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GUARDIA DI FINANZA
AUG. - DEC. 1943

2459

AMSCOT 1039/R

RPS/014.1

RPS/014.1

GUARDIA di
FINANZA

667
1/5

GUARDIA di FINANZA

RPS/074-1

GUARDIA di FINANZA

12/22

1/25
1/25
21/25

1/25
5/25

9/25

12/25

83

10000 143

THIS FOLDER

CONTAINS PAPERS

FROM

TO

CATALOGUE.

10/23
DEC 10/23

FOLIO	REF No.	DATE	FROM/TO	Subject
I 1	1039/PS	17 Aug.	To Guardia di Finanza	Instruction v. Guardia di Finanza
2-4	CRG/1041	26 " 43	To C.R.O. - La. Regia Guardia di Finanza	
5	-	30 " 43	To C.F.O. "	
6	-	31 " 43	To S.C.A.O. "	
7	bestroyed	2 Sept. 43	To C.F.O. and Dist. Agent	
8	1039/PS	3 Sept. 43	To Guardia di Finanza	
9/10	PR/222	1 Sep. 43	From S.C.A.O. Ragusa	
Board 11/12		16 Sep. 43	From Guardia di Finanza - Direzione Generale Banco di Sicilia	
13		28 Aug 43	To Com. La. Brigata	
14/15		16 Sep. 43	From Guardia di Finanza - Dir. Mont. MELF	
16		22 Sep. 43	Transfer of Members of the Guardia di Finanza	
17		25 Sep. 43	To Sup. Civil Police	
18-19		24 Sep. 43	Reorganization of the Guardia di Finanza	
20		25 Sep 43	To Direzione Guardia di Finanza	
21	bestroyed	27 Sep. 43	To C. P. O.	
22	bestroyed	29 Sep 43	To L.P.S. organization Guardia di Finanza	
23	bestroyed	29 Sep 43	To Col. Bollos C.P.S.	
24	664/CPS	19 Oct 43	To C.P.S. Organization Guardia di Finanza	
25	1039/PS	23 Oct 43	To C. Police. S. Alleged Practice of Theft by Laid	
26	1039/PS		Extract from Prov. CAPOs meeting 6 Oct 43	

7	Destroyed	2 Sept. 43	To C.F.O. w/ Prof. Speed
8	1039/PS	3 Sept. 43	To SCAP - Guardia di Finanza
9/10	PR/222	1 Sep. 43	From SCAP Lager
Board 11/12		16 Sep. 43	From Guardia di Finanza - Discipline House Box GUSEPPE
10		28 Aug 43	To Com. La. Brigata
13		16 Sep. 43	From Guardia di Finanza - Dico. Manc. MELE
14/15		22 Sep. 43	Transfer of Members of the Guardia di Finanza
16		25 Sep. 43	To S. Sup. Civil Police
17		24 Sep. 43	Reorganization of the Guardia di Finanza
18-19		29 Sep 43	To D. D. Guardia di Finanza
20		21 Destroyed	To C.P.O.
22	Destroyed	29 Sep 43	To L.P.S. - organization Guardia di Finanza
23	Destroyed	29 Sep 43	To Col. Bollos, C.P.S.
24	664/CPS	19 Oct 43	To C.P.S. Organization Guardia di Finanza
25	1039/PS	23 Oct 43	To C. Police. S. Alleged Practice of Graft by G. di
26	1039/PS		Extract from Prov. CAPOs meeting 6 Oct 43

2999

ALLIED MILITARY GOVERNMENT
SICILY REGION 1
PUBLIC SAFETY DIVISION

File

Date 24. 12. 43

To- *Superintendent*
Civil Police Section
Special Police Branch
Major Richardson
Fire Section
Prisons Section

FOR:

information.
Please inform Col Brondi
accordingly

REMARKS-

Confirmation

586/22

27 DEC 1943

A. M. G. O. T.
CIVIL POLICE SECTION
COMANDO LEGIONE CC. RR.

my my no 2988
Chief P.D.
Col Brondi informed
accordingly
No 745.

Steffa
Major

Adm. Div.
G/E/jh ✓
AG 201 - MC EUGH, J.T. (O) 15th Ind.
AG 201 - KREIDT, D. C. (O)
AG 201 - EABER, C. S. (O)
HQ, TWELFTH AIR FORCE, APO 650, 16 Dec 1943.

TO: AMMOT Headquarters, Sicily.

Attention is invited to preceding indorsements.

For the Commanding General:

C. C. Parks
C. C. PARKS,
Major, A.G.D.,
Asst. Adj. General.

1 Incl: n/c

12

2987

(153)

201-Barber, Chester W. (Off)
Kriedt, Daniel C. (Off)
Smyth, John J. (Off)

14th Ind.

(M-1-s)

HQS XII TCG (1907), APO 760, 1 Dec 1943.

TO: CG, VSELVTH AF, APO 650.

1. Attention invited to 11th, 12th and 13th Indorsements,
and Report annexed to 12th Indorsement.

2. It is understood that the reprimands referred to in pre-
ceding 13th Indorsement were given in writing and filed with the
respective 201 files of the subject officers.

Incls: n/c

PAUL L. WILLIAMS
Brigadier General, U.S.A.
Commanding.

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2986



C O N F I D E N T I A L

13th Ind.

A-4

HEADQUARTERS, 52ND TROOP CARRIER WING, AAF, APO 760, US Army, 26 November 1943.

TO: Commanding General, XII Troop Carrier Command (Prov), APO 760, US Army.

1. Disciplinary action under the 104th Article of War was taken as suggested in Twelfth Indorsement and the following punishment imposed and accepted by Officer concerned without appeal:

- a. First Lieutenant John J. Smyth - Reprimanded with a forfeiture of \$90.00 of pay for a period of one (1) month.
- b. Second Lieutenant Chester W. Barber - Reprimanded with a forfeiture of \$50.00 of pay for a period of one (1) month.
- c. Second Lieutenant Daniel C. Kriedt - Reprimanded with a forfeiture of \$70.00 of pay for a period of one (1) month.

H. L. Clark
H. L. CLARK,
Brigadier General, USA,
Commanding.

Incl:

One copy of Report, 8 Nov/43, Subject: Investigation,
Unauthorized confiscation of Firearms.

One copy 1/2

201-Barber, Chester W. (Off)
Kriedt, Daniel C. (Off)
Smyth, John J. (Off)

14th Ind.

(N-1-s)

HQs XII TCC (PROV), APO 760, 1 Dec 1943.

TO: CG, TWELFTH AF, APO 650.

1. Attention invited to 11th, 12th and 13th Indorsements,
and report annexed to 12th Indorsement.

2. It is understood that the reprimands referred to in preceding 13th Indorsement were given in writing and filed with the respective 201 files of the subject officers.

2930

Incls: n/c

Paul L. Williams
PAUL L. WILLIAMS
Brigadier General, U.S.A.
Commanding.

C O N F I D E N T I A L

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(Ltr, Amgt Hq. Sicily, sub: Approp. of Firearms from Finance Guard by U.S. Personnel, dated 19 September 1943)

12 Ind.

(M-1-2)

HQS, XII TCC, (Prev), APO 760.
TO: CG, 52nd TC Wg., APO 760.

9 November 1943

1. In compliance with preceding indorsement, I have caused the subject matter of basic communication to be investigated and inclose herewith the report of such investigation. I approve the conclusions and recommendations therein contained and suggest that disciplinary action under the 104th Article of War taken by you as the immediate Commanding General of the subject officers would be appropriate, provided they do not demand trial by court martial.

2. Report should be made to this Headquarters of action taken.

Paul L. Williams
PAUL L. WILLIAMS
Brigadier General, U. S. Army,
Commanding.

Incl: 2 copies Rep't, 8 Nov. '43
Subj: Investigation, Unauthor-
ized Confiscation of Firearms.

2984

CONFIDENTIAL

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HEADQUARTERS
XII TROOP CARRIER COMMAND (PROV)
Office of the Staff Judge Advocate
APO 760

(N-1-z)

333.5

8 November 1943

SUBJECT: Report of Investigation of Unauthorized Confiscation of Firearms.

TO : Commanding General, XII Troop Carrier Command, APO 760, U. S. Army.

I. AUTHORITY:

1. This investigation was ordered by VCCG, XII TCC (Prev) on the basic communication initiated by AMGOT Hq., Sicily, 19 September 1943 and indorsements thereto.

II. MATTERS INVESTIGATED:

2. The basic communication reports that on 6 September 1943 three (3) pistols of the Finance Guard were confiscated at the Guard Caserma by three officers who gave to that Guard a note reading, "9-6-43, three pistols taken from this station by the undersigned officers. There was an urgent need for same. 78 TCR 426 ABS" and signed "Lt. J. T. McHugh, O-654320, Lt. D. C. Kriedt, O-520201, Lt. C. W. Barber, O-520225".

3. The basic communication was forwarded through channels to the CO 29th TC Sq, who replied by 7th Ind., dated 16 October 1943 that an investigation was made; that the action of the officers was based on information derived by them from some American officer who had stated to them that such proceedings was an orderly manner of securing a pistol for a souvenir; that the pistols had been returned; and that such unofficial actions on the part of members of his squadron would be strongly discouraged.

III. FACTS:

4. In the latter part of August or the early part of September 1943, 1st Lt. John J. Smyth O-797092, 29th TC Sq., 313th TC Gp., met, on a presently unidentifiable airdrome, in Sicily, a presently unidentifiable United States Army Major who had in his possession in his baggage as souvenirs a number of foreign pistols and who, on inquiry, advised Lt. Smyth it was the common practice of the officers when he knew to confiscate or requisition pistols from the Italians by giving a receipt therefor in the form of that recited above.

5. Lt. Smyth, acting on the implied suggestion, at the first available opportunity, at Agrigento, Sicily, in company with 2nd Lt. Daniel C. Kriedt, O-520201, of the same organization, entered the Caserma or (barracks or station) of the Italian Finance Guard at Agrigento, Sicily, for the purpose of obtaining pistols.

6. Lt. Smyth asked the Italian officer in charge to show him and Lt. Kriedt their firearms, as Lt. Smyth and Lt. Kriedt desired three pistols. The Italian officer answered that that would be impossible as he was not authorized to permit pistols to be taken from the building. Lt. Smyth, after

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Report of Investigation of Unauthorized Confiscation of Firearms.

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viewing the pistols, in company with Lt. Kriedt, thereupon wrote on a plain piece of paper furnished by the Italian officer the "receipt" above quoted and the officer delivered to them the three pistols.

7. Lt. Kriedt signed the receipt for himself, signing his own correct name and serial number, and also signed "for" Lt. Chester W. Barber, giving Lt. Barber's correct name and serial number. Lt. Smyth signed the receipt "Lt. John T. McHugh, O-654320", a fictitious name and serial number. The "78 TGR 426 ABS" was merely so much abracadabra designed to give the "receipt" an air of official authority.

8. Lt. Kriedt delivered one of the three pistols to Lt. Barber shortly thereafter and acquainted him with the fact that they had obtained them at the police station in the manner stated and that his name had been signed to the receipt. Lt. Barber was not present at the police station nor had he previously authorized Lt. Smyth to sign his name or to obtain the pistol in the fashion stated by him.

9. All three officers retained the pistols until at or about 16 October when their squadron commander, having received the AMCOT communication referred to, instructed them to return the pistols. They carried out this instruction by turning the pistols over to the squadron adjutant who turned them over to the Finance Guard and obtained back the receipt originally given by the three officers. For their actions they received from their squadron commander an oral admonition.

IV. DISCUSSION:

10. None of the three officers was authorized to confiscate a pistol from the Finance Guard.

11. Lt. Smyth and Lt. Kriedt, together, without authority, and by signing and delivering a false written statement, induced the Finance Guard to deliver three pistols to them, which they received and two of which they retained until ordered by higher authority to return them. In addition, Lt. Smyth, in his signature, used a fictitious name and serial number.

12. Lt. Barber received from Lt. Smyth and Kriedt one of the pistols, having knowledge of the circumstances under which they were obtained and likewise retained the pistol until ordered by higher authority to return it.

13. Lts Barber, Smyth and Kriedt took such action after Lt. Smyth had been advised by a presently unidentifiable American Major at a presently unidentifiable airfield that the practice described was the method commonly used by officers when he knew, in obtaining souvenir pistols.

14. There was no "urgent need for the pistols". They were, on the contrary, obtained solely as souvenirs.

CONFIDENTIAL

-2-

2982

Report of Investigation of Unauthorized Confiscation of Firearms. (Cont'd)

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V. CONCLUSIONS:

15. Lt. Smyth as the prime mover in the transaction, Lt. Kriedt as a colleague therein, and Lt. Barber, who impliedly endorsed their action, as a beneficiary thereof, obtained three pistols from the Italian Finance Guard through false pretenses, and in doing so displayed a complete lack of any sense of responsibility as officers and a further lack of any sense of wrongdoing in obtaining the pistols through such false pretenses and for a wholly unauthorized purpose.

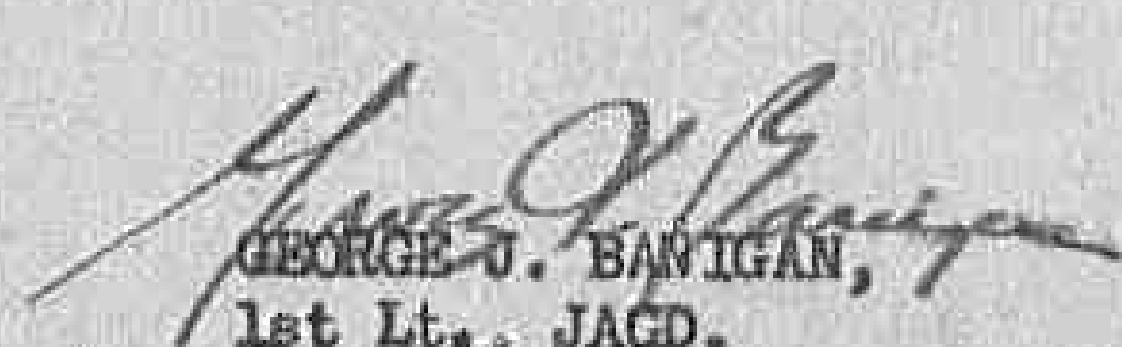
16. The American Major who advised such procedure, whose identity, unfortunately, cannot now be determined, displayed these characteristics to an even higher degree in not only himself apparently following such practices but in advising junior officers to go and do likewise.

17. The evidence with respect to the unknown field officer is of course, only hearsay, but is believed reliable. All three officers were entirely candid in their testimony and gave a full and frank statement of the facts. All three officers are of young age, little experience and immature judgment.

18. No disciplinary action appears to have been taken as yet in the matter. The oral reprimand given the officers by their Squadron Commander appears to have been administrative in nature and effect.

VI. RECOMMENDATIONS:

19. In view of the age and lack of experience or mature judgment of the subject officers, of their present realization of the true character of their actions, of their prompt return of the confiscated property, and of the probability that their future conduct will be such as not to again bring such discredit upon the service, it is recommended, both in the best interests of the service and of the subject officers, that disciplinary action be initiated with respect to them under the 104th Article of War, only.


GEORGE J. BAWIGAN,
1st Lt., JAGD,
Staff Judge Advocate.

Incl: 3 copies testimony of
subj. officers, 5 & 6
Nov. '43, & Ltr., AMGOT,
19 Sept. '43, Exhibit.

CONFIDENTIAL

-3-

2981

CONFIDENTIAL

HEADQUARTERS

X. TROOP CARRIER COMMAND (PROV)
Office of the Staff Judge Advocate

6 November 1943

Testimony given by 2nd Lt. Daniel C. Kriedt, 29th Troop Carrier Squadron to 1st Lt. George J. Banigan, Staff Judge Advocate, XII Troop Carrier Command, (Prov), on 5 November 1943 at Headquarters XII Troop Carrier Command (Prov), Palermo, Sicily.

1. Witness Sworn.
2. Q. Please give your name, rank, organization, serial number and station.
A. 2nd Lt. Daniel C. Kriedt, O-520201, 29th Troop Carrier Squadron. I am stationed at Mile Air Base, Sicily.
3. Q. I now read to you the 24th Article of War. (24th AW read). Do you understand your rights under that Article?
A. Yes.
4. Q. I show you a letter, AMGOT Hqs, dated 16 September 1943, to the Provost Marshall Seventh Army, referring to the taking of three (3) pistols from the Finance Guard at the Caserma (Barracks), on 6 September 1943 by three officers who gave a receipt for the pistols signing their names Lt. John J. McHugh, D. C. Kriedt, and C. W. Barber. Are you the Lt. Kriedt referred to in that letter?
A. Yes.
5. Q. Do you wish to make any comment with respect to the statements contained in that letter?
A. We were in Agrigento on DS and were anxious to procure some Berretti pistols. It was suggested that they could be procured by entering any police station filling out any required forms and signing an alias. So we went to the Italian police station in Agrigento and we entered the building and asked to see the pistols they had. They did not have any Berretti's but they did have some revolvers of an old make the name of which I don't know. We made out a receipt for them and left with the pistols.
6. Q. From what source did you receive the suggestion that that was a method of securing a Berretti pistol?
A. I did not receive the suggestion.
7. Q. Do you know who did?
A. Yes.

2980

CONFIDENTIAL

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8. Q. Who?

A. Lt. Smyth.

9. Q. Who were the members of the group who went to the police station whom you referred to as "we"?

A. Myself and Lt. Smyth.

10. Q. Were you and Lt. Smyth in uniform at the time you entered the police station?

A. We were.

11. Q. Have you a copy of the receipt that you gave for the pistols?

A. I do not, but I believe the original receipt is at our Squadron Headquarters because it was returned to the Squadron when the pistols were returned to the police station.

12. Q. Did the officials at the police station speak English?

A. Just a few words.

13. Q. Did you have a conversation with the officials in the police station?

A. I did not myself.

14. Q. Who did?

A. Lt. Smyth.

15. Q. In what language was that conversation?

A. French.

16. Q. Did you understand the general purport of the conversation?

A. I could understand just a few words of French but I knew what the gist of the conversation was and what we were doing.

17. Q. What was your understanding of what you were doing?

A. We were procuring pistols by confiscation.

18. Q. Your statement that there was an "urgent need" for the pistols was not true?

A. It was not.

19. Q. Was this receipt on a printed form?

A. No.

2979

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20. Q. You wrote out the wording of the receipt?
- A. No.
21. Q. Lt. Smyth did?
- A. Yes.
22. Q. After the receipt was given did you and Lt. Smyth leave the police station with the pistols?
- A. Yes.
(Proceeding recessed from 1830, November 5, to 1030, November 6, 1943).
23. Q. How many?
- A. Three (3) pistols.
24. Q. Who signed the receipt?
- A. Lt. Smyth and myself.
25. Q. Did you sign your own name and serial number?
- A. Yes, I did.
26. Q. When was the next time you heard of this matter?
- A. Around the 16th of October. We were reprimanded by our Squadron CO for taking such action. He instructed us to return the pistols in the same condition that we received them. Lieutenants Smyth and Barber who had the other two (2) pistols, and myself, turned the pistols over to the Squadron adjutant who turned them over to the police station and got back the receipt we gave.
27. Q. Were you subjected to any disciplinary action by your commanding officer in connection with this matter?
- A. We were reprimanded by the Squadron CO and as I said before, he told us to return the pistols which we did.
28. Q. Was the reprimand oral or in writing?
- A. It was an oral reprimand.
29. Q. Were you subjected to any punishment other than the oral reprimand?
- A. No.
30. Q. Have you anything further that you wish to add to your testimony?
- A. No.

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Testimony given by 1st Lt. John J. Smyth, 29th Troop Carrier Squadron to 1st Lt. George J. Banigan, Staff Judge Advocate, XII Troop Carrier Command, (Prev), on 6 November 1943 at Headquarters XII Troop Carrier Command (Prev), Palermo, Sicily.

1. Witness Sworn.

2. Q. Please give your name, rank, organization, serial number and station.

A. 1st Lt. John J. Smyth, O-797092, 29th Troop Carrier Squadron. I am stationed at Mile, Sicily.

3. Q. Have you been present throughout the testimony given yesterday and today by Lt. Kreidt?

A. Yes Sir.

4. Q. And have you heard the reading of the 24th Article of War to him, all the questions put to him and the answers?

A. I have.

5. Q. Do you understand your rights under the 24th Article of War?

A. I do.

6. Q. If I were to ask you the same questions which I asked Lt. Kreidt would you give substantially the same answers in so far as that testimony relates to you?

A. I would.

7. Q. Lt. Kreidt testified that the officials at the police station spoke only a few words of English and that you carried on all the conversation with them in connection with this matter in French. Is that correct?

A. That is.

8. Q. Will you please state the substance of your conversation with the police officials?

A. I asked the Italian officer in charge to show me their firearms. He took Lt. Kreidt and myself into a room, the walls of which were lined with Italian rifles and a number of old pistols. I told him that I would like to have three (3) pistols and he answered that that would be impossible as he was ordered by the Mayor of the town not to allow any of the pistols be taken from the building. I told him to let me have a plain slip of paper and I would fill out a requisition which he could give to the Mayor if the occasion arose. He gave me the paper and I wrote out the receipt in question. I signed the receipt, John J. McHugh and gave a false serial number. Lt. Kreidt signed for himself and Lt. Barber using correct name and serial number of Lt. Barber and himself. After we signed the receipt the officer in charge handed over the three pistols and we left the building.

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9. Q. Referring to the letter from AMGOT Headquarters, dated September 19, I ask you if it correctly quotes the receipt which you and Lt. Kreidt signed?

A. Yes, it does.

10. Q. Your name is not Lt. John J. McKugh?

A. No.

11. Q. And your serial number is not O-654320?

A. That is correct.

12. Q. But this is the name and serial number you signed to the receipt?

A. That is correct.

13. Q. What is your understanding of the meaning of the phrase "78 TGR 426 ABS" which you wrote in that receipt?

A. It has no meaning at all. It's simply a fictitious organization which we gave to satisfy the officer in charge.

14. Q. In other words this phrase was merely so much abracadabra designed to give the receipt an air of official authority?

A. That is correct.

15. Q. What was your understanding of the nature of this transaction or of your authority to so confiscate or requisition the pistols?

A. I fully realized that I had no authority to confiscate the pistols, however as Lt. Kreidt stated, we were very anxious to acquire Berretti pistols and it appeared to me that that would be the easiest way and in my mind the least harmful.

16. Q. For what purpose did you desire the Berretti pistols?

A. Simply for souvenirs.

17. Q. There was then no "urgent need".

A. No.

18. Q. Lt. Kreidt testified in substance, if I recollect correctly, that you were told prior to this event that this would be an appropriate procedure by which to obtain Italian pistols. Is that correct?

A. I wasn't told that it was the most appropriate way of acquiring pistols but that it was the easiest way and that by using this method we would incriminate no one and also have a greater selection to pick from. 2976

CONFIDENTIAL

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19. Q. Who was the Major who told you so?

A. I honestly don't know. He was an officer at some field in Sicily, and he showed me his collection of foreign arms.

20. Q. Did he state he had used this method?

A. When I asked him how he acquired the pistols he said it was the common practice of the officers whom he knew to use this method.

21. Q. At what airfield did you meet this Major?

A. I don't remember the airfield. At the time when the opportunity of acquiring the pistols presented itself, I followed his suggestion.

22. Q. Were you stationed on the airfield where you met this Major?

A. No.

23. Q. Was your organization stationed there?

A. No Sir.

24. Q. Was this airfield in Sicily?

A. I could not say whether the field was in Sicily or Africa.

25. Q. Is it therefore your testimony that although you met this Major, examined his collection of foreign pistols and the like and received this suggestion from him and was able to recall the suggestion prior to the event which is the subject of this investigation, you are nevertheless within a short time after that event unable to recall whether the airfield at which you met this Major and had that conversation with him was in Sicily or Africa?

A. Yes. Because at that particular time we were making two and three trips a day between Africa and Sicily, and on landing at fields in either Africa or Sicily, naturally carried on conversations with the officers who we carried over, or met at the fields.

26. Q. Are you able to recall the approximate time of this conversation?

A. No sir.

27. Q. Are you able to recall whether it was between the 15th of July and the 6th of September?

A. I believe it was.

28. Q. Do you recall whether it was between the 1st of August and the first of September?

2975

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- A. Before the first of September. At that time I heard of the method of procuring the pistols but had no particular opportunity of putting it into execution and therefore I cannot recall when it occurred. I am almost certain, however, that it was more than a week before the event in question.
29. Q. That would place the conversation with the Major sometime during the month of August?
- A. Yes.
30. Q. Do you recall how many flights you made during the month of August?
- A. No.
31. Q. Do you have available to you any record of the flights which you made during that month?
- A. Our squadron has a record of the number of flights and also the fact that they were between Africa and Sicily. At the time it was the practice of the crew chiefs to write on AAF Form # 1, the point of departure from Africa which was usually definite and most often the same field at Kairouan. Our destination was usually marked Sicily unless the flight was to Ponte Olive, Catania, Palermo or some such well known place.
32. Q. Are you able to recall whether you met the Major at any of the three airfields you mentioned?
- A. I cannot recall any.
33. Q. Could you describe the Major from his physical appearance?
- A. I believe he was about 5 feet 10 1/2 inches, about 170 lbs and had dark hair.
34. Q. Was he an Air Corps officer, and if so, a flying officer?
- A. I don't believe he was an Air Corps officer.
35. Q. Was he a passenger on your airplane?
- A. I don't think he was a passenger on the plane. He was, I think, a passenger on one of the planes parked across from ours.
36. Q. Was it a plane of your Squadron?
- A. That I could not say.
37. Q. Was it a Troop Carrier plane?
- A. Yes.
38. Q. Was anyone else present at your conversation with the Major?
- A. There were no officers present. As I recall, everyone was walking by the planes. I happened to be passing the Major when his baggage and his pistol caught my eye.

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39. Q. Do you recall anything about his baggage which would assist you in identifying him?

A. So sir, because the passengers of all planes had baggage ^{which} had just been removed from the plane.

40. Q. Then, would it not have been that this officer was a passenger on a ferrying mission of which your plane was a part.?

A. He might have been a passenger on the incoming plane or he might have been waiting there for transportation out. I don't know if he had arrived or was preparing for departure. My conversation with him was very brief, as I had to leave.

41. Q. Did this conversation take place before or after your Squadron moved its base to Sicily?

A. Before.

42. Q. Do you remember when your Squadron moved its base to Sicily or at least do you remember when you moved?

A. The last part of August or the early part of September.

43. Q. Did this conversation take place before or after you moved to Sicily?

A. I am almost certain it was before.

44. Q. Would you be able to recognize this officer if you saw him again?

A. Not with certainty.

45. Q. Is there in fact a Lieutenant Barber?

A. Yes there is.

46. Q. But he was not present at the police station?

A. That is correct.

47. Q. You signed his name and serial number to the receipt?

A. No, Lt. Kreidt did.

(Question directed to Lt. Kreidt)

Q. Is that correct?

A. That is right. I am not sure if I got Barber's correct serial number.

48. Q. Have you anything further you wish to add to your testimony?

A. I do not wish it to be thought that I am able to remember the Major I talked to because I do not as at that time everything was in a state of flux and he was somebody whom I just ran into on a field.

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49. Q. Again, is there anything further you wish to add to your testimony?

A. No.

Testimony given by 2nd Lt. Chester W. Barber, 29th Troop Carrier Squadron to 1st Lt. George J. Banigan, Staff Judge Advocate, XII Troop Carrier Command, (Prov), on 6 November 1943 at Headquarters XII Troop Carrier Command (Prov), Palermo, Sicily.

1. Witness Sworn.

2. Q. Please give your name, rank, organization, serial number and station.

A. 2nd Lt. Chester W. Barber, O-520225, 29th Troop Carrier Squadron. I am stationed at Mile Air Base, Sicily.

3. Q. Have you been present throughout the testimony given yesterday and today by Lt. Kriedt, and Lt. Smyth?

A. Yes sir.

4. Q. And have you heard the reading of the 24th Article of War to them and their testimony?

A. I have.

5. Q. Do you understand your rights under the 24th Article of War?

A. I do.

6. Q. If I were to ask you the same questions which I asked the other two officers would your answers be substantially the same in so far as their testimony relates to you?

A. Yes.

7. Q. Are you the Lt. Barber whose name and serial number it was testified to was signed to the receipt given for the pistols at the Italian police station?

A. Yes sir.

8. Q. Were you present on that occasion?

A. No sir.

9. Q. Did you authorize anyone to sign your name to such a receipt?

A. No sir.

10. Q. Did you have any conversation prior to the event with the other two officers who just testified?

A. No sir.

CONFIDENTIAL

CONFIDENTIAL

11. Q. Did you have any conversation with the other two officers with respect to this matter after the event?

A. Yes sir.

12. Q. Please state the substance of that conversation?

A. They came into my room on their return to the hotel and gave me the pistol and I asked them where did they get them? They said they got them at the police station down town.

13. Q. Were you told by them that your name had been signed to the receipt?

A. Yes.

14. Q. Did you take the pistol?

A. Yes.

15. Q. Did you retain it?

A. Yes.

16. Q. Until you were told by your commanding officer to return it?

A. Yes

17. Q. Have you anything further you wish to add to your testimony?

A. No.

The foregoing transcript of ten (10) typewritten pages has been read to the undersigned. It correctly records our testimony, respectively.

Daniel C. Kreidt

DANIEL C. KREIDT,
2nd Lt., A. C.,

John J. Smyth

JOHN J. SMYTH,
1st Lt., A. C.,

2971

Chester W. Barber

CHESTER W. BARBER,
2nd Lt., A. C.

7 November 1943

CONFIDENTIAL

SUBJECT: Appropriation of Firearms from Finance Guard U.S. Personnel.

AMGOT HQ., SICILY,
AMGOT/1050/PS
19 September 1943

TO : Provost Marshall,
7th Army.

The following report dated 14 September, submitted to our Division, is forwarded to you for any action that may be deemed necessary.

- "1. On 6 September 1943, time unknown, at the Caserma of the Finance Guard.
2. Three pistols belonging to the Finance Guard were confiscated.
3. by three officers who gave to the Finance Guard a note which read as follows: "9-6-43 Three pistols were taken from this station by the undersigned officers. There was an urgent need for same. 78 TGR 426 ABS"
signed Lt. J.T. McHugh O-654320
signed Lt. D.C. Kreidt O-520201
signed Lt. C.W. Barber O-520225

Inquiry at 52nd Wing, Troop Carrier Command revealed that these officers are assigned to 29th Troop Carrier Squadron, 313 T.C. Command. The location of this unit is unknown to this office.

S/ LEMUEL L. BOLLES
T/ LEMUEL L. BOLLES
Colonel, Inf.
Commissioner of
Public Safety.

CERTIFIED a true copy of the AMGOT Letter referred to in our testimony given November 5 and 6 at Headquarters XII TCC (Prov).

Daniel C. Kreidt 297.0
DANIEL C. KREIDT,
2nd Lt., A. C.,

John J. Smith
JOHN J. SMITH,
1st Lt., A. C.,

Chester W. Barber
CHESTER W. BARBER,
2nd Lt. A. C.
7 November 1943

(Ltr, Asst Hq. Sicily, sub: Approp. of Firearms from Finance Guard by U.S. Personnel, dated 19 September 1943)

9th Ind.

G-5

HEADQUARTERS, 52ND TROOP CARRIER WING, AAF, APO 760, U.S. ARMY, 20 Oct. 1943.

TO: Commanding General, XII Troop Carrier Command (Prov).

Attention is invited to 7th Indorsement

For the Commanding General:

William F. Havran
WILLIAM F. HAVRAN,
Captain, Air Corps,
Adjutant.

10 Ind.

C-3-1b

HQ, XII TCC, APO 760, 22 Oct 1943.

TO: CG, Twelfth Air Force, APO 650.

Attention is invited to 7th Indorsement.

For the Commanding General:

William H. Nunneley
WILLIAM H. NUNNELEY,
1st Lt., Air Corps,
Actg Asst Adj Gen. r

12

11th Ind.

C-23

HEADQUARTERS TWELFTH AIR FORCE, APO 650, 26 October 1943.

TO: Commanding General, XII Troop Carrier Command, APO 760.

It is desired that the basic report and the 7th indorsement thereof be brought to the personal attention of the Commanding General, XII Troop Carrier Command, for his action and report. Particularly to be cleared up is the statement as to the "urgent need" alleged to have been signed by the officers involved. 2069

By command of Lieutenant General SPATZ:

William W. Dick
WILLIAM W. DICK
Colonel, A.G.D.,
Adjutant General.

6th Ind.

FAM/jcw

HQ., 313TH T. C. GROUP, APO 760, U. S. ARMY, 12 OCTOBER 1943.

TO: CO, 29th T. C. Sq., APO 760, U. S. Army.

For compliance.

By order of Colonel ROBERTS:

Frederick A. Meier
FREDERICK A. MEIER,
1st Lt., Air Corps,
Adjutant.

7th Ind.

29th Tr Carrier Sq, 313th TC Gp, APO 760, US Army, 16 October 1943.

TO: CO, 313th TC Gp, APO 760, US Army.

1. In compliance with 3rd Ind, an investigation of the transaction mentioned in basic communication was made.
2. The action of the Officers in question was based on information of some American Officer, name not known, who stated that such procedure was an orderly manner of securing a pistol for souvenir.
3. Pistols have been returned to rightful custodian and it is assured that such unofficial actions on the part of members of this Squadron, have, and will continue to be strongly discouraged.

Quinn M. Corley
QUINN M. CORLEY,
Lt Col, Air Corps,
Commanding.

8th Ind.

FAM/jcw

HQ., 313TH T. C. GROUP, APO 760, U. S. ARMY, 17 OCTOBER 1943.

TO: Commanding General, 52nd T. C. Wing, APO 760, U. S. Army.

Forwarded.

For the Commanding Officer:

Frederick A. Meier
FREDERICK A. MEIER,
1st Lt., Air Corps,
Adjutant.

2968

ANGOT HQ, SICILY, sub: Appropriation of Firearms from Finance Guard by U.S. Personnel, dated 19 September 1943)

250.1

3rd Ind.

Z-EAC-2

HQ, TWELFTH AIR FORCE, APO 650, U.S. Army, 2 Oct. 1943.

TO: CG, XII Troop Carrier Command, APO 760, U.S. Army.

1. Forwarded.

2. Investigate and report to this Headquarters explaining in detail this action.

By command of Lieutenant General SPAATZ:

C. E. Parks
C. E. PARKS,
Captain, A.G.D.,
Ass't Adj. General.

250.1

4th Ind.

C-3-ssh

HQ, XII TCO, APO 760, US ARMY, 5 October 1943.

TO: CG, 52nd TC Wg, APO 760.

For compliance with 3rd indorsement.

By command of Brigadier General WILLIAMS:

William H. Munneley
WILLIAM H. MUNNELEY
1st Lt., Air Corps
Actg Asst Adj General

5th Ind.

G-36

HEADQUARTERS, 52ND TROOP CARRIER WING, AAF, APO 760, U.S. ARMY, 10 October 1943.

TO: Commanding Officer, 313th Troop Carrier Group.

For compliance with 3rd Indorsement.

By command of Brigadier General CLARK:

William F. Mavran
2967
WILLIAM F. MAVRAN,
Captain, Air Corps,
Actg Adj General.

250.1 PM

1st Ind.

RJH/jg

Headquarters Seventh Army, APO # 758, 22 Sept, 1943.

TO: Commanding General, XII A.S.C., APO # 760 U.S. Army.

1. Forwarded for your information.

For the Commanding General:

Albert A. Lindquist
ALBERT A. LINDQUIST
Major A. G. D.
Assistant Adjutant General

250.1

2nd Ind.

G-ARL-sjs

Hq., XII ASC, APO 766, 28 September 1943

To: Commanding General, Twelfth Air Force

ARL
A. R. L.

2966

SUBJECT: Appropriation of Firearms from Finance Guard by U.S. Personnel.

AMCOT HQ., SICILY.
AMCOT/1050/FS
19 September 1943

TO : Provost Marshall,
7th Army.

The following report dated 14 September, submitted to our Division, is forwarded to you for any action that may be deemed necessary.

- "1. On 6 September 1943, time unknown, at the Caserma of the Finance Guard.
2. Three pistols belonging to the Finance Guard were confiscated.
3. by three officers who gave to the Finance Guard a note which read as follows: "9-6-43 Three pistols were taken from this station by the undersigned officers. There was an urgent need for same. 78 TCR 426 ABS"
signed Lt. J.T. McHugh O-654320
signed Lt. D.C. Kreidt O-520201
signed Lt. C.W. Barber O-520225

Inquiry at 52nd Wing, Troop Carrier Command revealed that these officers are assigned to 29th Troop Carrier Squadron, 313 T.C. Command. The location of this unit is unknown to this office."

Samuel L. Bolles
SAMUEL L. BOLLES
Colonel, Inf.
Commissioner of
Public Safety.

2905

26.
EXCERPT FROM MEETING OF ARVINOLI C.A.P.O.'s HELD AT HQ, AMOT., PALERMO AT 1900 HRS
6TH OCTOBER 1943
AMOT/1039/FS

7. Organisation and Control of La Guardia di Finanza.

Supt. Civil Police explained that this is a special organization formerly under the control of the Minister of Finance in Rome. The organization had become disrupted following the occupation of Sicily but the following points should be noted :

- (i) The GCFF will co-operate with the Civil Police Section.
- (ii) The discipline and control, including transfers, are the responsibility of the Superior Command in Palermo.
- (iii) The Superior Command will also work in collaboration with the Chief Revenue Officer of the Finance Division, AMOT.
- (iv) The Finance Division will deal with matters affecting the duties of the GCFF.

2934

SUBJECT: Alleged practice of graft
by Guardia di Finanza.

25
File
REC-1039/TS
ADM. H. SICILY
October 22, 1950

TO : Civil Police Section,
CO. HQ. Barracks, Palermo.

1. Lt. M.R. Ledy, Commander of the 1st. Platoon, Battery I,
62 GAA came to this office this morning to report the following:

The personnel of the Platoon Command Post, of which he is
at the moment Commanding Officer, stationed since August 5th. at
SPERACAVALLA, have observed that the Guardia di Finanza, located
directly across the road on a sharp curve near SPERACAVALLA, opposite
their H.Q., have been practicing all kinds of graft, extortion etc.
from people coming into Palermo.

The procedure followed by the Guardia is to confiscate
about 50% of the taxable goods such as Olive Oil, Pasta, Wine, Soap,
coal, etc. and then the person is allowed to continue on his way
after he has paid the tax on the remaining portion after confiscation.

2. Lt. Ledy furthermore, adds that all trucks stopped by
the Guardia on this curve, be allowed to remain parked elsewhere than
the curve, as this is obviously a danger to oncoming traffic.

3. This is forwarded to you for any action you deem
appropriate.

LEONARD L. KELLAS
Colonel, Inf.
C.P.S.

2963

SUBJECT:- LA GUARDIA DI FINANZA. Ref.No. 6To S.C.A.Os, ~~Conservatori~~ F.Os,with copies sufficient for distribution to C.A.Os.
C.A.Os. F.Os. R.Os.

1. La Regia Guardia di Finanza is constituted under Italian Law for the performance of the following duties:-

(a) Supervision at source of yield of the following revenues:-

- Customs Duties.
- Production Taxes.
- Taxes on beer, wines, and spirits.
- State Monopolies.
- Direct Taxation and taxes on affairs.

(b) Guarding and patrolling, in the Revenue interest, the coast-line and adjacent territorial waters; frontiers, lakes, lagoons and ports, including airports, and all points at which revenues are charged or liable to be charged.

(c) Special Investigation of Revenue offences, ^{(prevention, detection and/} repression of smuggling and tax evasion.

2. The Corps is organised in Zones, Legions, Circuits (Circolo), Companies, Platoons, Sections, and Brigades, to which are assigned certain areas of territory for supervision and executive duties. In addition to, but under the administrative control of the higher of these formations are two specialized sub-divisions, viz.,

(a) Squadrons, normally provided with sea-craft, for Revenue service afloat, ^{wearing naval uniform}.

(b) Nuclei di Polizia Tributaria, specially selected personnel for observation, investigation, research, and verification in all cases of suspected Revenue offences ^{a plain-clothes force}.

3. In the general dislocation of services and communications since the occupation of Sicily, the Corps may have been employed on duties other than those set forth above. This is provided for, in a state of emergency, in the Regulations of the Corps. It should be borne in mind, however, that the primary function of the Corps is a Revenue ~~main~~ one.

4. In existing circumstances, concealment of liability and evasion of tax-paying on the part of the population may be anticipated on an abnormal scale. ²⁹⁶²
Also "Black market and control of merchandise"

5. You will therefore ensure that the activities of the Corps in your area ~~mentioned~~ are ~~main~~ especially directed towards the tightening of the Law in so far as Revenue charge and collection are concerned, ^{and that no laxity} is permitted. Please contact the senior officer of the Corps in your district and impress this matter upon him, and satisfy yourself by visit and test-check, if necessary, that he and his subordinates are in fact carrying out their Revenue duties to the utmost.

Direct Taxation and taxes on affairs.

- (c) Special Investigation of Revenue offences, (prevention, detection and repression of smuggling and tax evasion.

(2) Squadrons, normally provided with sea-craft, for Revenue service afloat, *wearing naval uniforms.*

- (b) Nuclei di Polizia Tributaria, specially selected personnel for observation, investigation, research, and verification in all cases of suspected Revenue offences - a plain-clothes force.

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6. Any instance of neglect of duty or lack of zeal ~~on~~ by units or members of the Corps should be reported to this H.Q. without delay. Similarly all ~~existing~~ offences by members of the public brought to notice by the Corps should be prosecuted by either Allied Military Court procedure or Civil Authority according to the nature of the offence.

Dr. Grasseley/meth.

H.Q., Civil Police Section
ANGOT, for C. P. S.
15 ARMY GROUP.
31 August 1943.

COLONEL,
CHIEF FINANCIAL OFFICER.

15 ARMY GROUP.
31 August 1943.

Subject:- La Guardia di Finanza.

To C.F.O.

From C.R.O.

Reference AMGOT/1039/P3 dated 17 Aug. 1943

I have conferred with Lt Col. Shook on this matter and have furnished him with a copy of my report ref. no. CRO/012/1 dated 25 Aug. 1943

The following points emerge:-

1. The duties under Italian Law are clearly established and provide for the utilization of this force on other duties in emergency.
2. From the AMGOT angle, Lt. Col. Shook is satisfied that the duties are primarily Revenue and the efforts of the Force will be directed increasingly thereto, in accordance with the drive to use 2084 Police agencies to the utmost. La Guardia Finanza are to submit reports on progress to Public Safety Division.

I have compared

matter and have furnished him with a copy of my report ref. no. CRs/012/1 dated 25 Aug. 1943

The following points emerge:-

1. The duties under Italian law are clearly established and provide for the utilization of this force on other duties in emergency.

2. From the AMGOT angle, Lt. Col. Hook is satisfied that the duties are primarily Revenue and the efforts of the Force will be directed increasingly thereto, in accordance with the drive to use 2861 Police agencies to the utmost. Lt. Guardia Finanza are to submit reports on progress to Public Safety Division.

3. I suggest that S.C.A.O.s, C.A.O.s, F.O.s & R.O.s be advised to pin down the Guardia in their districts especially at present when opportunities for tax evasion & concealment of liability are abundant.

~~Don't let them know~~

H.G. Angot
30 Aug. 1943

R.S. Whitson Major RA
Revenue Det.
Fin. and Div.

Ref No. CR0/012/1

La Regia Guardia di Finanza:
Authority, Constitution, and Duties.

To:- C.R.O.
E.O., AMGOT.

The following report shows in abbreviated form the Authority, Constitution and Duties of La Regia Guardia di Finanza, condensed from the Regolamento di Servizio for the Corps dated 1931, obtained from the Commandant for Palermo, and lent to me by Lt. Col. Snook, Public Safety Div. These Regulations form the basic code on which the Corps and its work are founded, and, subject to minor amendments of a temporary nature by periodic official circulars it is the most recent issue.

Authority. The Regulations were approved by Royal Decree No. 1643, 6 Nov. 1930, having been proposed and codified under authority of the Secretary of State for Finance.

Constitution. The corps was constituted from various sources during the history of Italy. It was and is essentially a Revenue protection establishment. Up to the 17th century it was known as La Guardia Dogana - or Customs Guard. At the present time it is divided and sub-divided into Zones, Legions, Circuits (Circolo), Companies, Platoons, Sections and Brigades; Nuclei of Polizia Tributaria, and Squadrons for service afloat. Territorial jurisdiction and Command of personnel coincide with these divisions and sub-divisions.

Down to and including Sections, jurisdiction and command are mainly administrative and supervisory. The executive sub-divisions are the Brigades, Nuclei and Squadrons.

To each of these is allotted a stretch of coastline or zone of territory or airspace to guard for Revenue purposes, to detect and prevent Revenue fraud and to prosecute urgent inquiries in regard thereto.

Personnel may not go beyond these zone-limits, save in emergency such as to pursue smugglers, conduct urgent inquiries, answer calls for help, or render aid in public or private catastrophe, without specific orders from their higher authority.

It is prohibited to employ the Corps in extraneous duties.

The Corps is liable to serve in the Colonies.

The Corps is constituted on the basis of permanent service, with provision for casual employees.

Duties. The Permanent Regulations of the Service determine its jurisdiction and competency in each branch, and lay down in detail the duties for which the units are responsible.

Broadly speaking the duties comprise vigilance and supervision of

2960

Authority. The Regulations were approved by Royal Decree No. 1009, 6 Nov. 1930, having been proposed and codified under authority of the Secretary of State for Finance.

Constitution. The corps was constituted from various sources during the history of Italy. It was and is essentially a Revenue protection establishment. Up to the 17th century it was known as La Guardia Dogana - or Customs Guard. At the present time it is divided and sub-divided into Zones, Legions, Circuits (Circolo), Companies, Platoons, Sections and Brigades; Nuclei of Polizia Tributario, and Squadrons for service afloat. Territorial jurisdiction and Command of personnel coincide with these divisions and sub-divisions.

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The Corps is constituted on the basis of permanent service, with provision for casual employees.

Duties. The Permanent Regulations of the Service determine its jurisdiction and competency in each branch, and lay down in detail the duties for which the units are responsible.

Broadly speaking the duties comprise vigilance and supervision of the public with regard to:-

Customs
Production Taxes
Government taxes on wine, spirits and beer.
State monopolies
Direct Taxation and Taxes on businesses.
All laws and regulations relating to the Revenue interest.
Co-operation in political vigilance at frontiers.

Jurisdiction extends over the whole kingdom, territorial waters and territorial airspace, but principally the Corps exercises uninterrupted control over the coastline, zone of Customs guard, saltines, cultivation of tobacco, factories, warehouses, deposits, corporations, and persons engaged or concerned in businesses subject to Revenue Control.

- 2 -

Executive Duties The Brigades are divided into Frontier Brigades and Coastal Brigades and sub-divided again into :-

Brigades for Ports, Lakes, Lagoons, etc., who guard the sea spaces in their jurisdiction.

Brigades Stanziali (Static) for permanent attendance on Revenue guard duties over salmines, factories, deposits, warehouses, etc.

Brigades Volanti (Flying Squad) as a second line force to control and follow up operations by the first line of revenue defence, to arrest smugglers and otherwise prevent Revenue fraud.

The Squadrons are designed for service afloat, wear a quasi-naval uniform, and are provided with craft. They comprise:-

- (a) Cruising units, operating at large in territorial waters.
- (b) Coastal units, surveying Customs boundaries and controlling the movements of shipping in the immediate vicinity of the coast.
- (c) Port units, operating within the ports on guard duties, passenger and transport services for Corps personnel during visits, inspections, and control.

The Nuclei di Polizia Tributario are a plain-clothes force, acting as a Revenue Special Investigation Staff to follow up by observations, investigations, verifications, research and specialized methods and measures, to the final end of Revenue vigilance, preventive and repressive.

They also control closely, in conjunction with the Brigades Volanti - taxes on Betting Slips, Public Spectacles, Advertisements, Illuminated Signs, Vehicles and Motorboats, Playing Cards and Stamp duties.

They work in close liaison with all the Brigades.

All Departments of the whole Corps must advise the Nuclei of all Revenue offences.

Each Nucleo operates in three interdependent troops:-

- (a) Repression of smuggling - Customs, Monopoly, and Production Taxes.
- (b) Taxes on affairs.
- (c) Direct Taxation.

Tours of Duty. Hours of duty and rest for the Corps are prescribed according to the nature of the duty, such as Sentry and Outpost, Search and Ambush, Visits, Inspections and Investigations, Patrols by Sea craft etc. 2959

Arms. The Corps is armed with rifle, or pistol, and bayonet at all times except in barracks. Regulations prescribe occasions on which bayonets shall be fixed.

(a) Cruising units, operating at large in territorial waters.

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Hours of Duty. Hours of duty and rest for the Corps are prescribed according to the nature of the duty, such as Sentry and Outpost, Search and Ambush, Visits, Inspections and Investigations, Patrols by Sea craft etc. 2959

Arms. The Corps is armed with rifle, or pistol, and bayonet at all times except in barracks. Regulations prescribe occasions on which bayonets shall be fixed.

General. The Corps is responsible for duty at Customs Airports and generally to maintain the Air Navigation Laws. It also exercises authority over the following:-

- Maritime Code.
- Public Water Sources.
- Private Post.
- Hunting and Fishing. (Licences and legal methods)
- Fraud in preparation and marking of substances for agrarian use and agrarian products.
- Drugs.
- Firearms.

The Corps may also act in substitution or aid of other police forces under special circumstances and prescribed powers, and on a reciprocal basis. It also exercises discreet observation on the actions of Revenue officials.

Conclusion.

The Comandante Generale della Regia Guardia di Finanza exercises the mandate conferred on him by the laws and ordinances of the Corps under immediate authority of the Minister of Finance.

Note for C.R.O.

Except that it is an armed force, and in a country like Italy with land frontiers, operates inland as well as on the sea-board, this Corps is analogous in many respects to the Waterguard Department of the Customs and Excise in the United Kingdom. Its duties are obviously specialized, and, subject to further review in operation, the re-organization and transplantation of it into a purely Police Force would tend to deprive the Revenue Organization, *prima facie*, of its main executive body.

ALLOT H.Q.,
15 Army Group.
25 August 1943.

20 C.F.O.

26 Aug 1943

W. H. H. H.
T. W. CHILBERTSON,
Major R.A.
Revenue Section
Finance Division

W. H. H. H.
Major.
for C.R.O.

2938

