data: 5 December 1943

Agostino Gianfrancesco ..... Boiano .....
(NAME OF DEFENDANT) (ADDRESS)
(Nome dell'Accusato) (Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Violation of the Fixed Consumer Prices for Campobasso Province, 26 Oct 1943
Particulars: That on or about 4 December 1943 said Defendant sold wine of ten degrees in Boiano to one Gruppi Lazzaro at a price in excess of the fixed price, to wit: at 25 lire per litre.

Second Charge: //

Particulars: .....

TRADUZIONE

Prima Accusa: Violazione del Calmiere fissato il 26 Ottobre 1943 per la Provincia di Campobasso
Dettagli: Che verso il 4 Dicembre 1943 il suddetto Accusato ha venduto entro Boiano vino di dieci gradi a un tale Gruppi Lazzaro a prezzo superiore al Calmiere, cioè a 25 lire a litro.

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 il Tribunale Militare Inferiore al Municipio, Boiano
(NAME AND ADDRESS OF COURT)
(Nome e indirizzo della Corte)

Per ordine

68

E. E. Porcellini, 1st Lt., Sig C.

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

luogo
DATE 5 December 1943
data

Agostino Gianfrancesco Boiana
(NAME OF DEFENDANT) (ADDRESS)
(Nome dell'Accusato) (Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENCES:
è qui accusato delle offese seguenti:

First Charge: Violation of the Fixed Consumer Prices for Campobasso Province, 26 Oct 1943
Particulars: That on or about 4 December 1943 said Defendant sold wine of ten degrees in Boiano to one Grappi Lazzaro at a price in excess of the fixed price, to wit: at 25 lire per litre

Second Charge: //

Particulars:

TRADUZIONE

Prima Accusa: Violazione del Calmiere fissato il 26 Ottobre 1943 per la Provincia di Campobasso
Dettagli: Che verso il 4 Dicembre 1943 il suddetto Accusato ha venduto entro Boiano vino di dieci gradi a un tale Grappi Lazzaro a prezzo superiore al Calmiere, cioè a 25 lire a litro

Seconda Accusa :
Dettagli :

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

Le suddette accuse sono riferite a processo davanti il Tribunale Militare Inferiore al Municipio, Boiano
(NAME AND ADDRESS OF COURT)
(Nome e indirizzo della Corte)

Per ordine

68

E.E. Porcellini, 1st Lt., Sig C.
Giudice, Tribunale Militare Inferiore o altro Individuo Autorizzato.

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

GOVERNO MILITARE ALLEATO

M A N D A T O D I C A T T U R A

A tutte la Polizia.

Siete a mezzo di ciò autorizzati e richiesti di mettere sotto arresto un tale. Agostino Gianfrancesco..... Boiana.....
(Nome) (Nome) (Address) (Materiale)

e di condurlo senza indugio davanti il Tribunale Militare Inferiore
al. Municipio, Boiana.....per rispondere ad ogni addebito contro lui
(Address of Court)(Indirizzo della Corte)

Per ordine

E. E. Torcellone, 1st Lt, Sig. C, CAO Boiana.
(Firma dell'ufficiale autorizzato)

RACCONTO DI RICEVUTA DI ARRESTO

Io a mezzo di ciò attesto che addì 5-12-1943 ore 17,30

~~non mi è stato possibile di presentare~~
(ho debitamente presentato questo mandato al cittadino nel quale questa è
~~ma che il medesimo non è stato trovato (trovata) (assente)~~ } all'incluso
una copia conforme

ed oggi 6 ore recluso a..... Boiano Caserma CC.RR.

in attesa dell'ordine di processo davanti il Tribunale Militare
Inferiore, Boiana.....
(Nome della Corte)

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.....
(Firma dell'ufficiale che ha eseguito il mandato di cattura)

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

M A N D A T O D I C A T T U R A

A tutta la Polizia.

Siete a mezzo di ciò autorizzati e richiesti di mettere sotto arresto un tale. Agostino Gianfrancesco ..... Boiana .....
(Nome) (Nome) (Indirizzo) (Indirizzo)
e di condurlo senza indugio davanti al Tribunale Militare Inferiore
al. Municipio, Boiana ..... per rispondere ad un'accusa fatta contro lui
(Ufficio di Corte) (Indirizzo della Corte)

Per ordine

E. E. Torcellone, 1st Lt, Sig. C., CAO Boiana.
(Titolo dell'ufficiale autorizzato)

RAPPORTO DI ESECUZIONE DEL MANDATO

Io a mezzo di ciò attesto che ebbi 5-12-1943 ore 17.30 1943
(~~non mi è stato possibile di mettere sotto arresto~~
(ho debitamente presentato questo mandato di cattura ~~nel quale questa è~~
(~~ho che l'accusato non è stato trovato~~) all'accusato
una copia conforme
ed egli è ora rinchiuso a ..... Boiana Carcere civile .....
in attesa dell'ordine di processo davanti il Tribunale Militare
Inferiore, Boiana .....
(Nome delle Corte)

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.....
(Firma dell'Ufficiale che esegue il mandato di cattura)

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

Statement of the accused as to mitigation of punishment and the record of evidence of the said accused as to character

SENTENCE OF THE COURT

The Court sentences the accused Agostino Gianfrancesco to a fine of 5,000 (five thousand) lire or six (6) months imprisonment. in respect of all the offenses charged in the above proceedings of which the said accused has been found guilty.

accused paid the fine of five thousand (5,000) lire.

REVIEW

Date 194 / Signature

CERTIFICATION OF HEARING OF ACCUSED

Date 194 Signature

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

CASE No. 85

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF AN ALLIED MILITARY COURT
SUMMARY MILITARY COURT

Held at Borano
on the 11 day of December 1943
Before Edmund E. Torcellini, 1st Lieut, Sig C, CAO Borano
REFERENCE No. 2, Borano

ACCUSED

Name: attilio Commisso
Address: Via Episcopio #13
Occupation: Make & sells candy, sweets etc.
Age: 36

INTERPRETER

Name: is duly sworn

PROSECUTING OFFICER

Name: Massima Cosimo, Maresciallo of Carabinieri

ADVOCATE FOR ACCUSED

Name: None

CHARGES

Charge Sheet Attached

HEADQUARTERS A.G. CASE NO.

PLEAS OF THE ACCUSED

The Accused pleads Guilty to the first charge
The Accused pleads Guilty to the second charge
The Accused pleads to the third charge

ADJUDICATION

CASE FOR PROSECUTION

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

Held at Borano

on the 11 day of December 1943

Before Edmund E. Porcellini, 1st Lieut, Sig C, CAO Borano

REFERENCE No. 2, Borano

ACCUSED

Name: Attilio Commisso

Address: Via Episcopio #13

Occupation: Makes & sells candy, sweets etc.

Age: 36

INTERPRETER

Name: is duly sworn

PROSECUTING OFFICER

Name: Massima Cosimo, Maresciallo of Carabinieri

ADVOCATE FOR ACCUSED

Name: None

CHARGES

Charge Sheet Attached

HEADQUARTERS A.G. CASE NO. 116

PLEAS OF THE ACCUSED

The Accused pleads Guilty to the first charge

The Accused pleads Guilty to the second charge

The Accused pleads to the third charge

ADJOURNMENTS

CASE FOR PROSECUTION

Antonio Risi testified that he saw the accused on a bicycle transporting a quantity of salt that was in excess of the ration allowance. He informed Parano Liberato, a Municipal Guard of this fact

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

(~~Pagano~~) Parano Liberato testified that he made a search of defendants home after being told that the defendant had brought in an excess quantity of salt. He found 6 kilos of salt & 130 kilos of flour. The salt was sold to the salt dealer for normal distribution to the population & the flour sold to the bakers for making bread to be sold to the public under the rationing system. The salt netted 14 lire & the flour 3 & 4 lire. The defendant admitted that he had a ration card

CASE FOR DEFENSE

FINDINGS OF THE COURT

The accused
is found guilty/~~not guilty~~ of the first charge

The accused
is found guilty/~~not guilty~~ of the second charge

The accused

Declassified E.O. 12356 Section 3.3/NND No. T85016

normal distribution to the population of the flour sold to the bakers for making bread to be sold to the public under the rationing system. The salt netted 14 lire & the flour 364 lire. The defendant admitted that he had a ration card

CASE FOR DEFENSE

FINDINGS OF THE COURT

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

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

GOVERNO MILITARE ALLEATO

FOGLIO D'ACCUSA

PLACE Boiano
luogo
DATE 11 December 1943
data

Attilio Commisso Boiano
(NAME OF DEFENDANT) (ADDRESS)
(Nome dell'accusato) (Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Violation of Proclamation 8, Article I
Particulars: That on or about 10 December 1943 said Defendant was wrongfully in possession of a quantity of salt in excess of the ration allowance, to wit: 6 Kilos

Second Charge:
Violation of Proclamation 8, Article I
Particulars: That on or about 10 December 1943 said Defendant was wrongfully in possession of a quantity of flour in excess of the ration allowance, to wit 130 Kilos

TRADUZIONE

Prima Accusa: Violazione del Proclama 8, Articolo I
Dettagli: Che circa il 10 Dicembre 1943 il suddetto Accusato illegalmente aveva in suo possesso un quantativo de sale in piu della razione, cioe 6 Chile

Seconda Accusa: Violazione del Proclama 8, Articolo I
Dettagli: Che circa il 10 Dicembre 1943 il suddetto Accusato illegalmente aveva in suo possesso un quantativo de farina in piu della razione cioe 130 Chile

(Se non tradotto dall'ufficiale, voi dovete fervelo tradurre da un amico o persona qualsiasi nell'atto di firmare).=

Le suddette accuse sono riferite a processo davanti al Tribunale Militare Inferiore, Boiano
(NAME AND ADDRESS OF COURT)
(Nome e indirizzo della Corte)

Per ordine

E. E. Trucellini, 1st Lt., Sq C, CAO Boiano

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

Luogo
DATE 11 December 1943
Data

Attilio Commisso — Bolano
(NAME OF DEFENDANT) — (ADDRESS)
(Nome dell'accusato) — (Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Violation of Proclamation 8, Article I
Particulars: That on or about 10 December 1943 said Defendant was wrongfully in possession of a quantity of salt in excess of the ration allowance, to wit: 6 kilos

Second Charge:
Violation of Proclamation 8, Article I
Particulars: That on or about 10 December 1943 said Defendant was wrongfully in possession of a quantity of flour in excess of the ration allowance, to wit 130 kilos

SPECIFICAZIONE

Prima Accusa: Violazione del Proclama 8, Articolo I
Dettagli: Che circa il 10 Dicembre 1943 il suddetto Accusato illegalmente aveva in suo possesso un quantativo de sale in piu della razione, cioe 6 Chile

Seconda Accusa: Violazione del Proclama 8, Articolo I
Dettagli: Che circa il 10 Dicembre 1943 il suddetto Accusato illegalmente aveva in suo possesso un quantativo de farina in piu della razione cioe 130 Chile

(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 Tribunale Militare Inferiore, Bolano
(NAME AND ADDRESS OF COURT)
(Nome e indirizzo della Corte)

1, 65

Per ordine

E E Trecellini, 1st Lt., Sig C, CAC Bolano
Giudice, Tribunale Militare Inferiore o altro Individuo Autorizzato.

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Statement of the accused as to mitigation of punishment and the record of evidence of the said accused as to character

Defendant stated he had never been convicted of any crime except that he was confined for 5 years for having spoken against the Diaz to when he returned from Africa with malaria & was not given any relief. He has 3 children & his wife is about to give birth to another child. He claims he is poor & that the entire family is suffering from a skin inflamation. a Doctor's certificate substantiates this fact.

SENTENCE OF THE COURT

The Court sentences the accused Attilio Commacio to a fine of 500 lire or 30 days in jail & in addition the 378 lire netted from the sale of the salt & flour are forfeited to AMGOT. in respect of all the offenses charged in the above proceedings of which the said accused has been found guilty.

Defendant paid the fine

REVIEW

Date 194 Signature

CONFIRMATION OF DEATH SENTENCE

Date 194 Signature

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

Case No. 84

FORM No. 8

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Carovilli, Province of Campobasso

on the 20th day of December 1943

Before James C. Grizzard, Captain AMG
Summary Miliatry Court

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

REFERENCE No.

ACCUSED

Name: - Papa Antonio

Address: - Carovilli, Province di Campobasso

Description: - Male, 5ft 7in tall.

Occupation: - Wine merchant

Age: - 41

HQ A/17

INTERPRETER

Name: Paul Berardinone is duly sworn

PROSECUTING OFFICER

Name: Scarpitti Guiseppe fu Vincenzo, Municipal Guard

ADVOCATE FOR ACCUSED

Name: DeMasellis Guiseppe fu Salvatore

i 04

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).

Violation of Proclamation 2, Article II, section 44, in that he

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

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Carovilli, Province of Campobasso

on the 20th day of December 1943

Before James C. Grizzard, Captain AMG
Summary Miliatry Court

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

REFERENCE No.

ACCUSED

Name:- Papa Antonio

Address:- Carovilli, Province di Campobasso

Description:- Male, 5ft 7in tall.

Occupation:- Wine merchant

Age:- 41

INTERPRETER

Name: Paul Berardinone is duly sworn

PROSECUTING OFFICER

Name: Scarpitti Guiseppe fu Vincenzo, Municipal Guard

ADVOCATE FOR ACCUSED

Name: DeMasellis Guiseppe fu 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).

Violation of Proclamation 2, Article II, section 44, in that he did on or about the 17th day of December willfully violate an order of the Allied Military Government.

The Charges are read and explained to each accused.

HEADQUARTERS A.C. CASE NO. 147

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

PLEAS OF THE ACCUSED

The Accused	pleads	not guilty	to the 1st charge
	pleads		to the 2nd charge
	plead-		to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

FINDINGS OF THE COURT

The Accused
is found guilty/~~not guilty~~

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.

SENTENCE OF THE COURT

The Court sentences the accused

to six months imprisonment.

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

James P. Gygax Captain.
(Signature of Judge of Allied Military Court)

REVIEW

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

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

FINDINGS OF THE COURT

The Accused
is found 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.

SENTENCE OF THE COURT

The Court sentences the accused

to six months imprisonment.

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

James P. Gazzard Captain.
(Signature of Judge of Allied Military Court)

REVIEW

Date 191 Signature .....

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

Duplicate

FORM No. 6

ALLIED MILITARY GOVERNMENT

COMMITMENT.

TO: - The Officer in Charge

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

Whereas one Papa Antonio (Name and Address) has been convicted of the offence of violation Proclamation 2, Article II, section 44

and has been sentenced by the Summary Military Court, Carovilli (Name of Court)

to serve a sentence of Six months and to pay a fine of ..... lire: the said sentence to commence on 20 December 1943 (Date)

Now, therefore, you are hereby authorised to receive the said Papa Antonio (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 20th day of December 1943

Giuseppe Guzzardi Capitano
Presiding Officer

Summary Military Court, Carovilli
Court

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

C3

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

COMMITMENT.

TO: - The Officer in Charge

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

Whereas one Papa Antonio (Name and Address) has been convicted of the offence of violation Proclamation 2, Article II, section 44

and has been sentenced by the Summary Military Court, Carovilli (Name of Court)

to serve a sentence of Six months and to pay a fine of ..... lire; the said sentence to commence on 20 December 1943 (Date)

Now, therefore, you are hereby authorised to receive the said Papa Antonio (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 20th day of December 194 3

Presiding Officer

Summary Military Court, Carovilli
Court

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

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

(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

The defendant, a wine merchant of Carovilli, received, on or about 17 December 1943, from a neighboring village a shipment of 608 litres of wine. An order was issued to defendant by the Civil Affairs Officer of Carovilli on the above date that this wine was to be sold at 18 lire a litre and was not to be mixed or adulterated in any way. A sample of the 608 litres was taken and retained at which time defendant made no statement that any of the wine was different but submitted the sample as a sample of all the wine and not as a sample of a part. The next day complaints were received by the Carabinieri that the wine being sold by defendant had been watered and was of poor quality. TheMaresciallo of the Carabinieri and the Podestà of the Commune of Carovilli went to the wine shop of defendant and secured a sample of the wine then in the shop. Evidence was presented by the Podestà, who had preveiosly been in the wine business, that the two samples of wine were not the same, that the one drawn from the stock of defendant on the 18th was of poor quality and had obviously been diluted or adulterated.

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

EVIDENCE FOR ACCUSED

That the two samples of wine were different wines and they had been received by hime in this condition and that no diluting or adulteration had taken place.

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

Subject: MASELLI , Angelo Eduardo. fu Gaetano.

To: A. M. G. O. T.

STATEMENT.

On Thursday afternoon, 11 NOV 1943, the dwelling occupied by MASELLI, Angelo Eduardo, in Via TRIA, LARINO, was searched by SGTS. W.J.T. HORTON and L/ RICHARDS, both of CC F.S. Section. Present throughout the search were MASELLI Angelo Eduardo, and the Brigadiere of the CC: RR., IACOBINI Matteo.

In the second drawer down of the night table in the bedroom of MASELLI were found two BERETTA pistols with loaded magazines.

In the course of preliminary interrogation, prior to the house search MASELLI denied having in his possession firearms of any kind with the exception of a last war(i.e. 1914-18 War) Austrian rifle, which was at his house at 124 Via Marconi, CAMPOBASSO.

LARINO.
11 NOV 43.

W. J. T. Horton
SGT. i/c Det. CC, F.S.Section.

Identity Card # _____

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

CASE No. 82

Capt. March

FORM No. 8

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at LARINO

on the Fourth day of November 1943

Before Captain J. J. Kupar
C.A.O. Larino - at Summary Military Court
(~~Name & rank of President~~ / ~~Members and of~~ Magistrate constituting the Court

REFERENCE No.

ACCUSED

Name: - MASELLI ANGELO EDUARDO

Address: - VIA TRIA - LARINO

Description: - Clsi/ Cancellier

Occupation: - Cant Aficial -

Age: - 63

INTERPRETER

Name: ~~Lieut. T. S. Fr. Int.~~ - Alfredo del Giudice is duly sworn

PROSECUTING OFFICER

Name: None.

ADVOCATE FOR ACCUSED

Name: Bruni Vittorio

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).

Proc: No: 2 Art: No: 1 Sec: No: 5 -

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

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at LARINO

on the Fourth day of November 1943

Before Captain J. J. Kupar
C.A.O. Larino - as Summary Military Court
(Name & rank of ~~President~~ ~~Members and/or~~ Magistrate constituting the Court)

REFERENCE No.

ACCUSED

Name: - MASELLI ANGELO EDUARDO

Address: - VIA TRIA - LARINO

Description: - Chief Cancellier

Occupation: - Court Official

Age: - 63

INTERPRETER

Name: ~~A. Buti~~ - Alfredo del Giudice
is duly sworn

PROSECUTING OFFICER

Name: None. 1 . 61

ADVOCATE FOR ACCUSED

Name: Bruni Vittorio

HQ AC/18

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).

Proc: No: 2 Art: No: 1 Sec: No: 5 -
Being in possession of fire-arms after the date fixed by public notice in that
on 11th November 1943 two Beretta pistols were found in his possession -

The Charges are read and explained to each accused.

HEADQUARTERS A.C. CASE NO. 119

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

PLEAS OF THE ACCUSED

The Accused

plead Not Guilty to the 1st charge

~~pleads~~ ~~to the 2nd charge~~

~~pleads~~ ~~to the 3rd charge~~

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

Remanded on bail 10,000 lire cash and two sureties of 10,000 lire each.

FINDINGS OF THE COURT

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.

SENTENCE OF THE COURT

The Court sentences the accused

to pay to the Court the sum of £2500 to be paid in instalments ~~according to "A" attached~~ of £500 on the first day of each month until paid in full in respect of all the offences charged in the above proceedings of which the said accused has been found guilty.

John J Keegan
(Signature of Judge of Allied Military Court)
Capt. CAO. Larino

REVIEW

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

~~to the 3rd charge~~

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

Remanded on bail 10,000 lire cash and two sureties of 10,000 lire each.

FINDINGS OF THE COURT

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.

SENTENCE OF THE COURT

The Court sentences the accused

to pay to the Court the sum of £2500 to be paid in instalments ~~according to "A" attached~~ of £500 on the first day of each month until paid in full in respect of all the offences charged in the above proceedings of which the said accused has been found guilty.

John J Keegan
(Signature of Judge of Allied Military Court)
Capt. CAO. Larino

REVIEW

Date 194 Signature .....

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Articolo IV

P R O C E D U R A

Sezione I- Sedute pubbliche.- I processi di tutti i Tribunali Militari Alleati sananno pubblici,salvo ordine contrario del Capo degli Af= fari Civili o del Tribunale stesso.

Sezione 2- Diritti degli Accusati Ogni accusato di fronte ad un Tribunale Militare ha diritto:

a) Di avere in anticipo del processo una copia della requisitoria sotto la quale egli sarà processato,se egli così desidera;

b) Di consultare un avvocato prima del processo e di avere un avvo= cato od altro rappresentante di sua scelta per la difesa durante il processo,eccetto quando il Capo Reparto della Giustizia o qual= siasi Tribunale proibisce qualsiasi avvocato od altra persona di apparire nei locali di qualsiasi Tribunale.In tutti i processi il Tribunale può,a richiesta dell'accusato o altrimenti,nominare un Ufficiale quale difensore;

c) Di fare richiesta al Tribunale per ottenere un periodo di tempo sufficiente per preparare la sua difesa,richiesta che il Tribunale può concedere o rigettare a propria discrezione;

d) Di farsi accompagnare dinanzi al Tribunale da testimoni a sua di= fesa,se cosi desidera,o far richiesta di farli comparire per ordine del Tribunale;

e) Di fornire prove a suo vantaggio durante il processo,ma non po= trà essere costretto a fornirle;

f) Di farsi tradurre i procedimenti per il suo beneficio quando egli non è capace di comprenderli altrimenti i Tribunali.

Sezione 3. Regolamento di procedura.- Il Capo degli Affari Civili stabilirà i regolamenti di procedura per i Tribunali Militari Al= leati.

Sezione 4- Consiglieri- Tutti i Tribunali Militari hanno facoltà

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Alleati sananno pubblici,salvo ordine contrario del Capo degli Affari Civili o del Tribunale stesso.

Sezione 2- Diritti degli Accusati Ogni accusato di fronte ad un Tribunale Militare ha diritto:

a) Di avere in anticipo del processo una copia della requisitoria sotto la quale egli sarà processato,se egli così desidera;

b) Di consultare un avvocato prima del processo e di avere un avvocato od altro rappresentante di sua scelta per la difesa durante il processo,eccetto quando il Capo Reparto della Giustizia o qualsiasi Tribunale proibisce qualsiasi avvocato od altra persona di apparire nei locali di qualsiasi Tribunale.In tutti i processi il Tribunale può,a richiesta dell'accusato o altrimenti,nominare un Ufficiale quale difensore;

c) Di fare richiesta al Tribunale per ottenere un periodo di tempo sufficiente per preparare la sua difesa,richiesta che il Tribunale può concedere o rigettare a propria discrezione;

d) Di farsi accompagnare dinanzi al Tribunale da testimoni a sua difesa,se così desidera,o far richiesta di farli comparire per ordine del Tribunale;

e) Di fornire prove a suo vantaggio durante il processo,ma non potrà essere costretto a fornirle;

f) Di farsi tradurre i procedimenti per il suo beneficio quando egli non è capace di comprenderli altrimenti i Tribunali.

Sezione 3. Regolamento di procedura.- Il Capo degli Affari Civili stabilirà i regolamenti di procedura per i Tribunali Militari Alleati.

Sezione 4- Consiglieri- Tutti i Tribunali Militari hanno facoltà di nominare uno o più consiglieri periti,che sederanno in Corte durante le sedure.E' competenza di tali consiglieri di fornire consigli o assistenza al Tribunale su qualsiasi questione,secondo la richiesta del Tribunale.

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

FORM No. 9

GOVERNO MILITARE ALLEATO

ATTO DI OBBLIGO CON MALLEVERIA
(BAIL BOND)

Premesso che MASELLI ANGELO EDUARDO (generalità dell'imputato (name of accused)) è incolpato della violazione al proclama n. 2 art. 1 Sez. 5 ~~ed al proclama n. art. Sez.~~ per cui è stato deferito al Tribunale Militare Inferiore a LARINO (Luogo) il 12 November 43 (Data) place & date of court granting bail); Che tale Tribunale ha ordinato che al detto Maselli (imputato (accused)) sia concessa la libertà provvisoria previa malleveria della somma di L. 10,000 (amount of bail) garantita da due solvibili mallevadori solidali, con obbligo all'imputato istesso di ricomparire dinanzi al Tribunale Militare di Jenois (Tribunale) a LARINO (Luogo) il 19 November 43 (Data) ore 10.00 (Type of Court, place, date and hour to which referred), o in altro luogo, giorno ed ora che saranno ordinati dall'Autorità Militare competente.

Ciò premesso, io Maselli (imputato (accused)) mi obbligo di comparire davanti detta autorità nella data, luogo ed ora di cui sopra e noi avv. Vittorio Bruni e Levante Nicola - per L. 10.000 per ciascuno (mallevadori (names of sureties))

rinunziando al beneficio della escussione preventiva contro il debitore principale imputato suddetto, ci obblighiamo solidalmente ed indivisibilmente tra di noi, di pagare al Governo Militare Alleato la somma suddetta, qualora il ripetuto imputato non dovesse adempiere all'obbligo della presentazione come sopra.

Consentiamo, all'uopo, fin da ora, che per il soddisfacimento della somma suddetta di Lire £30.000- (amount of bail) il Governo Militare Alleato, proceda, senz'altro, all'espropriazione forzata di ogni nostro valore e bene mobile od immobile.

NOV. 12, 1943 Larino
(Date e luogo (Date & Place)

Angelo Eduardo Maselli
Firma dell'imputato (Signature of accused)

Avv. Vittorio Bruni
Firma del mallevadore (Signature of surety)

Nicola Levante
Firma del mallevadore (Signature of surety)

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

ATTO DI OBBLIGO CON MALLEVERIA
(BAIL BOND)

Premesso che MASELLI ANGELO EDUARDO (generalità dell'imputato (name of accused)) è incolpato della violazione al proclama n. 2 art. 1 Sez. 5 ~~ed al proclama n. art. Sez.~~ per cui è stato deferito al Tribunale Militare Inferiore a LARINO (Luogo) il 12 Novembre 1943 (Data) (place & date of court granting bail); Che tale Tribunale ha ordinato che al detto Maselli (imputato (accused)) sia concessa la libertà provvisoria previa malleveria della somma di L. 10,000 (amount of bail) garantita da due solvibili mallevadori solidali, con obbligo all'imputato istesso di ricomparire dinanzi al Tribunale Militare di Larino (Tribunale) a LARINO (Luogo) il 19 Novembre 43 (Data) ore 10.00 (Type of Court, place, date and hour to which referred), o in altro luogo, giorno ed ora che saranno ordinati dall'Autorità Militare competente.

Ciò premesso, io Maselli (imputato (accused)) mi obbligo di comparire davanti detta autorità nella data, luogo ed ora di cui sopra e noi Avv. Vittorio Bruni e Levante Nicola - per £.10.000 per ciascuno (mallevadori (names of sureties)) rinunziando al beneficio della escussione preventiva contro il debitore principale imputato suddetto, ci obblighiamo solidalmente ed indivisibilmente tra di noi, di pagare al Governo Militare Alleato la somma suddetta, qualora il ripetuto imputato non dovesse adempiere all'obbligo della presentazione come sopra.

Consentiamo, all'uopo, fin da ora, che per il soddisfacimento della somma suddetta di Lire £30.000- (amount of bail) il Governo Militare Alleato, proceda, senz'altro, all'espropriazione forzata di ogni nostro valore e bene mobile od immobile.

NOV. 12, 1943 Larino
(data e luogo (Date & Place))

Angelo Eduardo Maselli
Firma dell'imputato (Signature of accused)

Avv. Vittorio Bruni
Firma del mallevadore (Signature of surety)

Nicola Levante
Firma del mallevadore (Signature of surety)

Certificato da:
(Witnessed by)
Tenente Michele Guiseppe

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

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

FORM No. 3

GOVERNO MILITARE ALLEATO

MANDATO DI CATTURA

A tutta la Polizia

Siete a mezzo di ciò autorizzati e richiesti di mettere sotto arresto un tale MASELLI (Name) Angelo Edoardo (Nome) Torino. (Address) (Indirizzo) e di condurlo senza indugio davanti il Tribunale Militare Inferiore a ore 10 del giorno 12 Nov. (Address of Court) (Indirizzo della Corte) per rispondere ad accuse fatte contro lui.

Per ordine

(Firma dell'Ufficiale Autorizzato)
Capit AUS AMGOT

RAPPORTO DI MANDATO DI CATTURA

Io a mezzo di ciò attesto che addì 11 - 11 - 1943 { non mi è stato / ho debitamente } possibile di presentare il mandato di cattura per ragione che l'accusato non è stato trovato presentato questo mandato di cattura del quale questa è una copia

{ (morto) (mancante) / conforme } all'accusato, ed egli è ora recluso a .....

in attesa dell'ordine di processo davanti al Tribunale militare (Name della Corte)
perche trasgressore all'art 1 proclama n° 2 Sezione 5 quinto ordine emanato dal Comandante dell'8 armata -

(Firma dell'Ufficiale presentante il Mandato di Cattura)

FORM No. 4

GOVERNO MILITARE ALLEATO

FOGLIO D'ACCUSA

PLACE / Luogo: LARINO

DATE / Data: 11 Novembre 1943

MASELLI ANGELO EDWARDO
(NAME OF DEFENDANT)
(Nome dell'Accusato)

Larino -
(ADDRESS)
(Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: PROC: NO: 2 ART: NO: I Sec: NO: ~~5~~ 5(b)

Particulars: Being in possession of fire arms after the date
fixed by public notice
on 11th November 1943 his revolver was found in his
possession —

Second Charge: ——

Particulars: ——

TRADUZIONE

Prima Accusa: PROC: N. 2 ART: N. 2 Sez. N. 5

Dettagli: Di possesso di armi da fuoco dopo la data fissata
per mezzo di avviso pubblico

Seconda Accusa: Che il 11 Novembre due pistole erano state trovate
Dettagli: nella sua possesione

(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 Allied Military Court
(NAME AND ADDRESS OF COURT)
(Nome e indirizzo della Corte)

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

FOGLIO D'ACCUSA

PLACE / Luogo: LARINO

DATE / Data: 11 Novembre 1943

MASELLI ANGELO EDWARDO
(NAME OF DEFENDANT) (Nome dell'Accusato)

Larino
(ADDRESS) (Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES: / è qui accusato delle offese seguenti:

First Charge: PROC: NO: 2 ART: NO: I Sgc: NO: 5

Particulars: Being in possession of fire arms after the date fixed by public notice in that on 11th November 1943 his revolver was found in his possession —

Second Charge:

Particulars:

TRADUZIONE

Prima Accusa: Proc: N. 2 ART: N. 2 Sg. N. 5

Dettagli: Di essere di armi da fuoco dopo la data fissata per mezzo di avviso pubblico

Seconda Accusa: il 11 Novembre che cè due pistole dopo state trovate

Dettagli: nella sua possessione —

1 37

(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 Allied Military Court
(NAME AND ADDRESS OF COURT) (Nome e indirizzo della Corte)

Per ordine

Firma dell'Individuo Autorizzato

Copy Charge sheet given to accused

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

1973

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

F/F 1

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

Governo Militare Alleato del Territorio Occupato

ORIGINAL

RECEIPT VOUCHER

Quietanza

No 53252

Date NOV 12 1943

RECEIVED FROM: Muselli ~~Mussetti~~, Angelo Eduard, as bail
Ricevuto da

THE SUM OF (in words): Ten Thousand lira
La somma di (scritto in lettere)

IN PAYMENT OF: Bail
In pagamento di

AMOUNT (in figures): 10.000 lire
La somma di (in cifre)

DISTRICT: LARINO (ORES)

Jolen Keegan
Capt CAO - Larino
Receiving officer's signature & rank

1924

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

Nov. 23, 1943

Received from Amgot The sum of
10,000 lire for return of bail
in The Case of Masselli Verou AMGOT
Angelo Edmondo Massell.

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

— The Carabinieri at Campo-
basso report that a German
gun M. 95 has been
found out in a house
belonging to Morelli Angelo
in which a certain Cecchi'
Umberto is living —
— According to the attached
declaration, Cecchi maintains
that Morelli, on Oct. 6th, went
to his house at Campobasso,
without his knowing it, and
immediately after his visit,
a German gun was found in
a corner of the house —

35

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

18/11/43

Capt Keegan -

The Proc. del Re came in this A.M. with attached papers which refer to name accused. He asked that accused be dealt with by our courts. I told him it was now in process.

Proc. did not think accused active in Fascist activities same occupation.

Thanks

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

STAZIONE CARABINIERI REALI
CAMPOBASSO

Si attesta che il Signor. C A C C HI Umberto, in data odierna, ha consegnato in questo Ufficio un fucile militare Germanico Steyr M.95 detenuto dal Sig. Ianelli Angelo, residente in Ferrazzano, nell'abitazione di quest'ultimo.

Si fa presente che il Sig. Cacchi risulta attualmente nella casa del Ianelli, con residenza nella Frazione Quercione e messo a disposizione della stessa Cacchi.

La detta arma non risulta denunziata dal Ianelli, in quest'Ufficio.

Campobasso, li 16 novembre 1943-

34

1923

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

V/ra all S.g. Procuratore Capo
Re di Campobasso
Per conoscenza -
Campobasso 16.11.943

Atto 1389 P.M. 943

Il Tenente
M. Marcianò

Major Edwin F. Green
Senior Legal Officer
8th Army.

O.: Trasmette, per competenza, l'unita denuncia, con allegati, a carico di ignoti per furto di automezzi del Governo Militare Alleato. Campobasso, 18.11.43

Il Comandante

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

Campobasso, il 16/XI/943.-

Illustrissimo Sig.Questore,

il 4/XI/943 veniva ~~XXXXXXXXX~~ requisito l'appartamento, sito in Via G.Marconi;124, appartenente al Sig.Maselli Angelo, residente in Larino. Tale appartamento veniva a me assegnato.

Il Maselli il 6/XI/1943 veniva in Campobasso e si introduceva nella mia assenza nell'appartamento sopra indicato.

Immediatamente dopo la sua partenza, in un angolo che non era stato esplorato prima, veniva rinvenuto un fucile da guerra germanico, di cui pertanto il Maselli risulta detentore in aperta violazione di varie norme di legge, fra le altre del N.5 dell'art. della proclamazione n.2, emanata dalle Armate occupanti.

Poichè ritenni mio dovere segnalare quanto sopra in data 9/XI/943 al Comando del P.S.S., il Maselli, vistosi scoperto, in data 15/XI/943, mandava un emissario al suo conoscente Algeri Antonio, domiciliato in Campobasso, Via G.Marconi, 124, invitandolo a provvedere alla denuncia del fucile.

Testi/Mòllica Avv.Giorgio, domiciliato in Via Marconi, 124.-Campobasso

Biscàre Silvio, " " " " "

Presvo July, domiciliata in Bari.-

Pertanto consegno alla S.V.ILL.ma l'arma per tutti i provvedimenti di legge.

Con ossequi.

Cecchi Umberto. Via Marconi - Campobasso

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

7

Major Mercer

Massalli
Type of Courts - often
Italians -
"War crimes"
Who may carry arms
Proclamations —

Judicial + Stats
Travels.
Sorx -
Leggins
Shirt
Battle Dress

FINANCE

Entries of various types — cashbook -
Payrolls -
Communes — estimates etc -
Communal Secretary -
How much can I pay for interpreters
clothes for the interpreter —

Major Talbot
~~Travel of persons~~
~~Salt~~
~~Grain — etc.~~

[Do not discuss ration scale - Potentio Lues.]

Estimates — etc
Clerks —
Offices → Spearhead or Perm?

1. 32

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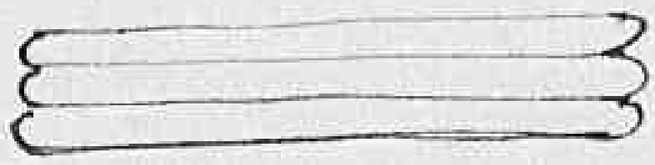
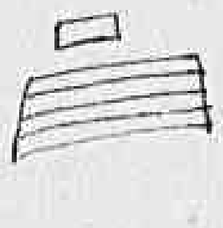
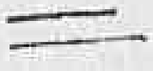
Nothing outside province —
Campobasso — Larino

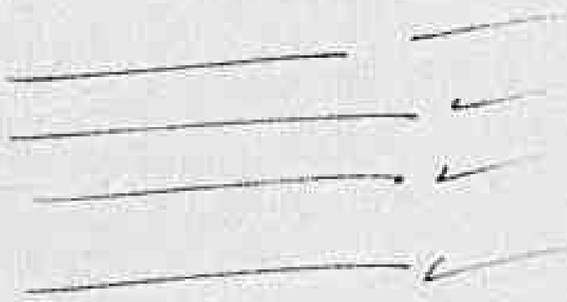


1000



Price —





due gol — bocus — fuer fixed 20 Rue
Operale —

(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) Statement by Field Security Sgt.

(2) Two Berettas 177828 124598

(3) Register of Tribunale di Larino by request of accused submitted Nov. 12, 1943 and before accused was released on bail - Entries regarding pistols mentioned in m #2 above are to be found in pages 26-7 and 32-33.

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

EVIDENCE FOR ACCUSED

(1) Witnesses

Procatare Della Legge testified that it had been a custom to keep pistols (corpus delecti in civilian crimes) in employees' homes as safeguard against german looting.

(2) The accused took the stand and testified that custody of the pistols came as a consequence of his duties as an employee of the court. To bear this out he put into evidence the Register of Tribunals of Larino pages 26-27 32-33 which showed that he was given custody of the guns by the court of Larino

Remarks of the Court

The apparently low fine for so serious an offence may be explained as follows:

(1) His low income makes the payment of the above fine a hardship.

(2) Because of his position as a court employee and the custody of court property, the court did not feel that the accused had ~~the~~ the

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

testified that it had been a custom to keep pistols (corpus delecti ⅌ in civilian crimes) in employees' homes as safeguard against german looting.

(2) The accused took the stand and testified that custody of the pistols came as a consequence of his duties as an employee of the court. To bear this out he put into evidence the Register of Tribunals of Larino pages 26-27 32-33 which showed that he was given custody of the guns by the court of Larino

Remarks of the Court

The apparently low fine for so serious an offence may be explained as follows:

(1) His low income makes the payment of the above fine a hardship.

(2) Because of his position as a court employee and the custody of court property, the court did not feel that the accused had ~~the~~ the necessary intention to commit serious crime.

(3) The accused's age.

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

CASE No 81
FORM No 6.

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF ALLIED MILITARY COURT

held at BAGNOLI DEL TRIGNO
on the 9th day December 1943 (Name & rank of President (Members and/or Magistrate (constituting the Court
before CAPT. E.A. BISS

REFERENCE No. B/1

ACUSED

NAME:- Di Salvo Antonio, Izzi Giacobbe, D'Agnone Giuseppe, Spineto Benedetto, Di Salvo Assunta, Berardi Assunta.
Address:- All'a CIVITANOVA DEL SANNIO.
Description: -
Occupation: -

INTERPRETER

Name: GRENALDO LUIGI is duly sworn

PROSECUTNG OFFICER

Name: , Maresciallo di Carabinieri.

CHARGE (S)

(This space need not be completed if a copy of the Summons or Charge-sheet is

51

The Charges are read and explained to each accused.

HEADQUARTERS A.G. CASE NO. 119

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

PLEAS OF THE ACCUSED

THE accudesd pleads guilty to the 1st charge
pleads guilty to the 2nd charge
to the 3rd Carge

ADJOURNMENTS

(Times, dates and reasons dor adjournmente being made)

CASE FOR PROSECUTION

The record of the evidence for the prosecution is attached (or endorsed hereon) and marked "B" in respect of all charges to which any Accused has ploaded "Not Guilty".

CASE FOR DEFENCE

The record of the avidence for the Defence is attached (or endorsed hereon) and marked "C"

GOVERNO MILITARE ALLEATO

F O G L I O D' A C C U S A

Bagnoli del Trigno 9=I2=I943

I°) Di Salvo Antonio fu Emilio e fu Di Palma Felicia nato a Civitanova del Sannio il 20 giugno I889;

2°) Izzi Giacobbe di Serafino e di Meffi Teresa nato a Torella del Sannio il 23 marzo I923;

3°) D'Agnone Giuseppe di Antonio e di Di Tommaso Maria Domenica nato a Civitanova del Sannio il 3 ottobre I92I;

4°) Spineto Benedetto di Alessio di Di Girolamo Beatrice nato a Civitanova del Sannio il I3 marzo I9I5;

5°) Di Salvo Assunta di Giuseppe e di Di Palma Michela nata a Civitanova del Sannio il 2I settembre I9II;

6°) Berardi Assunta di Giovanni e di La Storia Filomena nata a Civitanova del Sannio l'8 settembre I897.

sono qui accusati delle offese seguenti:

FIRST CHARGE: Contrary to Proclamation 2 Art II (32)

PARTICULARS: In that they took part in a public demonstration not authorised by the Allied Military Government at about 1030 hrs on 8 Dec 43 at CIVITANOVA.

SECOND CHARGE: Contrary to Proclamation 1 (II)

PARTICULARS: In that they committed acts calculated to disturb the public order at about 1030 hrs on 8 Dec 43 at CIVITANOVA, i:e: incited the populace to disobey the lawful authority in the Commune of CIVITANOVA.

T R A D U Z I O N E

50

PRIMA ACCUSA: contrari al proclama 2 art.II (32)

DETTAGLI: perchè hanno preso parte in una dimostrazione pubblica non autorizzata dal governo militare alleato alle ore I0.30 circa del giorno 8 dicembre I943 nel comune di Civitanova del Sannio.

SECONDA ACCUSA: contrari al proclama I (II)

DETTAGLI: perchè hanno commesso atti calcolati per disturbare l'ordine pubblico alle ore I0.30 circa dell'8 dicembre I943 nel comune di Civitanova del Sannio e cioè hanno incitato la popolazione a disubbidire le autorità legali del comune di Civitanova.

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

il 23 marzo I923;

3°) D'Agnone Giuseppe di Antonio e di Di Tommaso Maria Domenica nato a Civitanova del Sannio il 3 ottobre I92I;

4°) Spineto Benedetto di Alessio di Di Girolamo Beatrice nato a Civitanova del Sannio il I3 marzo I9I5;

5°) Di Salvo Assunta di Giuseppe e di Di Palma Michela nata a Civitanova del Sannio il 2I settembre I9II;

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PARTICULARS: In that they committed acts calculated to disturb the public order at about 1030 hrs on 8 Dec 43 at CIVITANOVA, i:e: incited the populace to disobey the lawful authority in the Commune of CIVITANOVA.

T R A D U Z I O N E

PRIMA ACCUSA: contrari al proclama 2 art.II (32)

DETTAGLI: perchè hanno preso parte in una dimostrazione pubblica non autorizzata dal governo militare alleato alle ore I0.30 circa del giorno 8 dicembre I943 nel comune di Civitanova del Sannio.

SECONDA ACCUSA: contrari al proclama I (II)

DETTAGLI: perchè hanno commesso atti calcolati per disturbare l'ordine pubblico alle ore I0.30 circa dell'8 dicembre I943 nel comune di Civitanova del Sannio e cioè hanno incitato la popolazione a disubbidire le autorità legali del comune di Civitanova.

Le suddette accuse sono riferite a processo davanti il tribunale militare di Bagnoli del Trigno.

Per ordine

Sottoten. Cmt
Cte
BAGNOLI

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

FINDINGS OF THE COURT

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

The Accused ~~is~~ are
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 te accused as to character is attached and marked "D".

SNTENCE OF THE COURT

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

J.A. Brig. Cape.
CAO. BAGNOLI.

REVIEW

Date I94 Signature.....

CONFIRMATION OF DEATH SENTENCE

Date I94 Signature.....

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

EVIDENCE FOR PROSECUTION

(If not sufficient space on this form for the notes of evidence, other sheets should be attached)

EVIDENCE FOR DEFENCE

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

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

C.L.O.

153

I believe Major Mason's letter to the court covers these cases without any further action by us, so that we can file them.

If the sentences in the case of Mario Caruso had been anything but nominal, we should have had to do something.

B

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

Allied Military Government

Proceedings of an allied Military Court [14]

held at Tufilo on the 16th day of December 1943 before Albert S. Clinkscales
Major Air Corps, U. S. Army

Prosecutor A. L. De Gaetano
2nd Lt. Inf. U. S. Army

Reference No. 1

Accused

Name: Mario Carreo
Address: Tufilo
Description: Short, slight, dark hair & eyes.
Occupation: Pharmacist
Age:

Interpreter

Campopiano Peter - duly sworn

Advocate for the accused - none

Charges

See charges attached [7]

Pleas of the accused

The accused pleads guilty to the 1st charge
" " " not " " " 2nd "

HQ AG 20

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

Prosecutor — A.L. De Gaetano
2nd Lt. Inf. U.S. Army

Reference No. 1

Accused

Name: Mario Carino
Address: Tupilo
Description: Short, slight, dark hair & eyes.
Occupation: Pharmacist
Age:

Interpreter

Campopiano Peter – duly sworn

Advocate for the accused – none

Charges

See charges attached

Plea of the accused

The accused pleads guilty to the 1st charge
" " " not " " " 2nd "
" " " " " 3rd "

HEADQUARTERS A.C. CASE NO. 120

Case for Prosecution

The former podesta di Marsicovetere, the 1st witness established the following evidence:

H2AG 120

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

1. That the accused was the organizer of the persons that controlled the selection of the new podesta'
2. That the accused had himself elected by intimidating the citizenry through the persons mentioned above.
3. That the accused willfully interfered with instructions issued by the Allied Military Government.

Further verification was established by introduction of exhibit No. 1. (hereto attached)

Marcello Rocco was questioned as 2nd witness but did not furnish any proofs in addition to those mentioned above.

Fracchetti Marcello (CCRR, 3rd witness, confirmed the fact that the accused employed persons to canvass to have the accused name on the ballet.

Case for Defense

The accused Mario Carusi acted as his own counsel and called Dott. Gian Giacomo Pincus as his

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

2. That he accused had himself elected by intimidating the citizenry through the persons mentioned above.
3. That he accused wilfully interfered with instructions issued by the Allied Military Government.

Further verification was established by introduction of exhibit No. 1. (hereto attached)

Marcello Rocco was questioned as 2nd witness but did not furnish any proofs in addition to those mentioned above.

Fracchetti Marcello (CCRR, 3rd witness, confirmed the fact that he accused employed persons to canvass to have the accused name on the ballot.

Case for Defense

The accused Mario Cuomo acted as his own counsel and called Dott. Gian Giacomo Vincenzo as his 1st witness from who he attempted to prove that he did not employ any person to canvass vote for him but that they did so on their own volition. He also developed by questioning the

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

FORM No. 4

GOVERNO MILITARE ALLEATO

148

FOGLIO D'ACCUSA

PLACE / Luogo: Tufillo

DATE / Data: 13 Dec 1943

Carusso Mario
(NAME OF DEFENDANT / Nome dell'Accusato)

Tufillo
(ADDRESS / Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Violation of Proclamation #2 P. 32 of Art. 2 - Offenses against Allied Forces, to wit: "Takes part in any
Particulars: public demonstration or assembly not authorized by the allied military Government"

Second Charge: P 34 of art. 2 of Proclamation #2 to wit: Offers a bribe to or intimidates any person acting
Particulars: under the authority of the Allied forces in order to induce him not to perform his duty."

3rd Charge: Acting contrary to instructions issued by the the Allied military Government authorities.

TRADUZIONE

Prima Accusa: Violazione del Proclama No 2, paragrafo 32 dell'articolo 2 – Offese contro le forze alleate, che si
Dettagli: traducono: « Prende parte in qualsiasi dimostrazione pubblica o assemblea non autorizzata dal Governo Militare Alleato ».

Seconda Accusa: Paragrafo 34 dell'articolo 2 del Proclama No 2
Dettagli: che si traduce: « Offre ricompense o circonvenga una persona incaricata di funzione sotto l'autorità delle Forze alleate allo scopo di indurla a non compiere il proprio dovere ».

Terza accusa: Compiere atti contrari alle disposizioni emanate dalle autorità del Governo Militare Alleato.

(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 Summary Military Court at Tufillo
on 16th, Dec '43.
(NAME AND ADDRESS OF COURT / Nome e indirizzo della Corte)

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

Luogo

DATE 13 Dec. 1943
Data

Caruso Mario
(NAME OF DEFENDANT)
(Nome dell'Accusato)

Tufillo
(ADDRESS)
(Indirizzo)

IS HEREBY CHARGED WITH THE FOLLOWING OFFENSES:
è qui accusato delle offese seguenti:

First Charge: Violation of Proclamation #2 P. 32 of Art. 2 - Offenses against Allied Forces, to wit:
Particulars: "Takes part in any public demonstration or assembly not authorized by the allied military Government"

Second Charge: P. 34 of art. 2 of Proclamation #2 to wit: Offers a bribe to or intimidates any person acting
Particulars: under the authority of the Allied Forces in order to induce him not to perform his duty."

3rd Charge: Acting contrary to instructions issued by the the Allied Military Government authorities.

TRADUZIONE

Prima Accusa: Violazione del Proclama No. 2, paragrafo 32 dell'articolo 2 - Offese contro le forze alleate, che si
Dettagli: trascrive: "Prende parte in qualsiasi dimostrazione pubblica o assemblea non autorizzata dal Governo Military Alleato".

Seconda Accusa: Paragrafo 34 dell'articolo 2 del Proclama No. 2 che si trascrive: "Offre ricompense o circonvenga altra
Dettagli: persona incaricata di funzione sotto l'autorità delle Forze alleate allo scopo di indurla a non compire il proprio dovere".

Terza accusa: Compire atti contrari alle disposizioni emanate dalle autorità del Governo Militare alleato.

(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 Summary Military Court at Tufillo
(NAME AND ADDRESS OF COURT)
(Nome e indirizzo della Corte)
on 16th, Dec '43.

Per ordine

Albert R. Rinkenbach
Major Air Corps
USA
CAO - Cerchio

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

Exhibit No-1 Case No 1 - Tufillo Amzos Amari Lorenzo

147

Municipio di Tufillo

L'Anno millenovecentoquarantatre addì dodici del mese di dicembre in Tufillo e precisamente in una sala del palazzo comunale.

Premesso che l'Ill/mo Sig. Governatore delle Forze alleate nella riunione tenutasi il giorno nove corrente nella sala suddetta ;

In seguito alle dimissioni verbali di questo Podestà ordinava e nominava una Commissione composta dal Dottor GIANNIACOMO Vincenzo ed dal Sig. BERARDI Ferdinando i quali alla loro volta avrebbero dovuto chiamare un terzo elemento per stabilire d'accordo due nominativi abili, onesti e sarri e che non abbiano preso parte attiva per il Partito Fascista a ricoprire la carica di Sindaco.

Questa si è riunita il successivo giorno dieci chiamando a collaborare il Dottor MARIO CAMUSO.

Detta Commissione così composta stabiliva che tutti gli elettori del Comune potessero fare la scelta fra i due seguenti nominativi.:

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

L'Anno mille novecentoquarantatre addì dodici del mese di dicembre in Tufillo e precisamente in una sala del palazzo comunale.

Premesso che l'Ill/mo Sig. Governatore delle Forze alleate nella riunione tenutasi il giorno novembre corrente nella sala suddetta ;

In seguito alle dimissioni verbali di questo Podestà ordinava e nominava una Commissione composta dal Dottor GIANDIACOMO Vincenzo ed dal Sig. BERARDI Ferdinando i quali alla loro volta avrebbero dovuto chiamare un terzo elemento per stabilire d'accordo due nominativi abili, onesti e sani e che non abbiano preso parte attiva per il Partito Fascista a ricoprire la carica di Sindaco.

Questa si è riunita il successivo giorno dieci chiamando a collaborare il Dottor MARIO CARUSO.

Detta Commissione così composta stabiliva che tutti gli elettori del Comune potessero fare la scelta fra i due seguenti nominativi.:

1°) IACOVITTI LUIGI fu Giuseppe

2°) MARIOTTI Giuseppe di Rocco .

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

La Presidenza viene assunta dal Dottor Maurizio come Vincenzo assistito dal Segretario PACILLI Tito Fu Alberto e dai membri Dottor Mario Caruso e Sig. Ferdinando Berardi e dagli Scrutatori Rea Lorino e Di Salvo Vittorio.

La votazione viene aperta alle ore nove e minuti quindici e chiusa alle ore quattordici.

Il numero degli elettori risultante dalla lista provvisoria del giorno undici corrente è di numero duecentonovantasei elettori di cui numero Duecentocinque hanno espresso il loro voto.

SCHEDE PORTANTI il nominativo IACOVITTI LUIGI numero N. N.

SCHEDE PORTANTI il nominativo MARIOTTI GIUSEPPE numero Trentuno ;

SCHEDE NULLE numero Quattro ;

SCHEDE PORTANTI il nominativo DOTTOR MARIO CARUSO numero Centosettanta .

Il presente verbale , redatto in duplice originale viene sottoscritto dal Presidente, dai Membri, dagli Scrutatori e dal Segretario e viene chiuso alle ore Quattordici.

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

to fu aperto dai membri Dottor Mario Caruso e Sig. Ferdinando Berardi e dagli Scrutatori Rea Lemmo e Di Salvo Vittorio.

La votazione viene aperta alle ore nove e minuti quindici e chiusa alle ore quattordici.

Il numero degli elettori risultante dalla lista provvisoria del giorno undici corrente è di numero duecentonovantasei elettori di cui numero Duecentocinque hanno espresso il loro voto.

SCHEDE PORTANTI il nominativo IACOVITTI LUIGI numero N. N.

SCHEDE PORTANTI il nominativo MARIOTTI GIUSEPPE numero Trentuno ;

SCHEDE NULLE numero Quattro ;

SCHEDE PORTANTI il nominativo DOTTOR MARIO CARUSO numero Centosettanta .

Il presente verbale , redatto in duplice originale viene sottoscritto dal Presidente, dai Membri, dagli Scrutatori e dal Segretario e viene chiuso alle ore Quattordici.

Dopo di che è sciolta immediatamente la seduta.

Tufillo, li 12 dicembre 1943

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

1

4

Giampietro Vinuzzo
Leonardo Berardi
Luigi Maria
Pia Teodosio
Di Salvo Vittorio
Carlo Vit.

1246

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

fact that he did not manifest his intention of being a candidate. But the witness on cross-examination stated that the accused refused to participate in the nomination of a second candidate stating that the accused knew the population would vote for the accused.

The witness stated the accused did not constrain any person to vote for him.

The accused then called Berardo Fernandes as 2nd witness and endeavored to further establish the fact that he had not employed anyone to solicit vote for him, and that he had never at any time in the past incited rebellion; also that he had never been summoned for debts.

Findings of the Court

The Court then called to Carabinieri, Vice Brigadier Pasquoletti Giuseppe and asked if the accused had any prior

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

of being a candidate. But the witness on cross-examination stated that the accused refused to participate in the nomination of a second candidate stating that the accused knew the population would vote for the accused.

The witness stated the accused did not constrain any person to vote for him.

The accused then called Berardi Ferdinando as 2nd witness and endeavored to further establish the fact that he had not employed anyone to solicit vote for him, and that he had never at any time in the past incited rebellion; also that he had never been summoned for debts.

Findings of the Court

The Court then called the Carabinieri, Vice Brigadier Pasqualetti Giuseppe and asked if the accused had any prior criminal record. The answer was negative. It was also established the he bore a generally good reputation in the town as an industrious law-abiding citizen.

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

The accused was found guilty on all three charges but due to his generally good history in the past the Court attach great importance to mitigation clemency in this case.

Sentence of the Court

The Court sentenced the accused Maund Osmund to pay a fine of £12 10s or serve a further jail sentence of 7 days, the accused having already been incarcerated for a period of 3 days.

Albert A Christoforides
Major, Air Corps
Summary Court Officer.

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

Allied Military Government

Proceedings of an allied Military Court [47]

held at Tufilo on the 16th day of December 1943 before Albert S. Clinkscales
Major Air Corps, U. S. Army

Prosecutor A. L. De Gaetano
2nd Lt. Inf. U. S. Army

Reference No. 1

Accused

Name: Mario Carano
Address: Tufilo
Description: Short, slight, dark hair & eyes.
Occupation: Pharmacist
Age:

Interpreter

Campopiano Peter - duly sworn

Advocate for the accused - none

Charges

See charges attached

Pleas of the accused

The accused plead guilty to the 1st charge
" " " not " " " 2nd "

HQAG 20

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

Prosecutor A. L. De Gaetano
2nd Lt. Inf. U. S. Army

Reference No. 1

Accused

Name: Mario Carino
Address: Tufilo
Description: Short, slight, dark hair & eyes.
Occupation: Pharmacist
Age:

Interpreter

Campopiano Peter - duly sworn

Advocate for the accused - none

Charges

See charges attached

Pleas of the accused

The accused pleads guilty to the 1st charge
" " " not " " " 2nd "
" " " " " " 3rd "

HEADQUARTERS A.C. CASE NO. 120

Case for Prosecution

The former podesta Di Marco Vincenzo, the 1st witness established the following evidence:

HQ AC 120

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

Allied Military Government

Proceedings of an Allied Military Court

414

Held at ~~Tuguegarao~~ Carmencita on the 17th day of December 1943

before Albert S. Clinkscales
Major Air Corps, U.S. Army

Prosecutor Armand L. DeGaetano
2nd Lt. Inf. U.S. Army

Reference No. 2.

Accused

Name: Serafin Dionisio

Address: Carmencita

Description: Tall, slim, dark complected.

Occupation: Peasant

Age:

Charges

Stealing pair of shoes from a Filipino civilian

Findings

The accused plead guilty and was fined ₱ 100, and public notice posted in the public square warning that similar offenses in the future would be severely punished.

Sentence was imposed and fine collected by the Court.

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

Major Air Corps, U.S. Army

Prosecutor Armand L. DeGaetano
2nd Lt. Inf. U.S. Army

Reference No. 2.

Accused

Name: Serafino Cidonio
Address: Carmelo
Description: Tall, slim, dark complected.
Occupation: Peasant
Age:

Charges

Stealing pair of shoes from a Police Officer

Findings

The accused plead guilty and was fined ₱ 1000, and public notice posted in the public square warning that similar offenses in the future would be severely punished.

Sentence was imposed and fine collected by the Court.

Albert A. Hinkscales
Major Air Corps
Summary Court Officer

HQ A/C 121

HEADQUARTERS A.C. CASE NO. 121

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

To: C.L.O., A.M.G. Hq. 15 Army Group, thru 5C40 8th Army Hq.
1. Forwarded for examination & file.
Edwin J. Mercer

FORM No. 8

EDWIN J. MERCER, MAJ. ORD
SENIOR LEGAL OFFICER, 8th ARMY

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Campobasso

on the 24 day of Nov 1943

Before Maj. Edwin J. Mercer
EDWIN J. MERCER, MAJ. ORD.
SENIOR LEGAL OFFICER, 8th ARMY
(Name & rank of President Members and/or Magistrate constituting the Court)
as summary Military Court,

REFERENCE No. 29,

ACCUSED

Name: (1) Auletta Mario (2) Livigni Gennaro (3) Nacar Carmine (4) Nacar Pasquale

Address: (1) Napoli, Vico S. Anna di Palazzo (2) Casacalenda, (3) Sarno (Salerno) (4) Sarno (Salerno)

Description:

Occupation: (1) Lt. Reg. Army (2) Farmer (3) Farmer (4) Students

Age: (1) 36, (2) 34 (3) 34, (4) 34

INTERPRETER

Name: L De Pellis is duly sworn

PROSECUTING OFFICER

Name: Capt. L. Rawlings Asst. P.A.P.O.

ADVOCATE FOR ACCUSED

Name: Luigi Pistilli

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).

Did travel beyond the town to which they

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

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Campobasso

on the 24 day of Nov 1943

Before Maj. Edwin J. Mercer (Name & rank of President Members and or Magistrate constituting the Court)
EDWIN J. MERCER, MAJ. ORD.
SENIOR LEGAL OFFICER, 8th ARMY as Summary Military Court,

REFERENCE No. 29,

ACCUSED

Name: (1) Auletta Mario (2) Livigni Gennaro (3)

Address: (1) Nacar Carmine (4) Nacar Pasquale

Description: (1) Napoli, Vico S. Anna di Palazzo (2) Casacalenda,

Occupation: (1) (3) Sarno (Salerno) (4) Sarno (Salerno)

Age: (1) Lt. Maz. (2) Geniere (3) Insurer (4) Stradomate

(1) 36, (2) 34 (3) 37, (4) 34

INTERPRETER

Name: L De Rellis is duly sworn

PROSECUTING OFFICER

Name: Capt. L Rawlings Pow. C.A.P.O.

ADVOCATE FOR ACCUSED

Name: Luigi Pistilli

Sworn 24 Nov 43

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).

Did travel beyond the town to which they had been authorized to travel, viz. Larino to Campobasso and return on Nov. 22, 1943

(See charge sheet attached)

The Charges are read and explained to each accused.

HEADQUARTERS A.C. CASE NO.

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

PLEAS OF THE ACCUSED

The Accused pleads / to the 1st charge

pleads to the 2nd charge

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

FINDINGS OF THE COURT

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.

SENTENCE OF THE COURT

The Court sentences the accused

to 15 days jail

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

Edwin J. Mercer
(Signature of Judge of Allied Military Court)

EDWIN J. MERCER, MAJ. ORD.
SENIOR LEGAL OFFICER, 8th ARMY

REVIEW

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

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

FINDINGS OF THE COURT

The Accused are
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.

SENTENCE OF THE COURT

The Court sentences the accused

to 15 days jail

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

Edwin J. Mercer
(Signature of Judge of Allied Military Court)

EDWIN J. MERCER, MAJ. ORD.
SENIOR LEGAL OFFICER, 8th ARMY

REVIEW

Date 194 Signature .....

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

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

N.. 4B

GENERAL PASS
LASCIAPASSARE GENERALE

Name / Nome: AULETTA MARIO - Identity 3959279
Address / Indirizzo: Livigni Genaro - " 2904921
NACAR CARMINE " 9721200
NACAR Pasquale " 4783

Identity card N.. / Tessera d'identità

Reason for issue / Motivo dell'emissione: Insurance and Glove manufacturing

Period of validity / Periodo di validità: 5 DAYS from date

Signature of issuing officer / Firma dell'Ufficiale emittente: To travel to Campobasso and Return —

John J Keegan

Name and rank in block letters / Nome e grado in stampatello

CAPT John J. KEEGAN

Place of issue / Luogo di emissione: C.A.O. Larino

Date / Data: NOV 18 1943

OFFICIAL
Allied Military Government
Capt John J Keegan
Larino
C40

AMGOT

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

Brought in by
Sgt. Wood C.W.P

REPEAT

1c

Capt RAWLINGS
AMGOT

Sir

I have to infm that on the 22 NOV 43 the following civilians were found on the Venafro-Pozzuoli Rd by the Military Police and sent to Campobasso HQ FMC Police.

ALLETTA MARIO
MAINI GENARO
NACAR CARMINE
NACAR PASQUALE

As the civilians were only in possession of a pass authorising them to travel to Campobasso, the A.P.M. would like disciplinary action taken against them.

Lt Col
A.A.A.G.

CAMPOBASSO
23 NOV 43.

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

100

(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

Accused had pass to travel from Larino to Campobasso and return. Was apprehended off that route and en route to Naples.

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

To. C. L. O. Hq. 15 Army Group, through S.C.L.O. 8th Army HQ.
1. Forwarded for examination & file.
Edwin J. Mercer

FORM No. 8

EDWIN J. MERCER, MAJ. ORD.
SENIOR LEGAL OFFICER, 8th ARMY
ALLIED MILITARY GOVERNMENT

File 28/94

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Campobasso

on the 20 day of Nov. 1943

Before Maj. Edwin J. Mercer
Senior Legal Officer 8th Army as Summary Military Court.
(Name & rank of President (Members and/or Magistrate (constituting the Court

REFERENCE No. 24.

ACCUSED

Name: - (1) Iaverone Nazzareno di Filippo, (2) Nasella Francesco fu Giulio, (3) Gaetano Antonio fu Ferdinando

Address: - (1) Vittorio Veneto NO.60, (2) Vittorio Veneto NO.60, (3) Via Cardarelli NO.15, Campobasso

Description: -

Occupation: - (1) Student, (2) Student, (3) Shop keeper

Age: - (1) 19, (2) 22, (3) about 45.

INTERPRETER

Name: Francis De Lellis is duly sworn

PROSECUTING OFFICER

Name: Capt. F. Rawlings Proy. C.A.P.O.

ADVOCATE FOR ACCUSED

Name: Luigi Pistilli

41

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).

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

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Campobasso

on the 20 day of Nov. 1943

Before Maj. Edwin J. Mercer (Name & rank of President (Members and/or Magistrate (constituting the Court

Senior Legal Officer 8th Army as Summary Military Court.

REFERENCE No. 24.

ACCUSED

Name: - (1) Iaverone Nazzareno di Filippo, (2) Nasella Francesco fu Giulio, (3) Gaetano Antonio fu Ferdinando

Address: - (1) Vittorio Veneto NO.60, (2)Vittorio Veneto NO.60, (3) Via Cardarelli NO.15, Campobasso

Description: -

Occupation: - (1) Student, (2) Student, (3) Shop keeper

Age: - (1) 19, (2) 22, (3) about 45.

INTERPRETER

Name: Francis De Lellis is duly sworn

PROSECUTING OFFICER

Name: Capt. F. Rawlings Proy. C.A.P.O.

ADVOCATE FOR ACCUSED

Name: Luigi Pistilli

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).

Contrary to Proclamation 2, Art. II, (40)

Did wrongfully receive property of the Allied Forces on 10.11.43 at Campobasso, 16 packets of "Grey" cigarettes

The Charges are read and explained to each accused.

AGAC 123

HEADQUARTERS A.C. CASE NO.

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

PLEAS OF THE ACCUSED

The Accused (1) (2) (3) pleads G to the 1st charge

pleads to the 2nd charge

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

FINDINGS OF THE COURT

The Accused are
~~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.

SENTENCE OF THE COURT

The Court sentences the accused (1) IAVERONE fifteen days imprisonment, (2) NASELLA: to 5000 L. or 15 days; (3) GAETANO sentence deferred to 21.11.43 at 10.00 hrs. 22/11/43 - (3) Gaetano sentenced to 10,000 lire fine or 30 days, in respect of all the offences charged in the above proceedings of which the said accused has been found guilty.

(2) Fine pd. 21/11/43.
(3) " " 25/11/43

Edwin J. Mercer
(Signature of Judge of Allied Military Court)
EDWIN J. MERCER, MAJ. ORD.
SENIOR LEGAL OFFICER, 8th ARMY

REVIEW

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

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

FINDINGS OF THE COURT

The Accused are
~~x~~ 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.

SENTENCE OF THE COURT

The Court sentences the accused ① IAVERONE fifteen days imprisonment, ② NASELLA: to 5000 L. or 15 days; ③ GAETANO sentence deferred to 21.11.43 at 10.00 hrs. 22/11/43 - ③ Gaetano sentenced to 10,000 lire fine or 30 days, in respect of all the offences charged in the above proceedings of which the said accused has been found guilty.

② Fine pd. 21/11/43
③ " " 25/11/43

Edwin J. Mercer
(Signature of Judge of Allied Military Court)
EDWIN J. MERCER, MAJ. ORD.
SENIOR LEGAL OFFICER, 8th ARMY

REVIEW

Date 194 Signature .....

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

If not sufficient space [illegible] 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

Capt. F. Rawlings, C.A.P.C. testified that he found accused (1) & (2) on the street with a package containing the cigarettes mentioned in the charge. That (1) told him they had purchased same from (3) & so he took a package. That (3) admitted to him the sale.

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

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

EVIDENCE FOR ACCUSED

No. (3) testified that Canadian soldiers had come into his shop and made purchases and had handed him the cigarettes in question in payment. That when he protested they said that he would take that or nothing.

No (2) also produced two witnesses whose testimony was conflicting and contradictory, but who testified that they were in the shop at the time and saw & heard the transaction as accused claimed.

Remarks: Accused (1) is the one of the richest men in town, therefore any fine within reason would not be punishment. Accused (2) brought a sick uncle into Camp for treatment & is caring for him.

1st Ind.

To : C.L.O. Hq. 15 Army Group, Thru S C A O - 8th Army
1.- Forwarded for examination and file.

File 208/98

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 2'nd day of Nov. 1943

Before EDWIN J. MERCER, Maj. Ord.
SENIOR LEGAL OFFICER, A.M.G., 8th ARMY

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

As Summary Military Court

REFERENCE No. 30

-3.

3.

ACCUSED

Name: (1) TAGLIALATELA Andrea, (2) GARZIA Pasquale, (3) MARCHESE Salvatore, (4) GERVASIO Ernesto.

Address: (1) Giugliano, Napoli, (2) Napoli, (3) Napoli, (4) Napoli

Description: -

Occupation: - (1) City Police Officer, (2) Driver, (3) Business man, (4) Driv.

Age: - (1) 56, (2) 47, (3) 40, (4) 33

INTERPRETER

Name: Francis De Lellis

is duly sworn

PROSECUTING OFFICER

Name: Capt. F. Rawlings Prov. C. A. P. O.

ADVOCATE FOR ACCUSED

Name: Luigi Pistilli

Examined - no action
Chief Clerk
17 Dec 43

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).

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

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Campobasso

on the 2nd day of Nov. 1943

Before EDWIN J. MERCER, Maj. Ord.
SENIOR LEGAL OFFICER, A.M.G., 8th ARMY

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

As Summary Military Court

REFERENCE No. 30

ACCUSED

Name: (1) TAGLIALATELA Andrea, (2) GARZIA Pasquale, (3) MARCHESE Salvatore, (4) GERVASIO Ernesto.

Address: (1) Giugliano, Napoli, (2) Napoli, (3) Napoli, (4) Napoli

Description: -

Occupation: - (1) City Police Officer, (2) Driver, (3) Business man, (4) Driv.

Age: - (1) 56, (2) 47, (3) 40, (4) 33

INTERPRETER

Name: Francis De Lellis

is duly sworn

PROSECUTING OFFICER

Name: Capt. F. Rawlings Prov. C. A. P. O.

ADVOCATE FOR ACCUSED

Name: Luigi Pistilli

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.

HEADQUARTERS A.C. CASE NO. HQ AC/124

Examined and checked
Mil Prog Asst
CAO
7 Dec 43

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

PLEAS OF THE ACCUSED

The Accused pleads/ G to the 1st charge

pleads to the 2nd charge

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

FINDINGS OF THE COURT

The Accused are
~~x~~ 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.

SENTENCE OF THE COURT

The Court sentences the accused

to 10.000 lire each or three months in prison

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

Fine paid 24-11-43

Edwin J Mercer
(Signature of Judge of Allied Military Court)

REVIEW

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

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

FINDINGS OF THE COURT

The Accused are
~~x~~ found guilty ~~xxxxxxx~~ 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.

SENTENCE OF THE COURT

The Court sentences the accused

~~x~~ to 10.000 lire each or three months in prison

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

Fine paid 24-11-43

Edwin J. Mercer
(Signature of Judge of Allied Military Court)

REVIEW

Date 194 Signature .....

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

Form 8.

GOVERNO MILITARE ALLEATO

FOGLIO DI ACCUSA

Place (Luogo) Camposbasso

Date (Data) 24/11. 1943

(Name of Dependant) (Nome dell'accusato) 1.) Paglialatela Andrea
2.) Forria Pasquale
3.) Marchese Salvatore.
4.) Gervasio Ernesto

(Address) (Indirizzo) Neapleo

Is hereby charged with the following offenses:

è qui accusato delle offese seguenti:

First Charge Violation of Proclamation 2 Art. 11 Section 43.

Particulars: For that they did travel more than 10 Kilometers from their Homes without a permit on 23 Nov. 43.

Second Charge

Particulars: Viaggiavano piu' di 10 kilometri dalle loro case sprovisti di alcun permesso il 23.Novembre 1943.

TRADUZIONE

Prima accusa:

Dettagli

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.G. Summary Court

39

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

Place (Luogo) Campobasso

Date (Data) 24/11. 1943

(Name of Dependant) (Nome dell'accusato) 1.) Paglialatela Andrea
2.) Sorria Pasquale
3.) Mordere Lebratore.
4.) Germanio Ernesto

(Address) (Indirizzo) Neapleo

Is hereby charged with the following offenses:

è qui accusato delle offese seguenti:

First Charge Violation of Proclamation 2 Art. 11 Section 43.

Particulars: For that they did travel more than 10 Kilometers from their homes without a permit on 23 Nov. 43.

Second Charge

Particulars: Viaggiavano piu' di 10 kilometri dalle loro case sprovisti di alcun permesso il 23.Novembre 1943.

TRADUZIONE

Prima accusa:

Dettagli

Seconda accusa: 4 . 39

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.G. Summary Court Campobasso

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

Per ordine F. Ludwig Capt.

Giudice, Tribunale Militare Inferiore o altro individuo autorizzato.

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

(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

(See " Evidence for Prosecution " in case of TAGLIALATELA Giuliano, going forward with this record)

That all accused were in a truck coming from Naples, which truck was transporting TAGLIALATELA Giuliano, above named.

That none of accused had passes

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

EVIDENCE FOR ACCUSED

Accused NO. (2) and NO. (4) testified that they came as driver and as relief driver at the order of their employer, owner of the truck. Passenger NO. (3) did not take stand.

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

1st Ind.

To C.L.O., Hq. A.M.G. 15th Army Group thru S C A O - 8th Army.

1. Forwarded for examination and File

ALLIED MILITARY GOVERNMENT

EDWIN J. MERCER, Maj. Ord.
SENIOR LEGAL OFFICER, A.M.G., 8th ARMY

FORM No. 8

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Campobasso

on the 24th day of Nov. 194 ,

Before EDWIN J. MERCER, Maj. Ord.
SENIOR LEGAL OFFICER, A.M.G., 8th ARMY

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

as Summary Military Court

REFERENCE No. 31

ACCUSED

Name: - TAGLIALATELA Giuliano

Address: - Giugliano, (Napoli)

Description: -

Occupation: - Physician

Age: - 59

INTERPRETER

Name: Francis De Lellis is duly sworn

PROSECUTING OFFICER

Name: Capt. F. Rawlings Prov. C.A.P.O.

ADVOCATE FOR ACCUSED

Name: Luigi Pistilli

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)

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

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Campobasso

on the 24th day of Nov. 194 ,

Before EDWIN J. MERCER, Maj. Ord.
SENIOR LEGAL OFFICER, A.M.G., 8th ARMY

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

as Summary Military Court

REFERENCE No. 31

ACCUSED

Name: - TAGLIALATELA Giuliano

Address: - Giugliano, (Napoli)

Description: -

Occupation: - Physician

Age: - 59

INTERPRETER

Name: Francis De Lellis is duly sworn

PROSECUTING OFFICER

Name: Capt. F. Rawlings Prov. C.A.P.O.

ADVOCATE FOR ACCUSED

Name: Luigi Pistilli

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.

HEADQUARTERS A.G. CASE NO. HQ 1001255

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

PLEAS OF THE ACCUSED

The Accused pleads G to the 1st charge

pleads to the 2nd charge

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

FINDINGS OF THE COURT

The Accused
is found guilty~~xxxxxxx~~ 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.

SENTENCE OF THE COURT

The Court sentences the accused

to 10.000 lire fine or three months in prison

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

Fine paid 29-11-43.

Edwin Sherer
(Signature of Judge of Allied Military Court)

REVIEW

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

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

FINDINGS OF THE COURT

The Accused
is found guilty ~~XXXXXXXX~~ 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.

SENTENCE OF THE COURT

The Court sentences the accused

to 10.000 lire fine or three months in prison

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

Fine paid 29-11-43.

Edwin Mercer
(Signature of Judge of Allied Military Court)

REVIEW

Date 194 Signature .....

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

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

(copy)

ALLIED MILITARY GO RNMENT

GENERAL PASS FROM NAPLES PROVINCE

The bearer Dott. Taglialatela Giuliano

is permitted to travel from ..... Naples to Campobasso and return

on date of ..... 21 - 11 - 1943

and between the hours of 30-11-43

for the following reason ..... medical

OFFICIAL ALLIED MILITARY GOVERNMENT.

Addon F. Giudette

Civil Affairs Officer.

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-31-

GOVERNO MILITARE ALLEATO

FOGLIO DI ACCUSA

Place (Luogo) Campobasso — Date (Data) 24/11.1943

(Name of Dependant) (Nome dell'accusato) Paglialatela Giuliano — (Address) (Indirizzo) NAPOLI.

Is hereby charged with the following offenses:

è qui accusato delle offese seguenti:

First Charge Violation of Proclamation 2 Art. III Section 1.

Particulars: Did assist in and procure the commission of an offense viz: (violation of) Art. II Section 43. on 23 Nov. 43.

Second Charge

Particulars:

TRADUZIONE

Prima accusa: Violazione al Proclama No 2 Art.III Sectione 1.

Dettagli Aveva assistito e ha fatto fare una ofesa al Art.II.Sectione 43.

Seconda accusa:

Dettagli

56

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

Declassified E.O. 12356 Section 3.3/NND No. T85016

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

GOVERNO MILITARE ALLEATO

FOGLIO DI ACCUSA

Place (Luogo) Campobasso — Date (Data) 24/11.1943

Pagliarotela Giuliano — (Address) (Indirizzo) NAPOLI.

(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. III Section 1.

Particulars: Did assist in and procure the commission of an offense viz: Violation of Art. II Section 43. on 23 Nov. 43

Second Charge

Particulars:

TRADUZIONE

Prima accusa: Violazione al Proclama No 2 Art.III Sectione 1.

Dettagli Aveva assistito e ha fatto fare una ofesa al Art.II.Sectione 43.

Seconda accusa:

Dettagli

36

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

Place (Luogo) Campobasso

Date (Data) 24/11. 1943

Paglialatella Giuliano
(Name of Dependant)
(Nome dell'accusato)

NAPOLI.
(Address)
(Indirizzo)

Is hereby charged with the following offenses:

è qui accusato delle offese seguenti:

First Charge Violation of Proclamation 2 Art. III Section 1.

Particulars: Did assist in and procure the commission of an offence viz: Violation of Art. II Section 43. on 23 Nov. 43.

Second Charge

Particulars:

TRADUZIONE

Prima accusa: Violazione al Proclama No 2 Art.III Sectione 1.

Dettagli Aveva assistito e ha fatto fare una ofesa al Art.II.Sectione 43.

Seconda accusa:

Dettagli

36

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

Per ordine F. Pambuzzo Capt.
Giudice, Tribunale Militare Inferiore o altro individuo autorizzato.

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

N. A. 1360 1

1.

2.

3.

4.

5.

Motor Torpedo

All — 10 000 hrs or 3 month.

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

(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

Capt. F. Rawlings, Prov. C. A. P. O. stated that accused was travelling in a truck, hired by him in Naples, and was transporting in the truck TAGLIALATELA Andrea and three other Neapolitans , (charged and tried separately - record of trial accompanies this record) none of whom had passes. Accused had a pass in manner and form attached hereto.

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

EVIDENCE FOR ACCUSED

Accused stated that he wished to visit a nearby town where his wife and son were refugees from Naples, because he was informed that his son was sick. That pass in evidence was issued to him by an AMGOT Officer. That he hired the truck from a trucking association, that two of the persons with him were drivers and the other two he brought along as an accomodation to them.

REMARKS: The pass was taken up and forwarded by the S.C.A.O. Campobasso to S C A O 8th Army for forwarding through channels for admonition to the issuing officer. A certified duplicate of the receipt was given the accused by the Court.

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

To-CLO-AMG Hq. 15 Army Group
1. Forwarded for examination & file 79
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 20 day of Nov. 1943

Before EDWIN J. MERCER, Maj. Ord.
SENIOR LEGAL OFFICER, A.M.G., 8th ARMY
(Name & rank of President (Members and/or Magistrate (constituting the Court
as Summary Military Court

REFERENCE No. 35

ACCUSED

Name: - 1.- Mastropaolo Michele, 2.- Saluppo Vincenzo, 3.- Barone Domenico, 4.- Depilato Giorgio, 5.- Bova Salvatore, 6.- Leone Alfonso, 7.- Nasella Antonio, 8.- Pizzuti Adolfo

Address: - All of Campobasso

Description: -

Occupation: - All school boys

Age: - 13, 11, 13, 11, 14, 13, 13 , 13, respectively

INTERPRETER

Name: Francis De Iellis is duly sworn

PROSECUTING OFFICER

Name: Capt. F. Rawlings Prov. C.A.P.C.

ADVOCATE FOR ACCUSED

Name: De Oto Cesare

HQ AC 126

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).

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

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Campobasso

on the 20 day of Nov. 1943

Before EDWIN J. MERCER, Maj. Ord.
SENIOR LEGAL OFFICER, A.M.G., 5th ARMY

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

as Summary Military Court

REFERENCE No. 35

ACCUSED

Name: - 1.- Mastropaolo Michele, 2.- Saluppo Vincenzo, 3.- Barone Domenico, 4.- Depilato Giorgio, 5.- Boffa Salvatore, 6.- Leone Alfonso, 7.-
Address: -Nasella Antonio, 8.- Pizzuti Adolfo
All of Campobasso

Description: -

Occupation: - All school boys

Age: - 14, 11, 13, 11, 14, 13, 13 , 13, respectively

INTERPRETER

Name: Francis De Dellis is duly sworn

PROSECUTING OFFICER

Name: Capt. F. Rawlings Prov. C.A.P.C. 33

ADVOCATE FOR ACCUSED

Name: De Oto Cesare

HQ AC 126

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).

First.- Violation of Proc. 2, Art. II, para. 27, in that accused stole 1000 cigarettes from Army truck.

Second.- Violation of Proc. 2, Art. II, para. 40 in that accused were wrongfully in possession of 1000 cigarettes, the property of Allied Forces.

The Charges are read and explained to each accused.

HEADQUARTERS A.C. CASE NO. 126 Entered 2 DEC 1943 PWB

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

PLEAS OF THE ACCUSED

The Accused	pleads N.G.	to the 1st charge
	pleads G	to the 2nd charge
	pleads	to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

FINDINGS OF THE COURT

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

The Accused ~~are~~
~~is~~ found guilty ~~not guilty~~ of the second charge.

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

Nolle prossed as to #1-2-3-4-5 & 6.

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 #7 & 8 six months imprisonment in detention home at to Naples. sentence suspended if boys transported to relatives in country and during good behaviour.
in respect of all the offences charged in the above proceedings of which the said accused has been found guilty.

Cadwallader Mercer
(Signature of Judge of Allied Military Court)

REVIEW

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

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

FINDINGS OF THE COURT

The Accused are
~~x~~ found guilty ~~not guilty~~ of the first charge.

The Accused are
~~is~~ found guilty ~~not guilty~~ of the second charge.

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

Plea pleaded as to #1-2-3-4-5 & 6.

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

#7 & #8

The Court sentences the accused six months imprisonment in detention home at Naples. sentence suspended if boys transported to relatives in country and during good behaviour.

in respect of all the offences 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 .....

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

(If more 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

#8

- gang of 8 boys were involved- one accused climbed on truck and passed out cartons of cigarettes to other accused #7 who in turn gave boxes to several of the other boys- who were younger. The cigarettes were later recovered from the homes of the various boys, largely through the efforts of the younger boys. Court dismissed charges as to six boys after hearing first witness, and used them as witnesses against the two accused.

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

EVIDENCE FOR ACCUSED

Accused did not take the stand.

REMARKS.- Accused too young to send to jail. Impractical to send them to Naples. Father of one and mother of other are taking them to Monacilioni, a nearby village, where they have relatives and where they will stay with them until troops out of Campobasso.

Parents of all boys in Court and they were warned that police had the names of their sons and if they were ever found around trucks or stores they would be brought in court on the charge which was nolle passed. They promised to keep them off the streets.

Neither of the parents of the two accused could have paid a fine and the father of one had given his son a thrashing.

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

To: C.L.O. A.M.G. 15 Army Group, thru A.C.A.O. 8th Army
1. Forwarded for examination.
2. Fees received & ad. F.O. [illegible] Edwin J. Mercer

FORM No. 8

ALLIED MILITARY GOVERNMENT
EDWIN J. MERCER, MAJ. ORD.
SENIOR LEGAL OFFICER, 8th ARMY

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at COLLE SANNITA

on the 17th day of Nov. 1943

Before Lt. P. Garigue R. F.

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

REFERENCE No.

ACCUSED

Name: - CARNASA Vittorino born 28/9/04 Radio agent Via Antonio Porpor NAPLES

Address: - RICCIO Vincenzo born 21/1/21 Pieddigrotta 9. NAPLES

Description: - DI PAOLO Nichola born 11/10/16 driver Via dei Cimbri 23 NAPLES

Occupation: -

Age: -

INTERPRETER

Name: RUCCI Francesco is duly sworn

PROSECUTING OFFICER

Name: Maresciallio Capo ARCOPINTO Giuseppe

ADVOCATE FOR ACCUSED

Name: none

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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).

Travelling over 10kms without a permit (Proclamation 2,article 2

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

held at COLLE SANNITA

on the 17th day of Nov. 1943

Before Lt. P. Garigue R. F. (Name & rank of President (Members and or Magistrate constituting the Court

REFERENCE No.

ACCUSED

Name: - CARNASA Vittorino born 23/9/04 Radio agent Via Antonio Porpor NAPLES

Address: - RICCIO Vincenzo born 21/1/21 Pieddigrotta 9. NAPLES

Description: - DI PAOLO Nichola born 11/10/16 driver Via dei Cimbri 23 NAPLES

Occupation: -

Age: -

INTERPRETER

Name: RUCCI Francesco is duly sworn

PROSECUTING OFFICER

Name: Maresciallio Capo ARCOPINTO Giuseppe

ADVOCATE FOR ACCUSED

Name: none

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).

Travelling over 10kms without a permit (Proclamation 2,article 2 section 43

The Charges are read and explained to each accused.

HEADQUARTERS A.C. CASE NO. 127

Pages 39-41 of This File Removed 4/12

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

PLEAS OF THE ACCUSED

The Accused pleads guilty to the 1st charge

pleads to the 2nd charge

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

FINDINGS OF THE COURT

The Accused
are 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.

SENTENCE OF THE COURT

The Court sentences the accused CARNARSA Vittorino, RICCIO Vincenzo, DI PAOLA Nicola.

to each a fine of 1,000 Lira or one week's imprisonment.

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

F. Carnevale Lt. CMP.

(Signature of Judge of Allied Military Court)

REVIEW

MILITARY GOVERNMENT OF OCCUPIED TERRITORY AMGOT

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

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

FINDINGS OF THE COURT

The Accused
~~are~~ 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.

SENTENCE OF THE COURT

The Court sentences the accused CARNARSA Vittorino, RICCIO Vincenzo, DI PAOLA Nicola.

to each a fine of 1,000 Lira or one week's imprisonment.

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

P. [illegible] Lt. CMP.

(Signature of Judge of Allied Military Court)

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY
AMGOT

REVIEW

Date 194 Signature .....

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

Pagamento di multa

Avanti che CARNARSA VITTORINO
giudice del Tribunale di Grosseto alle ore undici del giorno sedici del mese di novembre 1943 anno XXII è comparso il Cancelliere addetto al pagamento delle multe

Il Cancelliere

Vittorino Carnarsa

Il Giudice

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

Pagamento di multa.

Stante la RICCIO VINCENZO
quadriennale d'assenza oltre 10
km. paga la presente oggi li 16 novembre
1943 all'Ufficio Sanità a mezzo
del pagamento di Lire 1000.
di multa.

Accurato

Riccio Vincenzo

Judice.

P/ Questore
H
CRO

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

32

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

Pagamento di multa
Stralcio del Di PADOVA NICOLA
giudizio n° di ordine progressivo altro
Rm. 10 pag- penale oggi li 16
novembre 1943 di Lire duemila e fu
condannato al pagamento della pena
1000 di multa-

Accusato

Michele Padova

Judice. P Jarque

CPO

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

31

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

(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

The accusedd were inside a vehicle FIAT (Ballila) when this vehicle was stopped outside ~~the~~ COLLE SANNITA on the 13th Nov. 43. On the demand made by Lt. P. Garigue CAO AMGOT, for their passes they said that they had none.

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

EVIDENCE FOR ACCUSED

The accused declared to be walking on the road from NAPLES and trying to reach CAMPOBASSO, when the previously named vehicle passed them. They stopped it, and ask the driver to give them a lift, on which he accepted.

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

GOVERNO MILITARE ALLEATO

FOGLIO DI ACCUSA

Place MACCHIAGODENA (Luogo)

Date 14 NOVEMBER 1943 (Data)

CARLUCCI Nicola di Angelo - Boiano

(Name of Dependant) (Nome dell'accusato) (Address) (Indirizzo)

Is hereby charged with the following offenses:

è qui accusato delle offese seguenti:

First Charge STEALING (Proclamation No. 2, Article II, Para

Particulars: Caught in the act of taking two (2) pairs of army boots

(British) from a lorry - See attached statement

Second Charge

Particulars: None.

TRADUZIONE

Prima accusa: Rubare 2 paia di scarpe militari (britanniche) da un camion

Dettagli Vedere dichiarazione in parte

Seconda accusa: Nessuna

Dettagli

Mod AC 1278 30

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 No previous trial or conviction

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

Place (Luogo) MACCHIAGODENA Date (Data) 14 NOVEMBER 1943

CARLUCCI Nicola di Angelo - Boiano

(Name of Defendant) (Nome dell'accusato) (Address) (Indirizzo)

Is hereby charged with the following offenses:

è qui accusato delle offese seguenti:

First Charge STEALING (Proclamation No. 2, Article II, Par 2)

Particulars: Caught in the act of taking two (2) pairs of army boots (British) from a lorry - See attached Statement

Second Charge

Particulars: None

TRADUZIONE

Prima accusa: Rubava 2 paia di scarpe militari (britanniche) da un camion

Dettagli Vedere dichiarazione a parte

Seconda accusa: Nessuna

Dettagli

HQ AC 128 30

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 No previous trial or conviction

Robert M Patterson, Major, AMG.
(Name and address of court) Civil affairs Officer
(Nome ed indirizzo della Corte) AMG Summary Court

Per ordine

Robert M Patterson
Giudice, Tribunale Militare Inferiore o altro individuo autorizzato. Maj, AMG.,
CATO Macchiagodena

HEADQUARTERS A.C. CASE NO.

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

STATEMENT OF WITNESS 14 November 19

1. The witness was duly sworn and submitted under oath the testimony given below. The services of a court reporter not being available, the following statements are substantially what, and all, that the witness replied in answer to the questions of the undersigned AMG Summary Court officer.

2. The witness testified substantially as follows:-

My name is Driver Mechanic Rupert Norman Hollis, ASN 5120301, HQ 309 75 Field Regt R.H.C. Our Camp is at Incoronata. At that place at approximately Noon to-day, 14 November, I was sitting in the vehicle which I drive, knowing that the occupants of the other vehicle used by our Battery were away. I heard a noise, looked, and saw a civilian man with two (2) pairs of British Army boots. The man was in the act of stepping out of the other vehicle. On seeing me he tried to run away. On starting to do so, he tossed both pairs of boots to a woman who was standing by. I caught the man. The woman talked to me in Italian and I could not understand her, but she offered me her purse, plainly meaning to bribe me into letting the man go. I ignored this, but recovered the boots from her. I turned the man over to my officer. The man is now in jail at Macchiagodena. The Maresciallo of Carabinieri at that place has the boots.

3. NOTE The boots were handed to the undersigned AMG Summary Court Officer and identified by the above witness, Hollis, as the ones referred to in Hollis' testimony.

Robert M. Patterson
Robert M. Patterson
Major, Cavalry, U.S.A., O -15361
C.A.O., A.M.G.
A.M.G. Summary Court Officer
Macchiagodena.

19

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

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2. The witness testified substantially as follows:-

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3. NOTE The boots were handed to the undersigned AMG Summary Court Officer and identified by the above witness, Hollis, as the ones referred to in Hollis' testimony.

Robert M Patterson
Robert M. Patterson
Major, Cavalry, U.S.A., O -153817
C.A.O., A.M.G.
A.M.G. Summary Court Officer
Macchiagodena.

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

14 ottobre 1943

Dichiarazione di testimonianza

29

1. Il Testimone ha regolarmente giurato e dato sotto giuramento la testimonianza che segue. Non essendovi uno stenografo a disposizione, le seguenti dichiarazioni sono testualmente così, ed in tutto, che il testimone ha risposto alle domande dell'ufficiale della tribunale Summary dell' A.M.G. sottoscritto.

2. Il testimone ha dichiarato sostanzialmente quanto segue:

Io sono il sottoscritto maggiore Regent Norman Hollis, ASN 5120201, HQ 109 FA Bde Regt R.A.C. Il nostro campo è all'Imperiale. Ad un certo momento, approssimativamente, verso mezzogiorno circa, il nemico aprì il fuoco da ogni lato, rispondo che il maggiore dell'altro reggimento mentre della mia batteria eravamo assenti. Ho un ricevuto, quindi, un ordine di battere con due (2) pezzi il villaggio dell'Esercito inglese. Ero uno tra quelli che si trovava fuori dell'altro riparo. Andavo cercò di fuggire via. Cercando di fare ciò, quelli intorno il posto di comando mi ordinò di tornare indietro. Appena l'ordine, ho cominciò a sparare in direzione nord-ovest. Non potei comprendere di essere sotto [illegible]

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

Non essendovi uno stenografo a disposizione, le seguenti dichiarazioni sono fortunatamente ciò, ed in tutto, che il testimone ha risposto alle domande dell'ufficiale dell'Ufficio "Inquiry" dell'A M G sottoscritto.

2. Il testimone ha dichiarato sostanzialmente quanto segue:

Io sono il sergente meccanico Regent Norman Hollis, ASN 5170201, HQ 30th Fld Regt R A C. Il mio campo è all'Imbarcadero 23 e quel posto, approssimativamente, viene raggiunto dopo 14 miglia sulla via che gira, lasciando alla propria destra l'altra via che porta alla costa. Quando io vi arrivai, la Marina aveva già preso il controllo della zona. Vidi un uomo in bicicletta che (2) fuori di strada sulla destra della via. Egli era nell'atto di salire [illegible] 28 Vedendomi venire, egli frenò la bicicletta, scese, gettò entrambi i piedi a terra ed una donna che stava lì accanto afferrò l'uomo. La donna cominciò a parlare in Italiano ma non potetti comprenderla. Ci avvicinammo poi la mia banda evidentemente volendo impedirmi per lasciare libero l'uomo. Io presi quest'ultimo e ripresi la strada. Continuai il viaggio fino alla mia sistemazione. L'uomo è ora in prigione a Vicchiagarella. Le strade sono in condizioni

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

Del Ufficiale Addetto Corrispondente del suddetto fuoco

3 Nota

Le scarpe sono state date al sottoscritto Ufficiale dal Tenente Summary della AMG al identificato del suddetto testimone Hollis quale a quelle riferite nella testimonianza di Hollis.

Robert M Patterson
Major, Cavalry (US)
AMG Summary Court
+CATO Moechidgodena

Declassified E.O. 12356 Section 3.3/NND No. T85016

FORM No. 6

ALLIED MILITARY GOVERNMENT

Commitment

To: The Officer in Charge:

of Cantalupo Prison or any other prison, jail or camp to which the prisoner may be transferred or confined.

Whereas one CARLUCCI, Nicola di Angelo has been
(Name and Address)

convicted of the offence of theft, namely, stealing 2 pairs of boots, property of Allied Military Government

and has been sentenced by the -

AMG Summary Court, Macchiagodena (Name of Court)

to serve a sentence of Ninety (90) days and to pay a fine of NONE lire, said sentence to commence on 14 November 1943
(Date)

Now, therefore, you are hereby authorized to receive said ~~Mr~~ CARLUCCI, Nicola di Angelo into your custody and detain him
(Name of Accused)

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 19 day of Nov. 1943.

Robert M Patterson, Major (US)
(Presiding officer)

AMG Summary Court, Macchiagodena
(Court)

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

Caserta

a camp to which the prisoner may be transferred or confined.

Whereas one CARLUCCI, Nicola di Angelo has been
(Name and Address)

convicted of the offence of theft, namely, stealing 2 pairs
of boots, property of Allied Military Government

and has been sentenced by the -

AMG Summary Court, Macchiagodena
(Name of Court)

to serve a sentence of Ninety (90) days and to pay
a fine of NONE lire,
said sentence to commence on 14 November 1943
(Date)

Now, therefore, you are hereby authorized to receive
said ~~Nr~~ CARLUCCI, Nicola di Angelo into your custody and detain him
(Name of Accused)

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 19 day of Nov. 1943.

Robert M Patterson, Major (US)
(Presiding officer)

AMG Summary Court, Macchiagodena
(Court)

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

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

To: C.L.O. Hq. 15 Army Group - through S.C.A.O. 8th Army
1. Forwarded for examination & file
Edwin J Mercer

FORM No. 8
EDWIN J. MERCER, MAJ. ORD.
SENIOR LEGAL OFFICER, 8th ARMY

ALLIED MILITARY GOVERNMENT

27

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Campobasso

on the 22nd day of Nov. 1943

Before EDWIN J. MERCER, MAJ. ORD.
SENIOR LEGAL OFFICER, 8th ARMY as Summary Court.

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

REFERENCE No.

ACCUSED

Name: - 1st.- Ciarlariello Nicola, 2nd.- Brunetti Paolo, 3rd.- Di Fonso Vito, 4th.- Colagrossi Michele, 5th.- Colagrossi Antonio.

Address: - 1st.- S. Antonio Abate, NO. 235, 2nd.- Via S. Antonio Abate, 3rd.- Via S. Antonio Abate, NO. 49, 4th.- Via S. Antonic Abate, NO.56, 5th.- S. Antonio Abate, NO. 98.

Description: - 1st.- Driver, 2nd.- Horse shoer, 3rd.- merciant, 4th.- laborer, 5th.- laborer.

Age: - 1st.- 39, 2nd.- 17, 3rd.- 40, 4th.- 34, 5th.- 33

INTERPRETER

Name: Francis De Lellis is duly sworn

PROSECUTING OFFICER

Name: Captain F. Rawlings Prov. C.A.P.O.

ADVOCATE FOR ACCUSED

Name: Luigi Pistilli

26

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).

Violation of Proclamation 2 Art.II, Section 24
All being out after the hour of curfew at 19.00 hrs. on 21st Nov.,

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

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Campobasso

on the 22nd day of Nov. 1943

Before EDWIN J. MERCER, MAJ. ORD.
SENIOR LEGAL OFFICER, 8th ARMY as Summary Court.

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

REFERENCE No.

ACCUSED

Name: - 1st.- Ciarlariello Nicola, 2nd.- Brunetti Paolo, 3rd.- Di Fonso Vito, 4th.- Colagrossi Michele, 5th.- Colagrossi Antonio.

Address: - 1st.- S. Antonio Abate, NO. 235, 2nd.- Via S. Antonio Abate, 3rd.- Via S. Antonio Abate, NO. 49, 4th.- Via S. Antonio Abate, NO.56, 5th.- S. Antonio Abate, NO. 98.

Description: - Occupation: - 1st.- Driver, 2nd.- Horse shoer, 3rd.- merciant, 4th.- laborer, 5th.- laborer.

Age: - 1st.- 39, 2nd.- 17, 3rd.- 40, 4th.- 34, 5th.- 33

INTERPRETER

Name: Francis De Lellis is duly sworn

PROSECUTING OFFICER

Name: Captain F. Rawlings Prov. C.A.P.O.

ADVOCATE FOR ACCUSED

Name: Luigi Pistilli

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).

Violation of Proclamation 2 Art.II, Section 24
All being out after the hour of curfew at 19.00 hrs. on 21st Nov., 1943 at Via Guglielmo Marconi, Campobasso, without authority.

Violation of Proclamation 2, Art. II Section 45.- Prisoners (4) and (5) did do an act prejudicial to good order, viz. resisted arrest and refused to allow themselves to be searched by agents of Questura on 21st Nov. 1943.

The Charges are read and explained to each accused.

HEADQUARTERS A.C. CASE NO.

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

PLEAS OF THE ACCUSED

The Accused	all	plead/ G	to the 1st charge
	4th and 5th	plead/ N.G.	to the 2nd charge
		pleads	to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

FINDINGS OF THE COURT

The Accused 1st, 2nd and 3rd are
~~X~~ found [redacted] guilty of the first charge.

The Accused 4th and 5th are
~~X~~ found guilty ~~not guilty~~ of the second charge and of 1st 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.

SENTENCE OF THE COURT

The Court sentences the accused Colagrossi Michele and Colagrossi Antonio

to 500 L. each or five days. Thirty days suspended during good behavior. Nos. 1, 2 + 3 - 1 day each.
in respect of all the offences charged in the above proceedings of which the said accused has been found guilty.

22/4/43 - Fines paid.

Edwin J. Mercer
(Signature of Judge of Allied Military Court)
EDWIN J. MERCER, MAJ. ORD.
SENIOR LEGAL OFFICER, 8th ARMY

REVIEW

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

4th and 5th pleads N.G. to the 2nd charge

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

FINDINGS OF THE COURT

The Accused 1st, 2nd and 3rd are
~~is~~ found [redacted] guilty of the first charge.

The Accused 4th and 5th are
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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.

SENTENCE OF THE COURT

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to 500 L. each or five days. Thirty days suspended during good behavior. Nos. 1, 2 & 3 - 1 day each,
in respect of all the offences charged in the above proceedings of which the said accused has been found guilty.

22/4/43 - Fines paid.

Edwin J. Mercer
(Signature of Judge of Allied Military Court)

EDWIN J. MERCER, MAJ. ORD.
SENIOR LEGAL OFFICER, 8th ARMY

REVIEW

Date 194 Signature .....

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

(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

3 Agents Gunatora testified that accused #4 and 5 refused to go to Gunatora Station unless the Military Police ordered them to. That they further threatened the Agents with vengeance.

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

I EVIDENCE FOR ACCUSED

For Nos 4 & 5 - that the agents of Gestapo were in civilian clothes and they did not know that they were authorized. Therefore demanded that soldiers in company take them to jail

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

To: C.L.O. 15 Army, thru S.C.A.C. 8th Army, Hq.

1.- Forwarded for review

Edwin J. Mercer

EDWIN J. MERCER, MAJ. ORD.
SENIOR LEGAL OFFICER, 8th ARMY

FORM No. 8

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Riccia

on the 10th day of Nov. 1943

Before EDWIN J. MERCER, MAJ. ORD.
SENIOR LEGAL OFFICER, 8th ARMY as Superior Military Court.

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

REFERENCE No.

ACCUSED

Name: -	(1) Alberto Santo di Vincenzo	(2) Turco Emilio di Pasquale
Address: -	Ufficio Gabinetto Prefettura di Napoli	via Tracia No. 34presso Stabilimento di Napoli
Description: -		
Occupation: -	Agente di P. S. od Naples	autista
Age: -	about 32	about 30

INTERPRETER

Name: Father Francis (Amorusi) is duly sworn

PROSECUTING OFFICER

Name: Cpl. James P. Plank, 412 F.S.S.

ADVOCATE FOR ACCUSED

Name: none

CHARGE (S)

- 23

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

Violation of Proc., Art. II, Sec. 43.

In that said accused jointly were, on 2 Nov. '43 travelling in Jeep

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

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Riccia

on the 10th day of Nov. 1943

Before EDWIN J. MERCER, MAJ. ORD.
SENIOR LEGAL OFFICER, 8th ARMY as Superior Military Court.

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

REFERENCE No.

ACCUSED

Name: -	(1) Alberto Santo di Vincenzo	(2) Turco Emilio di Pasquale
Address: -	Ufficio Gabinetto Prefettura di Napoli	via Tracia No. 34presso Stabilimento di Napoli
Description: -		
Occupation: -	Agente di P. S. od Naples	autista
Age: -	about 32	about 30

INTERPRETER

Name: Father Francis (Amorusi) is duly sworn

PROSECUTING OFFICER

Name: Cpl. James P. Plank, 412 F.S.S.

ADVOCATE FOR ACCUSED

Name: none

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).

Violation of Proc., Art. II, Sec. 43.
In that said accused jointly were, on 2 Nov. '43 travelling in Lorry No. 31973 N.A., make O.M., in Easterly direction on the streets of Gildone, same being distant more than 10 kilometers from their respective homes.

The Charges are ~~read and~~ explained to each accused.

HEADQUARTERS A.C. CASE NO. 131

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

PLEAS OF THE ACCUSED

The Accused each plead/ G. to the 1st charge

plead- to the 2nd charge

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

FINDINGS OF THE COURT

The Accused are
~~X~~found guilty ~~XXXXXX~~ 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.

SENTENCE OF THE COURT

The Court sentences the accused to confiscation of lorry No. 31973 N.A.,make
~~XX~~ to O.M., same to be forfeited to and to become the property of A.M.G.

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

Edwin L. Mercer

(Signature of Judge of Allied Military Court)

REVIEW

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

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

FINDINGS OF THE COURT

The Accused are
~~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.

SENTENCE OF THE COURT

The Court sentences the accused to confiscation of Lorry No. 31973 N.A.,make ~~XX~~ O.M., same to be forfeited to and to become the property of A.M.G.

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

Edwin J. Mercer
(Signature of Judge of Allied Military Court)

REVIEW

Date 194 Signature .....

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

2029

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

REPORT

To.

D.A.P.M.,
112 Provost Company,
13 Corps.

Sir,

I have to report that IN THE FIELD on the 2nd NOVEMBER 1943 I was on duty outside the BILLET in GILDONE when I saw a CIVILIAN LORRY No.31973 N.A. make O.M. driven by TURCO.E. travelling in an EASTERLY Direction. I stopped him and asked him for his PERMIT. He produced an A.M.G.O.T. 'MOTOR PASS NAPLES CITY and PROVINCE' Serial No.1880 issued on the 30/10/43 expiring on the 31/12/43, signed by Lt.Col.WALTER DOKERLY. I asked the above-named civilian where he was going and he replied "Back to NAPLES via RIOCIA" A passenger travelling in the same Lorry name ALBERTI Santos then spoke in ITALIAN, I was unable to understand him, but I made him understand that he could not proceed,and,he would have to stay in GILDONE the night till an OFFICIAL from A.M.G.O.T. arrived here in the morning. This he understood. He then produced an ARMBAND,with the following words on it 'CIVIL POLICE Authorized by ALLIED MILITARY GOVT.' I asked him, if he had a Permit for being in possession of the ARMBAND. He replied " No, but,I am a CIVILIAN POLICEMAN". On the 3rd NOVEMBER 43 at about 08.00 hours a CIVILIAN entered the SECTION OFFICE ,and,said in ENGLISH "THE MAN DOWNSTAIRS WHOM YOU TOLD TO STOP HERE LAST NIGHT WISHES TO KNOW IF HE CAN GO" Sgt NICHOLSON, i/c NO;5 SECTION Replied "NO" The civilian left,but,came back in about half an hour, and, said "THE CIVILIAN WILL GIVE YOU A BOTTLE OF WHISKY IF YOU LET HIM GO;" Sgt Nicholson, told him to go away and that the Civilian who had stayed the night would NOT leave here till an OFFICIAL of A.M.G.O.T; arrived.
At about 10.00 hours CPL BLANK, F.S.S. JELSI arrived and the case was explained to him.
I have nothing further to report.

F I E L D :
3-11-43

No.7093312 [signature] Cpl.
No. 5 Section 112 Provost Coy.
13 Corps.

2030

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

WA I2/JCP/4/22

To Officer i/c
4I2 Section
FSW

To : CA.O
RICCIA.
Attd. passed to you for action. It would appear that a civil charge can be preferred.
K. Howley
Capt
FPO
5th Nov 1943.

Subject: Civilian Movement on Roads

Sir,

I have to report that at about 1000 hrs ~~this morning~~ 3 Nov 43 I arrived at No.5 Section, 112 Pro.Coy Office, and Sergeant NICHOLSON NCO i/c No.5 Section handed me the attached Statement and the two following persons: ALBERTI Santo di Vincenzo, Civil Policeman (Pubblica Sicurezza), and TURCO Emilio di Pasquale, driver of lorry OM No.31973 NA, both apprehended by the CMPolice travelling towards RICCIA without a pass. I arrested them immediately, and conveyed them to RICCIA in their Lorry. I handed them over to Section HQ at about 1300 Hrs 3 Nov 43.

Other relatives of the a/n were on the lorry, and I offloaded them in Gildone and instructed them to find accommodation from the Comune, as per instructions received.

CMF 3 Nov 43

5191289 Cpl

Attached: 1 P.S. Card No.31638
1 Driving Licence No.58173
1 Driving Licence No.52437
1 Vehicle pass for Lorry 31937 NA
1 AMGOT Naples City Motor Pass No.1880

(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

Attached reports received in evidence.

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

EVIDENCE FOR ACCUSED

That Alberto Santo hired Turco Emilio for 8000 lire to drive Alberto in Turco's truck from Naples to a town near Campobasso to evacuate 8 relatives of Santo to Naples with their furniture and belongings.

REMARKS.

1.- The severity of sentence was occasioned by military security. Roads in vicinity of Campobasso are overcrowded with military traffic and A.M.G. has been directed to stop all civilian traffic which is not absolutely necessary.

2.-The circumstances of the case were such that a heavy fine was deemed appropriate against the accused and the traveling relatives, but no money was available with which to pay same.

3.-Accused truck owner was advised to sue for contribution, which it appeared can be done under Italian law.

4.- Confiscation was thought appropriate by authority of Proc. No. 4, Art. V, Sec. 4

20332

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

To: C.L.O.,15 Army Group, thru S.C.A.O., 8th Army Hq.

1.- Forwarded for review. Edwin Mercer

EDWIN J. MERCER, MAJ. ORD.
SENIOR LEGAL OFFICER, 8th ARMY

FORM No. 3

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Campobasso

on the 12th day of Nov. 1943.

Before EDWIN J. MERCER, MAJ. ORD.
SENIOR LEGAL OFFICER, 8th ARMY as Superior Military Court.

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

REFERENCE No.

ACCUSED

Name: - (1) Ottavio d'Amato (2) Altura Gioacchino

Address: - Via Museo NO. 66, Naples Via Niccolò Piccinini, NO.36

Description: -

Occupation: - Former Counsel to U.S. Taxi-Driver

Age: - About 60 About 40

INTERPRETER

Name: Victor Reiss is duly sworn

PROSECUTING OFFICER

Name: Capt. F. Rawlings Prov. C.A.P.O.

ADVOCATE FOR ACCUSED

Name: Colitto Francesco

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).

Violation of Procl. NO.2, Art. II, Section 43.

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

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Campobasso

on the 12th day of Nov. 1943.

Before EDWIN J. MERCER, MAJ. ORD.
SENIOR LEGAL OFFICER, 8th ARMY as Superior Military Court.

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

REFERENCE No.

ACCUSED

Name: - (1) Ottavio d'Amato (2) Altura Gioacchino

Address: - Via Museo NO. 66, Naples Via Nicolò Piccinini, NO.36

Description: -

Occupation: - Former Counsel to U.S. Taxi-Driver

Age: - About 60 About 40

INTERPRETER

Name: Victor Reiss is duly sworn

PROSECUTING OFFICER

Name: Capt. F. Rawlings Prov. C.A.P.O.

ADVOCATE FOR ACCUSED

Name: Colitto Francesco

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).

Violation of Procl. NO.2, Art. II, Section 43,
In that accused jointly travelled in a certain motor car, Fiat (1100) 26929 Naples, in the City of Campobasso, on 11 Nov. 1943, said place being more than ten kilometers from their respective homes

The Charges are ~~read and explained to~~ served on each accused. Their counsel said that he indestood the charge and that each accused understood same.

HEADQUARTERS A.C. CASE NO. 131

HQ AC 131

22.

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

PLEAS OF THE ACCUSED

The Accused both plead N.G. to the 1st charge

pleads to the 2nd charge

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

FINDINGS OF THE COURT

The Accused are
X found guilty ~~XXXXXX~~ 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.

No evidence offered. Good character presumed by Court.

SENTENCE OF THE COURT

The Court sentences the accused to confiscation of Fiat (1100) motor Car 26929,

~~X~~ Naples, same to be forfeited to and to become the property of A.M.G

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

(Signature of Judge of Allied Military Court)

REVIEW

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

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

FINDINGS OF THE COURT

The Accused are
X found guilty/~~xxxxxx~~ 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.

No evidence offered. Good character presumed by Court.

SENTENCE OF THE COURT

The Court sentences the accused to confiscation of Fiat (1100) motor Car 26929, ~~xx~~ Naples, same to be forfeited to and to become the property of A.M.G.

in respect of all the offences 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 .....

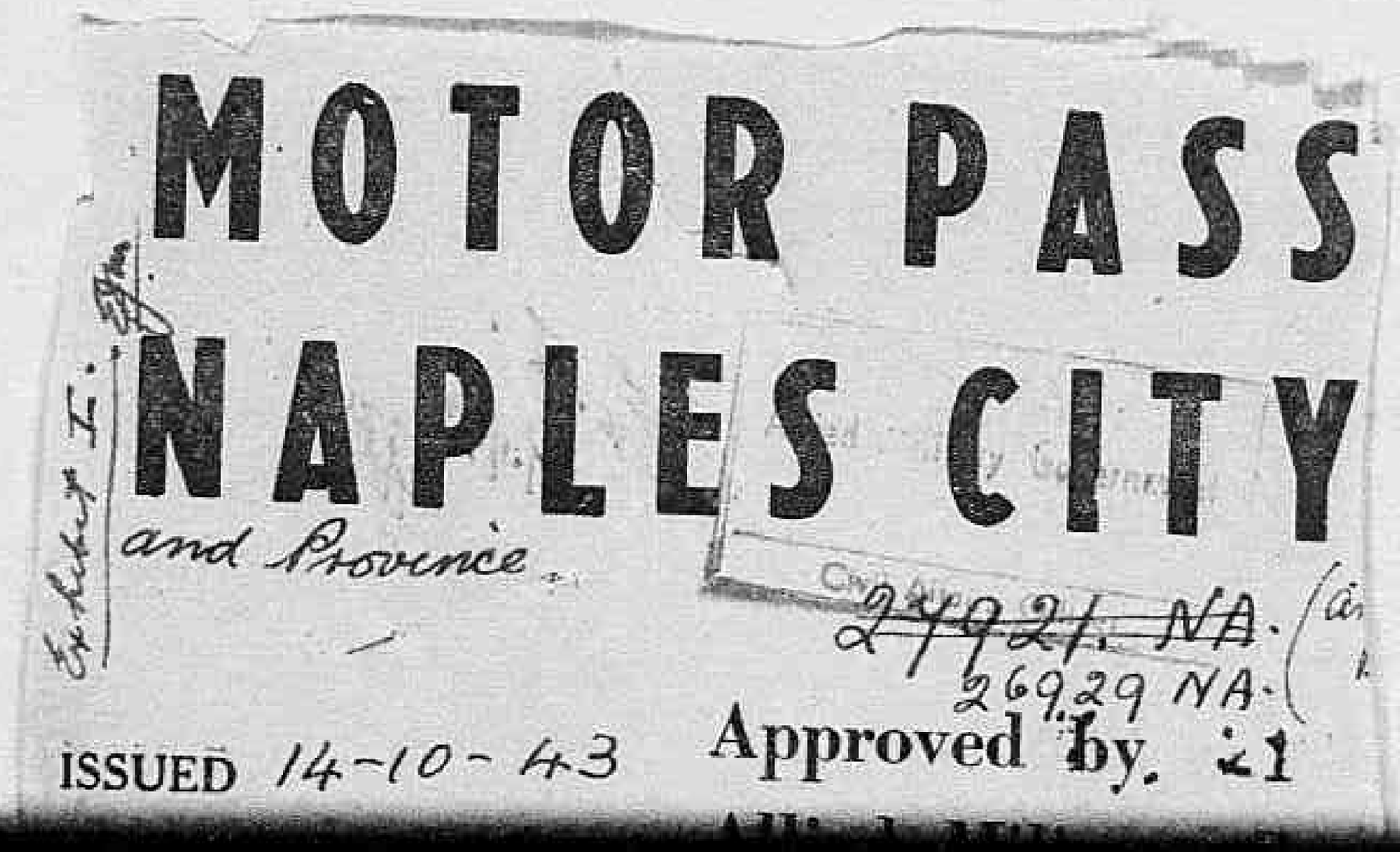
Declassified E.O. 12356 Section 3.3/NND No. 785016

(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

Capt. F. Rawlings, Prov. C.A.P.O. , sworn, testified that on evening of 11/11/ 43 accused came to his office and demanded pass to travel in the motor car described to Campochiaro, that they had come from Naples where Ottavio had hired Altura to drive him to Campochiaro to see Ottavio's wife and bring her a fur coat. That M.P. had stopped them on the road for being without pass. That they were familiar with Proclamation prohibition against such travel , but that a friend of Ottavio's had gone to AMGOT office in Naples and reported to Ottavio that some officer had said that no pass was necessary for such travel.

Permit affixed to car, received in evidence without objection. .(Exhibit I)



2033
Declassified E.O. 12356 Section 3.3/NND No. 785016

Capt. F. Rawlings, Prov. C.A.P.O. , sworn, testified that on evening of 11/11/ 43 accused came to his office and demanded pass to travel in the motor car described to Campochiaro, that they had come from Naples where Ottavio had hired Altura to drive him to Campochiaro to see Ottavio's wife and bring her a fur coat. That M.P. had stopped them on the road for being without pass. That they were familiar with Proclamation prohibition against such travel , but that a friend of Ottavio's had gone to AMGOT office in Naples and reported to Ottavio that some officer had said that no pass was necessary for such travel.

Permit affixed to car, received in evidence without objection. .(Exhibit I)

MOTOR PASS
NAPLES CITY
and Province.

Ex Exhibit I - Elm.

~~24921 NA.~~
26929 NA.

ISSUED 14-10-43

EXPIRED 28/12/43

Approved by.
Allied Military Govt
C. A. O.

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

EVIDENCE FOR ACCUSED

Neither accused took stand, after being advised of their rights.

REMARKS.

(1) The severity of sentence was occasioned by military security. Roads in the vicinity of Campobasso are overcrowded with military traffic and A.M.G. has been directed to stop all civilian traffic which is not absolutely necessary.

(2) Accused Ottavio claimed to be in ill health and his counsel pleaded for a fine as against imprisonment, but neither accused had money here with which to pay same. The attorney for both defendants drew up an agreement that Ottavio pay to Altura 40,000 lire as contribution for causing him to loose his truck.

(3) Confiscation was thought appropriate by authority of Proc. NO. 4, Art. V. Sec. 4 .

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

Legal

San Giuliano
Nov. 15 1943

SUBJECT: Proceedings of the Summary Court in the case of MANALLI ARCANGELO fu FRANCESCO, alias D'AQUINO ALFIO

TO: Chief Legal Officer, AMGOT, Compobasso.

1; The above named defendant was arrested by C.C.S. on Nov. 3 1943 in San Giuliano and was tried before the undersigned officer sitting as a Summary Court in San Giuliano on Nov. 15 1943. The defendant was charged with the violation of Proclamation No. 2, article 43. This charge was read and explained to the accused, and he was further granted permission for a continuance of the case for the purpose of being represented in court by an Attorney. The accused stated that he preferred to have an immediate hearing and that he plead guilty to the charge as presented.

The facts are that the accused deserted the Italian Army in July 1943 near Syracuse, Sicily and lived for a while in Gremmichele Sicily. On Oct. 5 1943 he left Gremmichele and proceeded north with the intention of reaching his home and mother in Collermele, Province of Aquila. Which town then and now is still in enemy hands. He crossed from Messina to Reggio on a civilian fishing boat and then proceeded north by foot and obtaining rides where possible. The accused gave one name upon arrest and another upon trial. He held no identification cards. He is 23 yrs of age and single.

2. Findings of the court. The plea of guilty accepted by the court.

3. Sentence of the Court. The defendant Manalli Arcangelo fu Francesco, alias D'Aquino Alfio is hereby sentenced to 9 months imprisonment in the Compobasso Jail.

B 11

November 15 1943

F.O. Mavis
F.O. Mavis,
Captain-Infantry,
Civil Affairs Officer (AMGOT)

1st Ind.

Campobasso 17 Nov 43

To: C.L.O., AMG Hq., 15 Army Group. 20

1. Forwarded for ~~approval~~ examination.

2. Capt. Mavis has been instructed by undersigned not to designate place of imprisonment in sentence, but in commitment.

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

a Summary Court in San Giuliano on Nov. 15 1943. The defendant was charged with the violation of Proclamation No. 2, article 43. This charge was read and explained to the accused, and he was further granted permission for a continuance of the case for the purpose of being represented in court by an Attorney. The accused stated that he preferred to have an immediate hearing and that he plead guilty to the charge as presented.

The facts are that the accused deserted the Italian Army in July 1943 near Syracuse, Sicily and lived for a while in Grammichele Sicily. On Oct. 6 1943 he left Grammichele and proceeded north with the intention of reaching his home and mother in Collarmele, Province of Aquila. Which town then and now is still in enemy hands. He crossed from Messina to Reggio on a civilian fishing boat and then proceeded north by foot and obtaining rides where possible. The accused gave one name upon arrest and another upon trial. He held no identification cards. He is 23 yrs of age and single.

2. Findings of the court. The plea of guilty accepted by the court.

3. Sentence of the Court. The defendant Manalli Arcangelo fu rancesco, alias D'Aquino Alfio is hereby sentenced to 9 months imprisonment in the Compobasso Jail.

November 15 1943

F.O. Mavis
F.O.Mavis,
Captain-Infantry,
Civil Affairs Officer (AMGOT)

1st Ind.

Campobasso 17 Nov 43

To: C.L.O., AMG Hq., 15 Army Group.

1. Forwarded for ~~approval~~ examination.

2. Capt. Mavis has been instructed by undersigned not to designate place of imprisonment in sentence, but in commitment.

Edwin J. Mercer
EDWIN J. MERCER, MAJ. O.R.D.
SENIOR LEGAL OFFICER, 5th ARMY

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

2042

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

Oct 1 1943

Subject: Commitment

To: Warden, Tompkins.

I hereby commit to your custody for a period of [illegible] months
[illegible] Mr. [illegible], [illegible] person,
[illegible] to remain [illegible], also [illegible].
[illegible] during [illegible] period [illegible] by [illegible]
[illegible] part of [illegible] of [illegible].

[illegible]

[illegible]

[illegible]

Subject:Arre_ .

F. ..v.C.A.P.O.
Campobasso.

To C.A.C.

V i n c h i a t u r o .

Attached is a letter from D.C.I7 F.S.S.requesting that D'Aquino Alfio,who has been arrested and handed over to the Carabinieri at S.Giuliano,is tried before an ALLIED MILITARY GOVERNMENT COURT for a breach of Proclamation 2 Oct.(43)
Will you please comply with this request.

F. Rawlings ..Captain A.M.G.O.T.
F.Rawlings

Campobasso,Nov.IIth I943

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

Subject:- Arrest

To:- CAO, VINCHIATURO.
From:- 17 F S Section. AM

D'AQUINO Alfio di Carmine.

1. Herewith Arrest Report in respect of a/m Italian.

2. Interrogated by FS at S GIULIANO DEL SANNIO (Campobasso) at 0930 hrs 3 NOV 43, he stated that he was a militarised clerk employed by the Regia Marina at SYRACUSE. He had deserted on the arrival of British forces at SYRACUSE and gone to live at GRAMMICHELE (Catania). He left GRAMMICHELE on 6 OCT 43 with the intention of reaching his home at SULMONA (Aquila). He crossed from MESSINA to REGGIO DI CALABRIA on a civilian fishing boat. From there he passed through LOCRI (Reggio Cal) CATANZARO, COSENZA and POTENZA, travelling by train and on foot. From POTENZA to BENEVENTO he was carried on a US Army vehicle. From BENEVENTO he made his way to S. GIULIANO DEL SANNIO (Campobasso) where he arrived on 3 NOV 43.

3. FS arrested him on the grounds of breach of Proclamation 2, article 43. He was handed over to CCRR S GIULIANO.

4. It is therefore requested that he be tried before a military court.

Field
5 NOV 43

Alex. Welsh Capt
for Capt.
O i/c 17 F S Section

17

2044
Declassified E.O. 12356 Section 3.3/NND No. 785016

2043

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

(109)

Arrest Report.

Name(BLOCK LETTERS)..D'AQUINO.....Christian Name...Alfio.....
Father's Christian Name...Carmine.....Date of birth..7 Aug 20....
Address..Piazza Orsini 12...SULMONA.....Town....SULMONA.....
Employment Militarized clerk...R. Marina. Identity Card No.....3rd Militarized
Arrested by...C.C. R.R.....Arrested at. S. GIULIANO del SANNIO
Date of arrest. 3 Nov. 43. Cage to which sent..CC.RR...S.GIULIANO..

This portion for A.M.G.O.T.

Reason: Proclamation 2 art 43 i.e. proceeded from GRAMMICHELE (Catania) to S. GIULIANO del SANNIO (Campobasso) without permit

18

To: C.L.O. 15 Army Group, thru SCAO 8th Army Hq.
1. Forwarded for review.
Edwin J. Mercer
Maj. Inf., SLO 8th Army.

FORM No. 8

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Riccia

on the 10 day of Nov 1943

Before Edwin J. Mercer
Maj: Inf., S.L.O., 8th Army, as
Summary Military Court.

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

REFERENCE No. 28

ACCUSED

Name: - Mondata Fiocsepie

Address: -

Description: -

Occupation: -

Age: - about 30.

INTERPRETER

Name: Father Francis (Amorosa) is duly sworn

PROSECUTING OFFICER

Name:

ADVOCATE FOR ACCUSED

Name: None

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).

AG 370.2

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

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Riccia

on the 10 day of Nov 1943

Before Edwin J Mercer
Maj: Ord., S.L.O., 8th Army, as
Summary Military Court.
(Name & rank of President (Members and/or Magistrate constituting the Court

REFERENCE No. 23

ACCUSED

Name: - Mondata Giuseppie

Address: -

Description: -

Occupation: -

Age: - about 30.

INTERPRETER

Name: Father Francis (Canonico) is duly sworn

PROSECUTING OFFICER

Name:

ADVOCATE FOR ACCUSED

Name: None

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).

Curfew

HEADQUARTERS A.G. CASE NO. 132

The Charges are read and explained to each accused.

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

PLEAS OF THE ACCUSED

The Accused	pleads	S	to the 1st charge
	pleads		to the 2nd charge
	pleads		to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

FINDINGS OF THE COURT

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.

SENTENCE OF THE COURT

The Court sentences the accused 4 days (already served)

to

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

Edward D. Mercer
(Signature of Judge of Allied Military Court)

REVIEW

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

pleads to the 6th charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

FINDINGS OF THE COURT

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.

SENTENCE OF THE COURT

The Court sentences the accused 4 days (already served)

to

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

Edwin D. Mercer
(Signature of Judge of Allied Military Court)

REVIEW

Date 194 Signature .....

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

2050

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

(1) Legione Territoriale dei C.C. R.R. di Bari

Stazione di Gelsi

Dichiarazione

Io sottoscritto Carabiniere a piedi Giusso Giuseppe dipendente alla Compagnia di Stazione di Gelsi competente autorità quanto segue:

Stamane verso le ore 11,30 trovandomi di servizio in Gelsi (sobborgo) mentre osservavo il cognato) invitato a fermarsi il nominato Cassano Giuseppe fu Angelantonio, e lui si rifiutava, Dicendomi di venire con la sua comodità, tanto che finisca di fumare volevo farsi la sigaretta ed io dovevo attendere fin quando gli piaceva a lui. Tanto che ho dovuto accompagnarlo per portarlo nella caserma della Polizia Inglese

Il Carabiniere
Giuseppe Giusso

Gelsi li 2-11-943

14

(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

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

2052

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

EVIDENCE FOR ACCUSED

To: C.L.O., 15 Army Group, through S.C.A.O., 8th Army HQ.
1. Forwarded for review

Edwin J. Mercer
Maj. AGD, SCAO 8th Army

FORM No. 8

ALLIED MILITARY GOVERNMENT

22

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Riccia

on the 10 day of Nov 1943

Before Edwin J. Mercer, Maj. AGD, S.C.A.O. 8th Army, as Summary Military Court.
(Name & rank of President Members and or Magistrate constituting the Court)

REFERENCE No. 27.

ACCUSED

Name: - Tartaglia Domenico

Address: - Via Zelii # 25 - Isolone

Description: - Peasant

Occupation: -

Age: - about 40.

INTERPRETER

Name: Father Francis (Canada) is duly sworn

PROSECUTING OFFICER

Name: Cpl. James P. Blank, 412 F.S.S. 13

ADVOCATE FOR ACCUSED

Name: None

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).

Violation 1 Proc. No. 2, Art II, Sec. 43

Examined
Adj. Gen
16/11/43

HQ NC/135

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

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Riccia

on the 10 day of Nov 1943

Before Tedum J. Mercer, Maj. A.G.D., S.L.O. 8th Army, as Summary Military Court. (Name & rank of President Members and/or Magistrate constituting the Court)

REFERENCE No. 27.

ACCUSED

Name: - Tartaglia Domenico.

Address: - Via Belii n° 25 - Feldone

Description: - Peasant

Occupation: -

Age: - about 40.

Examined to Order
Maj. A.G.D.
16/11/43

INTERPRETER

Name: Father Francis (Canadian) is duly sworn

PROSECUTING OFFICER

Name: Cpl. James P. Plank, 442 F.S.S. 13

ADVOCATE FOR ACCUSED

Name: None

HQ AC 135

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).

Violation of Proc. No. 2, Art II Sec 43
in that accused wilfully disobeyed an order of Cpl. James P. Plank to follow him to escort, at Gildone on 7 Nov 43 at about 1020 hrs.

The Charges are ~~read and~~ explained to each accused.

HEADQUARTERS A.C. CASE NO. 135

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

PLEAS OF THE ACCUSED

The Accused pleads N. G. to the 1st charge

pleads to the 2nd charge

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

FINDINGS OF THE COURT

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.

SENTENCE OF THE COURT

The Court sentences the accused

to 1 year confinement

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

Edward F. Mecca

(Signature of Judge of Allied Military Court)

REVIEW

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

pleads to the 2nd charge

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

FINDINGS OF THE COURT

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.

SENTENCE OF THE COURT

The Court sentences the accused

to 1 year confinement

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

Eastburn Allen
(Signature of Judge of Allied Military Court)

REVIEW

Date 194 Signature .....

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

Libelous (3)

STATEMENT BY CPL.J.C.PLANK 5191288

At about 1020 hrs on 7 November 1943 I was on curfew patrol in GILDONE after the riot when I saw in VIA GELSI the man TARTAGLIA Domenico fu Pasquale in said street. I halted him, with Carabiniere RIGITO Giuseppe fu Giovanbattista. He truned andran away, and I ordered the Carabiniere to fire one round over the man's head. He still did not stop, so I ran after him, and caught him up at his houses' door, No.25, Via GELSI, Gildone. He enetered his houses, and upon my ordering him to follow me to the temporary jail, he refused to do so. I attempted to force him to do so, and after a struggle lasting about 15 seconds, I was able to escort him to the temporary jail. He struggled all the way there, and had to be forced all the way.

Central Mediterranean Force
7 November 1943

5191288 Cpl. J.C. Plank
412 F.S.Section,
Intelligence Corps.

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

(If not sufficient space on this form for the notes of evidence, other sheets should be attached and eviden[illegible] for prosecution marked Exhibit B and evidence for Acc[illegible] marked Exhibit C).

EVIDENCE FOR PROSECUTION

as per attached statement of Off Plank

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

EVIDENCE FOR ACCUSED

Accused testified, after having advised of his rights - that the Corporal, being a younger man walked so fast while holding accused by the arm that accused could not keep up with him & as a result was dragged.

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

To: C.L.O., 15 Army Group, thru SCAO 8th Army 18Z
1. Forwarded for review
Edwin J. Mercer
Maj: Cav. SLO 8th Army

12/11/43

FORM No. 8

ALLIED MILITARY GOVERNMENT

(21)

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Ricca

on the 10 day of Nov 1943

Before Edwin J. Mercer,
Maj: Cav. SLO 8th Army, as
Summary Military Court

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

REFERENCE No. 21

ACCUSED

Name: - Mandato Angelo Antonio

Address: - Via Milogno

Description: - Peasant

Occupation: -

Age: - about 40

INTERPRETER

Name: Father Francis (Amorosa) is duly sworn

PROSECUTING OFFICER

Name: Cpl. James P. Plank, 412 F. S. S.

ADVOCATE FOR ACCUSED

Name: None

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).

Proclamation No 2 Art II Sec 34

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

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Riccia

on the 10 day of Nov 1943

Before Edward J Mercer, Maj: Gd., S.L.O 8th Army, as Summary Military Court

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

REFERENCE No. 21

Summary No Action Lt Col 11/1-?

ACCUSED

Name: - Mandato Angelo Antonio

Address: - Vico Molegno

Description: - Peasant

Occupation: -

Age: - about 40

INTERPRETER

Name: Father Francis (Amorosa) is duly sworn

PROSECUTING OFFICER

Name: Cpl. James P. Plank, 412 F.S.S.

ADVOCATE FOR ACCUSED

Name: None

11

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).

Violation Proc. No. 2 Art II Sec 34.

In that accused attempted to rescue his wife from arrest at 1030 hrs. 7 Nov 43 at Gildone, she being in custody of Cpl. Plank.

The Charges are ~~read and~~ explained to ~~each~~ accused.

HEADQUARTERS A.C. CASE NO. 134

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

PLEAS OF THE ACCUSED

The Accused pleads N. G to the 1st charge

pleads to the 2nd charge

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

FINDINGS OF THE COURT

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.

SENTENCE OF THE COURT

The Court sentences the accused One year confinement

~~to~~

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

Edward D Mercer

(Signature of Judge of Allied Military Court)

REVIEW

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

plead to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

FINDINGS OF THE COURT

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.

SENTENCE OF THE COURT

The Court sentences the accused One year confinement

~~to~~

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

Edward Mervin
(Signature of Judge of Allied Military Court)

REVIEW

Date 194 Signature .....

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

(2) Lylotone

STATEMENT BY 5191288 CPL.J.C.PLANK

At about 1030 hrs 7 November 43 I was on curfew patrol in GILDONE after the riot, and was proceeding along the VICO MILOGNO with Carabiniere DI SEATO Giovanni di Alberto when I saw the woman REALE Maria Giovanna in said street. I arrested her for being out during curfew, and was proceeding to the CMP billet, used as temporary jail, when the man MANDATO Angelo Antonio di Domenicantonio leapt from his house and pulled the woman in the house No. (number not known) in said street. The Carabiniere and I endeavoured th get her back into custody, but the man MANDATO opposed himsel violently to this. We ordered him to follow us with the woman REALE, which he refused to do. So we set to bring him by force, but before we were able to do so, he pushed us out of the house and took away from my hands the stick I was carrying. He appeared to try and strike me with said stick. There was a scuffle lasting approximately 30 seconds, after which he was finally overpowered, and the arrival on the scene of Carabiniere NIGITO Giuseppe fu Giovanbattista enabled us to conduct the man MANDATO and the woman REALE to the temporary prison.

Central Mediterranean Force
7 November 1943

5191288 Cpl. J. Plank

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

(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

Cpl. James P. Plank testified as in
the attached statement.

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

EVIDENCE FOR ACCUSED

Accused testified after being advised of his rights - that he didn't know the Corporal was a soldier. That he knew he was a soldier but thought he was. battering his wife & resisted her.

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

To: C.L.O., 15 Army Group, through A.C.A.O. 8th Army Hq.
1. Forwarded for review.
Edwin J. Mercer Maj.
C.L.O., 8th Army.

FORM No. 8

ALLIED MILITARY GOVERNMENT

20

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Riccia

on the 4 day of Nov 1943

Before Edwin J. Mercer, Maj.
A.L.O. 8th Army, as
Summary Military Court

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

REFERENCE No. 20

ACCUSED

Name: - Palmieri Pietrantonio

Address: - Salita Colle

Description: - Stupid - ragged - hungry.

Occupation: -

Age: - 18.

INTERPRETER

Name: (official interpreter for C.A.O.) is duly sworn

PROSECUTING OFFICER

Name: None

ADVOCATE FOR ACCUSED

Name: None

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).

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

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Riccia

on the 4 day of Nov 1943

Before Edwin J. Mercer, Maj. A.A.G. 8th Army, as Summary Military Court

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

REFERENCE No. 20

ACCUSED

Name: - Palmieri Pietrantonio

Address: - Salita Colle

Description: - Stupid - ragged - hungry.

Occupation: -

Age: - 18.

INTERPRETER

Name: (official interpreter for C.A.O.) is duly sworn

PROSECUTING OFFICER

Name: None

ADVOCATE FOR ACCUSED

Name: None

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).

attempted theft of allied soldiers property
(charge not written up)

The Charges are ~~read and~~ explained to each accused.

HEADQUARTERS A.G. CASE NO. 135

Summary Ct to Action 15/11/43

FO AC 135

9

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

PLEAS OF THE ACCUSED

The Accused pleads N.G. to the 1st charge

pleads to the 2nd charge

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

FINDINGS OF THE COURT

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.

SENTENCE OF THE COURT

The Court sentences the accused

to Rope

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

Carlton J. Moore

(Signature of Judge of Allied Military Court)

REVIEW

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

pleads:

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

FINDINGS OF THE COURT

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.

SENTENCE OF THE COURT

The Court sentences the accused

to Four

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

Carlson J. Mercer
(Signature of Judge of Allied Military Court)

REVIEW

Date 194 Signature .....

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

(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 Acc[illegible] marked Exhibit C).

EVIDENCE FOR PROSECUTION

Corporal testified found accused with his head & shoulders inside tent, looking around, no sentry line & no notice posted to keep out of excavation.

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

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

EVIDENCE FOR ACCUSED

To: C. L. O., 15 Army Group, through A.C.A.O. 8th Army HQ.
1. Forwarded for review.
Edwin J. Mercer Maj'
S.L.O. 8th Army.

FORM No. 8

(19)

ALLIED MILITARY GOVERNMENT

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Riccia

on the 4 day of Nov 1943

Before Edwin J. Mercer, Maj'. S.L.O. 8th Army as Summary Military Court

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

REFERENCE No. 19

ACCUSED

Name: - Amorosa Francesco

Address: - Salita Colle

Description: - Was discharged from Italian army for stupidity

Occupation: - Farmer

Age: - About 40 - As doesn't know

INTERPRETER

Name: (official interpreter for C.A.O.) is duly sworn

PROSECUTING OFFICER

Name: None

ADVOCATE FOR ACCUSED

Name: None

8

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).

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

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at Riccia

on the 4 day of Nov 1943

Before Edwin J. Mercer, Maj. S.A.C., 8th Army as Summary Military Court

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

REFERENCE No. 19

ACCUSED

Name: - Amorosa Francesco

Address: - Salita Calle

Description: - Was discharged from Italian army for stupity

Occupation: - Farmer

Age: - About 40 - he doesn't know

INTERPRETER

Name: (official interpreter for C.A.O.) is duly sworn

PROSECUTING OFFICER

Name: None

ADVOCATE FOR ACCUSED

Name: None

8

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).

Possession of 2 used British mess tins

(No charges written up)

The Charges are ~~read and~~ explained to ~~each~~ accused.

HEADQUARTERS A.G. CASE NO. 136

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

PLEAS OF THE ACCUSED

~~The Accused~~ Plea of N. G. ~~pleads~~ entered by court to the 1st charge

pleads to the 2nd charge

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

FINDINGS OF THE COURT

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.

SENTENCE OF THE COURT

The Court sentences the accused ~~to~~ to 6 months confinement ~~to~~ suspended during good behavior

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

Edward J. Mercer

(Signature of Judge of Allied Military Court)

REVIEW

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

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

FINDINGS OF THE COURT

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.

SENTENCE OF THE COURT

The Court sentences the accused to 6 months confinement ~~to~~ suspended during good behaviour

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

Edward J Mercer
(Signature of Judge of Allied Military Court)

REVIEW

Date 194 Signature .....

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

(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

Two men Tims found buried on land
killed by accused.

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

EVIDENCE FOR ACCUSED

Accused. sworn - says some boys found mess tins & buried them on his land.

Remarks - This man was suspected of theft of a musette bag of soldier's equipment & was arrested on this charge in an attempt to assist in solving the theft. He is less than half witted.

E.J.M.

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

2079

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

(18)

Folio #18 (Court Proceedings - Case of FERRANTE, Antonio removed upon receipt of application for Review of Sentence).

12/12/43
B.H.B.

See folio 117

To: C.L.O., 15 Army Group, through S.C.A.O., 8th Army, Hq.
1. Forwarded for review.
Edwin J. Mercer, Maj.
S.L.O., 8th Army.

15 II 43

FORM No. 8

ALLIED MILITARY GOVERNMENT

17

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at CAMPOBASSO

on the 2nd day of Nov. 1943

Before Major Edwin J. Mercer
Senior Legal Officer 8th Army as
Summary Military Court.

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

REFERENCE No. 17.

ACCUSED

	(1)	(2)
Name: -	DE BARTOLO Fernando	CALOGERO Benito
Address: -	Cosenza	Campobasso
Description: -		
Occupation: -	student	student
Age: -	18 yrs.	12 yrs

Examined Medical Officer
16/11/43

INTERPRETER

Name: Victor Reiss is duly sworn

PROSECUTING OFFICER

Name: Lieut. A.A.Simpson

ADVOCATE FOR ACCUSED

Name: None.

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).

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

PROCEEDINGS OF AN ALLIED MILITARY COURT

held at CAMPOBASSO

on the 2nd day of Nov. 1943

Before Major Edwin J. Mercer
Senior Legal Officer 8th Army as
Summary Military Court.

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

REFERENCE No. 17.

ACCUSED

	(1)	(2)
Name: -	DE BARTOLO Fernando	CALOGERO Benito
Address: -	Cosenza	Campobasso
Description: -		
Occupation: -	student	student
Age: -	18 yrs.	12 yrs

Examined the Accused
16/11/43

INTERPRETER

Name: Victor Reiss is duly sworn

PROSECUTING OFFICER

Name: Lieut. A.A.Simpson

ADVOCATE FOR ACCUSED

Name: None.

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).

Stealing property of a member of the Allied Forces,
Procl: 2, Art. I, Par. II, (2 leather jerkens)

The Charges are read and explained to each accused.

HEADQUARTERS A.G. CASE NO. 137

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

PLEAS OF THE ACCUSED

The Accused each pleads not guilty to the 1st charge

pleads to the 2nd charge

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

FINDINGS OF THE COURT

The first Accused is found guilty ~~XXXXXX~~ of the first charge. The second is acquitted

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.

SENTENCE OF THE COURT

The Court sentences the accused de Bartolo Fernando

to THIRTY days in jail

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

Edwin F. Nunes

(Signature of Judge of Allied Military Court)

REVIEW

2082

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

pleads to the 3rd charge

ADJOURNMENTS

(Times, dates and reasons for adjournments being made)

FINDINGS OF THE COURT

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

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.

SENTENCE OF THE COURT

The Court sentences the accused De Bartolo Fernando

to THIRTY days in jail

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

Edwin K Moore
(Signature of Judge of Allied Military Court)

REVIEW

Date 194 Signature .....

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

2084

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

No. 1 PROVOST COY.

STATEMENT OF EVIDENCE

At approx. 1355O Hrs. on the 1-Nov-43 at the 68th HIGH LANDERS of CANADA, "QM" Stores. B-72800 Cpl. THOMAS E.A. and B-72908 Pte. NEUN W. saw the two accused leave the rear of one of our vehicl s with a bully object under his coat. We gave chase, and saw the accused entering an apartment building, there entering into one of the apartments. When caught up with the accused they denied the robbery, on calling the Police, the younger one gave a sign and the articles were thrown out of the window. On looking out 2 leather jackets were seen on the ground proovING to be ours.
We held the accused until the arrival of the Cdn. Prov Corps.

1-Nov-43. Signed;
B-72800 Cpl. E.A. Thomas
B-72908 Pte. W. Neun

Note;
The said two leather jerkins are being held in Office of the No.1Prov.Coy.

2085

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

No. 1 PROVOST COY.

STATEMENT OF EVIDENCE of B-29455 L/Cpl.SCHUCK W.E.

1. I wish to report that at approx. 1400 Hrs. on the 1-Nov-43, I was on foot-patrol in company with L/Cpl.BURGESS C.E. Regt.No.B-67761 on No.1 Beat.

2. We were asked by a "DR" to proceed to the "QM" Stores of the 48th HIGHLANDERS of CANADA, where we were handed over, two civilian prisoners, who were accused of stealing two leather jerkins from the above mentioned stores. We recovered the jerkins and with the two accused proceeded to No.1 Prov. Coy. Orderly Room.

1-Nov-43. Wm E Schuck L/Cpl.

I corroborate the above statement.

C. Burgess L/Cpl.

Statements from B-72800 CPL. [illegible] and [illegible] attached.

2086

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

Copy

ALLIED MILITARY GOVERNMENT.

COMMITMENT.

To the Officer in charge of any person or jail to which the prisoner hereinafter named may be conferred or to which he may be transferred.

Whereas DE BARTOLO Fernando of Cosenza has been convinced of the offence of violating Proc. 2, Art. I, Par. II for stealing property of a member of the Allied Forces, and has been sentenced by the Summary Military Court to serve Thrity days in jail, said sentence to commence November 2nd, 1943.

Now, therefore, you are hereby authorized to receive said prisoner into your custody and detain him in accordance with the sentence imposed or until further order of this Court or a Competent Military Authority and for so doing this shall be sufficient warrant.

Signed 2 November 1943.

Edwin J. Mercer
Maj. Ord.
Summary Military Court.

(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

Cpl. E. A. Thomas 48th Highlanders. A sec statement attached which is in accordance with his sworn testimony.

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

EVIDENCE FOR ACCUSED

Accused Re Bartolo - sworn - says he went to the track & invite the friend of the track to dinner at his home, he had been a guest there before, did not find him but did find the 2 jackets on the ground & thought to take them to his home for safety & gave them to the driver when he came for dinner.

Remarks: The accused Re Bartolo is the son of a prominent banker. The father & mother were in court & father claims that his conviction of his son will lose him his job. The family is high class but the son seems to be the worthless offspring of a rich father.

The guardians of the 17 yr. old boy were in court & I gave them a lecture & they promised to keep the boy out of bad company.

Edwin J. Green

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

ment & the track & invite the dread of the track & dinner at his home, he had been a guest there before, did not find him but did find the 2 jackets on the ground & thought & take them to his home for safety & gave them to the driver when he came for dinner.

Remarks: The accused, Mr Bartolo is the son of a prominent backer. The father & mother were in court & father claims that this conviction of his son will lose him his job. The family is high class but the son seems to be the worthless offspring of a rich father.

The guardians of the 17 yr. old boy were in court & I gave them a lecture & they promised to keep the boy out of bad company.

Edwin J Mercer

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

HQ SERIAL No. 1

258 209 B/ For attention of Legal Officer

Allied Military Government.

Proceedings of an Allied Military Summary Court held at Termoli.
On the 20th day of October 1943.
Before Capt E.J.Boulton, Staffordshire Yeomanry, Cival Affairs Officer.
Ref No; Termoli 1.

1 NOV 1943

Sch. 02.

Accused.

1 NOV 1943

Name:— Sgarzini Alberto
Address: Pescara.
Description: Short, dark hair.
Occupation: Bookeeper.
Age: 29.

Interpreter.

Name: Philip Fermiano Termoli.

Prosecuting Officer.

Name: 2/Lieut Klepacki.P. jnr U.S.Army.

Advocate for accused.

Name: Nil.

Charge.

Violating provisions of Proclamation No 2,Article II,Sec 44, in that, having been refused permission by Sgt C.W.Greenwood, Corps of Military police, on 10th October 1943 to proceed northward from Termoli, was on 13th October 1943 caught attempting to proceed northward across the enemy line.

The charge was read and explained to the accused.

Plea of the accused:
The accused pleads Guilty.

Case for the prosecution.
At 2100 hrs on 13 October 1943 the accused was detained by 2 Bn L.I.R. together with others attempting to cross the enemy lines.
On 10 Oct he had already been refused permission to do so by C.M.P.
Written evidence by Sgt C.W.Greenwood, No 4 Det 78 Div Pro Coy, states:-

At Termoli on 10 October 1943 at about 1430 hrs

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

- 4 NOV 1943

Accused.

Name:— Sgarzini Alberto
Address: Pescara.
Description: Short, dark hair.
Occupation: Bookeeper.
Age: 29.

Interpreter.

Name: Philip Fermian, Termoli.

Prosecuting Officer.

Name: 2/Lieut Klepacki P. jnr U.S.Army.

Advocate for accused.

Name: Nil.

Charge.

Violating provisions of Proclamation No 2, Article II, Sec 44, in that, having been refused permission by Sgt C.W.Greenwood, Corps of Military police, on IOth October I943 to proceed northward from Termoli, was on I3th October I943 caught attempting to proceed northward across the enemy line.

The charge was read and explained to the accused.

Plea of the accused;
The accused pleads Guilty.

Case for the prosecution.
At 2IOO hrs on I3 October I943 the accused was detained by 2 Bn L.I.R. together with others attempting to cross the enemy lines.
On IO Oct he had already been refused permission to do so by C.M.P.
Written evidence by Sgt C.W.Greenwood, No 4 Det 78 Div Prò Coy, states:-

At Termoli on IO October I943, at about I430 Hrs, SGarzini Alberto approached me and asked permission TO TRAVEL through Termoli to Pescara. This request was refused owing to the present situation round this area.
At about 2IOO hrs on I3 October a patrol of 2nd Bn L.I.R. stopped and brought in for interrogation a number of Italians who had tried to cross the lines, amongst whom was the accused.
On being questioned he admitted being told by me three days previo-

HEADQUARTERS A.C. CASE NO.

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

Cont

- that he would not be allowed past Termoli, but stated that he wished to get up North to his family. He admits that he disregarded a British Order.

The above evidence is corroborated by L/Cpl.R.Savage and L/Cpl.J.Spencer, both of No.4 Det. 78 Div.Provost Coy., in writing.

Statement by the accused.

The accused stated that he arrived in Termoli on 9 October 1943. On 10 Oct he approached the Italian police and asked permission to go north. He was told it was impossible. He therefore went to the British Military police and was told it was very dangerous and not to go. He did not understand that there was an order against crossing the front line. He only wanted to get to his family at Pescara. He was willing to fight for the British.

Findings of the court.

The accused, Sgarzini Alberto, is found guilty.

Sentence of the court.

The court sentences the accused, Sgarzini Alberto, to sixty days imprisonment to commence from 13 October 1943.

1st Ind. Campobasso 2 Nov 43

1. Forwarded for review.

2. It appears to me that accused M.O. under Sec 44, but guilty under Sec 45.

Edwin Mercer
Maj; D.A.D., 5th Army.

(10)

Review not recommended. Charge clear. There was an offence against Sec 44 Art II proc 2. Finding of guilty

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

Statement by the accused.

The accused stated that he arrived in Termoli on 9 October 1943. On 10 Oct he approached the Italian police and asked permission to go north. He was told it was impossible. He therefore went to the British Military police and was told it was very dangerous and not to go. He did not underetand that there was an order against crossing the front line. He only wanted to get to his family at Pescara. He was willing to fight for the British.

Findings of the court.

The accused, Sgarzini Alberto, is found guilty.

Sentence of the court.

The court sentences the accused, Sgarzini Alberto, to sixty days imprisonment to commence from 13 October 1943.

1st Ind. Campobasso 2 Nov 43

1. Forwarded for review.

2. It appears to me/suggest that accused M.O. under Sec 44, but guilty under Sec 45.

Edward Spencer
Maj; D.J.A., 5th Army.

(12)

Review not: Recommended. Charge dem. There was an offence against Sec 44 Art II proc 2. Finding of guilty in order. No petition. Sentence not too severe.

Hotton on Aden 3/

C.L.O.

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

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