

ACC

10000/143/712

M  
A

10000/143/712

MURDER & ARREST OF YUGOSLAV NATIONALS  
APR. 1945 - OCT. 1946

22.

P.S. S/C.

37 to 39 Rtd. No good purpose can be served by  
investigating Capt. Morris' action. Understand  
he has no left to Allied Commission for work elsewhere  
in the theatre. In my opinion the Naval authorities  
were mainly to blame in giving passage to an  
individual who had no substance of Super clearance  
papers.

The case like that of many others is under consideration  
by Desfer. S/C

28/3/46

McAnby  
V.P.C. Sec

*Scott*  
*28/3/46*

4614

17

negate ~~21~~ <sup>A</sup> ~~MINREVOO~~ YRATIM CEMIA  
Re you 31.

Please see action for 31<sup>A</sup>. You will  
be informed of the result.  
23/46.  
2.15.65  
Frank Julian  
L.H.W.

18

Safety. Minute doesn't understand.

See ~~23/46~~  
2.15.65  
MB  
W. H. H. H. H.

26.7.46.

19

DMS 34<sup>A</sup> has been prepared in answer to 21<sup>E</sup> from  
AFNR in accordance with 'A' of Min 14. For signature  
please. All letters between 21<sup>E</sup> and 34<sup>A</sup> refer to this  
case except 22<sup>A-B</sup> to 26<sup>A</sup>  
14<sup>A</sup>.  
2.15.65.  
Standby will send this

Legal Please see 34 A & return to P.S. 5/6

See  
9/2/65  
5/9/65  
Legal Sec  
H. S. P. Sec  
C. Sec

DMS Please see 37<sup>A</sup> 38<sup>A-B-E</sup> and 39<sup>A-E</sup>. In this case

Minute (seen & understood)

MB  
to Mr. Kuyent  
K. L. BAZ

26.7.46

Seen  
23.7.46

19

DAS 34A has been prepared in answer to 21<sup>0</sup> from AFHQ in accordance with 'A' of Min 114. For signature please. All letters between 21<sup>e</sup> and 34<sup>A</sup> refer to this case except 22<sup>A</sup> to 26<sup>A</sup> *Handwritten signature*

1X4  
20

Legal. Mc

Please see 34 A & return to P.S. 1/e

*Handwritten signature*  
CR-sec

Seen  
9/8/46

Legal. Sec

DAS Please see 37<sup>A</sup> 38<sup>A-B-C</sup> and 39<sup>A-E</sup>. In this case a Lt. RNVR was concerned in the unlicensed sea passage of a Yugo-Slav from Sicily to Malta. The Yugo-Slav has now been returned to Sicily and the Italian Police informed. It is suggested that the action of At 'A' on 30<sup>B</sup> be investigated. Capt Moon is not the CTO of the vessel. N.F.A. is recommended. *Handwritten signature*

26<sup>3/</sup>  
3.12.46

Minute Sheet.

14

14

*Review of Information  
written to*

*also L.O.*

To Public Safety Sub Commission.

Please see folio 22C AFHQ require information on the Yugoslavs mentioned in that letter. The only information which Legal Sub Commission have concerns VINKO DUFALIC (see folios 16K ~~17~~) Folios 168K (translation) show that the Yugoslavs have interested themselves in other similar cases and that the Italian Government are making enquiries.

Folios 17B shows that at least one prisoner (not mentioned in AFHQ letter) is being handed over to the Yugoslavs.

Folio 22C is for information.

Folio 27B is attached for information. It has not been sent but para 2 sets out the present law on the subject re. citizenship of those born in ISTRIA.

Please investigate the seven cases shown in AFHQ letter 'A' and prepare a reply for signature by the V.P..

10

Details required in each case should cover, the charges against each (whether against AMG or Italian Law), where they are held, whether they have been tried, sentences imposed and such other relevant information as should be forwarded to AFHQ.

Please treat as urgent.

*Plaint Reading, May 16/46*

✓ C.A. Section.

19th Jan 46.

- 15

C.A. Section:

*Action was taken by this SAC (without prompting or meddling) on folio 27C (copy of solicited was received) under date of 17 January, by instituting an inquiry to procure*

Folio 17B shows that at least one prisoner (not mentioned in AFHQ letter) is being handed over to the Yugoslavs.

Folio 22C is for information. Folio 22B is attached for information. It has not been sent but para 2 sets out the present law on the subject re. citizenship of those born in ISTRIA.

Please investigate the seven cases shown in AFHQ letter and prepare a reply for signature by the V.P..

Details required in each case should cover, the charges against each (whether against AMG or Italian Law), where they are held, whether they have been tried, sentences imposed and such other relevant information as should be forwarded to AFHQ.

Please treat as urgent.

*Phinisterre, May 1946*

C.A. Section.

19th Jan 46.

- 2 - 15

C.A. Section:

Action was taken by this SAC (without prompting or meddling) on folio 24 (copy of which was received) under date of 17 January, by instituting an inquiry to procure the necessary information.

When the information is received the paper letter will be prepared.  
21 Jan 46.  
*Chapman*  
Col. H.P.D.

2 16

P.O.S.C.

Ref. minute 2 attached documents are returned for inclusion in your file, if considered necessary. Pl. include folio 13 in your file.  
*Phinisterre, May*  
C.A. Section.

25 Jan.

956

AC

11

C.A.S.

22<sup>A</sup> received in reply to 18<sup>A</sup>.  
is submitted for information.

25/1/46.

E J Bye Col.

12

- ① Ex Comm ✓
- ② Polad (A) *Mark*
- ③ Polad (B) *Mark*

To see 23<sup>A</sup>.

Full Ex Comm. show to CC who will wish to know  
the result of the correspondence

25/1/46

*AS 2/1*

McCartney

V.P.C.A.S. *Y*

13  
TW 2/11

I wish in Italian front - and  
probably we also - will ~~not~~ live  
to regret yielding to blackmail in this  
case.

Seen by  
V.P.C.A.S. 2/11/46.

J. Hopkinson

Jan 30.



8

Office note.

Discussed 17A and particularly para 3 with  
 Mr Wesley Jones (Pstad A) January 19<sup>th</sup>  
 His recommendation is that the whole of 17A  
 should be conveyed to the Minister of Grace  
 and Justice who should be left to think the  
 matter out and give his views to the Hon Pro.  
 At the same time a full report should be sent  
 to A.F.H.J. of the most recent developments and  
 of the action taken.

MC

19/11

Informed Mr Stephenson (Pstad B) of above opinion

9

Referred matter to Chief Commissioner who directed  
 that the action proposed by Pstad (A) in Minute  
 9 should be followed and that on letter of the  
 Ministry of Grace and Justice should point  
 out that the threat of refusal was not  
 supported by the Commissioner.

C.C. to have a copy of the letter sent to the  
 Ministry of Grace and Justice  
 Copy of D. Subudoko letter & a full report to  
 be sent to A.F.H.J.

made out and given his views to the Bd. of Pro.  
At the same time a full report should be sent  
to A.F.H.Q. of the most recent developments and  
of the action taken.

19/11 MC

Informed Mr. H.S. Khosla (Ptad B) of above opinion

9

Referred matter to Chief Commissioner who directed  
that the action proposed by Ptad (A) in Minute  
9 should be followed and that on letter to the  
Ministry of Grace and Justice should first  
be sent that the threat of reprisals was not  
suffered by the Commission.

C.C. to have a copy of the letter sent to the  
Ministry of Grace and Justice  
Copy of D. Subudlaka letter & a full report to  
be sent to A.F.H.Q.

Office of the Executive Commissioner (Ptad B) (Hearings)

MC

19/1/46

10.

Ptad (A)  
Ptad (B)

15 Jan 25

To Sir Minutes 7 to 9 and action taken at  
Tolus. 18 A to 20 A.

M. An. Bayatan  
V. R. C. A. S.

21/1/46

C.A. Sec. Please see 17<sup>A</sup>. <sup>5</sup> 18<sup>A</sup> has been sent to H. of Grace  
 and Justice, and 19<sup>A</sup> has been prepared as a acknowledgement  
 for D<sup>r</sup> SMODLAKA.

Wanda Wilson Wld.

18/46.

Ent 365.

6.

spoke in P.S. S/c. The letter at RA should ~~have~~  
 have never been signed & sent to C.R. process. It has  
 been recovered and cancelled. M.C.

7.

Discussed 17A and particularly para 3. with Mr. Johnson  
 POLAD(B) on 18 Jan. at British Embassy.

It was suggested that V.P. C.A. Section should  
 send for D<sup>r</sup> Smodlaka and inform him: -

(1) That the Allied Commission did not act  
 under the force of threats and were not  
 prepared to pass on threats to the Italian  
 Government.

(2) That if D<sup>r</sup> Smodlaka would withdraw the  
 letter at 17A every endeavour would be made  
 to get the Minister of Grace and Justice to release  
 Magasich in view of the fact that the sentence appeared  
 to be a harsh one, & might have been of a political  
 nature. Such action would be without prejudice to treatment  
 of other similar cases under consideration or any which might  
 arise in future.

(3) That if D<sup>r</sup> Smodlaka would not withdraw the letter he be informed  
 that the matter would be referred to the SAC. M. Can Bayader  
 V.P. C.A.S.

17/46.

2c. CA

Ref. 7A. for Signature  
12/10/45 *R. M. Freeman* Capt  
for DPS.

HA.  
131200

2

20. C.A. Section

Ref. 8A/B. Draft of reply for signature.  
22/10/45 *R. M. Freeman* Capt  
for DPS.

HA.  
231525

3

C.A. Sec.

Please see 5<sup>B</sup> and 8<sup>B</sup>. 15<sup>A</sup> has been prepared in reply. For signature pce.

5/46. Public Safety S/c

Frank Gillon whel.  
Lettw signed & returned for dispatch  
8-1-46 S.A. 81

JK  
59A

ALLIED FORCE HEADQUARTERS  
G-5 Section  
APO 512

G-5: 936.22-5

7 October 1946

SUBJECT: MAGASICH Nicol

TO : Chief Commissioner  
Allied Commission  
(Attn: Public Safety Sub-Commission)  
APO 794

59A

Reference your SD/540.05-44 dated 2 October 1946.

It is confirmed that no further action need be taken.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

*W. L. Hamblen* Major

W. L. HAMBLEN  
Colonel, G.S.C.  
Assistant Chief of Staff, G-5.

Copy to P.S.  
your AC/14073/7/PS refer.  
*W.L.*

6/6/46

58A

HEADQUARTERS ALLIED COMMISSION  
A.P.O. 794  
PUBLIC SAFETY SUB COMMISSION  
SECURITY DIVISION

REF. : SI/540.05-44 2 October 1946

SUBJECT : MORGANIST Nicol

TO : G-5 AFHQ

*See SI 540-5*

1. Reference your G-5: 936.22-5 dated 30 Sept. 1946.
2. Will you please confirm telephone message this AM/AM for KERR that no further action is required on this subject.

R. J. BYB,  
Colonel,  
A/Director Public Safety  
Sub Commission.

AHE/nb

6460

57A

(Translation U.S.)

MINISTRY OF STATE AND JUSTICE  
General Direction of Penal Affairs

Paris, 23/2/46

Mr. FBI. 745.2601/10  
Reply to note AD.540/29/44 No.  
dated 30th August 1944 reference

ADPS

To: LITTE 30 IUSTON  
D. . . . .

56\*

6A

QA

SUBJECT: MASASICH Nicola son of Giorgio.

With two notes dated 12th and 22nd October 1944, No. AD.1407/7/PE, your Sub-Commission pointed out to our Ministry that the Yugoslav authorities of the Allied Control Council for Italy, requested the handover of the "Yugoslav subject" MASASICH Nicola detained at the Tribunale di Milano (Milan) 1st Court Establishment.

Our Ministry made note that it was about a certain MASASICH Nicola son of Giorgio, is and of ITALIAN nationality, born at BIELLA on the 22nd November 1923 and living there, sentenced by the CRISTIANO Military Tribunal, on the 9/11/1943, to 8 years military imprisonment later on reduced to 5 years by the Supreme Military Court. The sentence was afterwards reduced to 3 further years on the 5th April 1944, so that the imprisonment, begun on the 30/7/1943, was due to end on the 25/7/1946.

On the 28th November 1944, the Joint Prosecution and Commission A.C. (C. . . . .), with a note No. . . . ., requested us to investigate about the circumstances of the arrest of the "Yugoslav subject" MASASICH, which seemed to be due to anti-fascist activity, and about the possibilities of a revision of the trial.

Our Ministry, on the 3rd December 1944, replied that MASASICH was considered to be an Italian subject because born at BIELLA on the 22/11/1923, and the same communication was forwarded on the 11th of same month to your Sub-Commission, in reply to your note AD.14075/PE dated 11th of same month.

On the 21st January 1946, the Civil Affairs Section of the Allied Commission, with a note AD.14073/7/PE, pointed out that the name was MASASICH and not MASASICH, and that the Yugoslav authorities considered him as a Yugoslav subject sentenced by the CRISTIANO Military Court for anti-fascist activity, and thus requested his immediate release. Our Ministry agreed, leaving disposal for the handover of MASASICH to the Yugoslav authorities (note dated 24th January last), and was later on informed by the C. . . . . Procuratore Generale that on the 10th February last, MASASICH had been assigned to the ALBERTO

16C  
13A

27A

03.22.'s in order to be conveyed to Rome at the disposal of the Yugoslav Authorities duly informed about his arrival.

Yet, from investigations carried out at the Direction of the Judicial Jail at Rome, we learn that the conveyance to Rome of MORGASICH does not seem to have taken place. Accordingly, we wired the CAGLIARI Procuratore Generale for immediate communications on record, and shall communicate to your Commission the information supplied.

By order of the Minister

sgd/ illegible

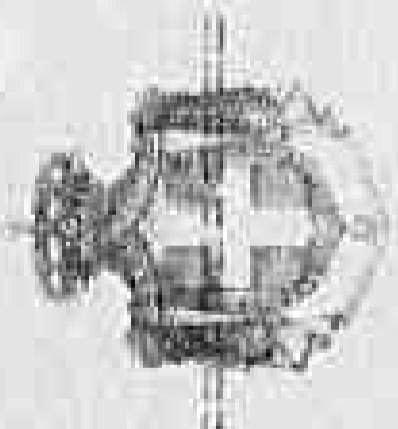
Received and Translated 26/9/46



RR  
1944 407

Roma 23 settembre 1946

Recid 26/9



Ministero di Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI  
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIO

LA COMMISSIONE ALLEATA -

Sottocommissione per la P.S. ROMA  
e per con: UFFICIO COLLEGAMENTO - Gabinetto  
SEDE

Spett.le A.P. Prot. N. 131.743.2501/10

Requisito di P.S. N. S.D. 540/05/44 Sic.

del 30 agosto e 10 settem.c.e.

Oggetto MAGASICH Nicola di Giorgio.

Con lettere del 12 e 22 ottobre 1945, n. AC.1407/7/P.S., codesta Sottocommissione P.S. fece presente a questo Ministero che la Delegazione Jugoslava presso il Consiglio Consultivo Alleato per l'Italia, chiedeva la consegna del "suddito jugoslavo" MABASEVIC Nikola, custodito nella Casa di lavoro di "ramariglio in Alghero (Sardegna). Questo Ministero accettò trattarsi di tale MAGASICH Nicola di Giorgio e di TOICH Aurora, nato il 22 novembre 1923, a Piave ed ivi domiciliato, condannato dal Tribunale Militare di Guerra di Oristano, il 9 novembre 1943, alla reclusione militare per anni 8, ridotti dal Tribunale Supremo Militare a 6, con decorrenza dal 20 luglio 1943 e fine al 25 luglio 1945 in virtù del condono di anni 3 in data 5 aprile 1944.

L'8 novembre successivo la Land Forces Sub Commission A.C. (M. I.A.) con nota A/071, ha chiesto d'indagare sulle circostanze dello arresto del MAGASICH "suddito jugoslavo", attribuito ad attività antifascista, e sulle possibilità della revisione delle sentenza. Questo Ministero ha risposto in data 3 dicembre successivo, che il MAGASICH doveva ritenersi cittadino italiano perchè nato a Piave nel 1923, ed eguale comunicazione ha fatto a codesta Sottocommissione il 21 dello stesso mese, in riscontro alla nota dell'11 precedente, AC/14073/P.S.

Il 21 gennaio corr.e. la Sezione Affari Civili della Commissione Alleata, con nota AC.14073/7/P.S. dichiarando trattarsi di tal MAGASICH e non MAGASTICH, ha replicato che le autorità jugoslave lo ritengono cittadino jugoslavo, condannato dal Tribunale Militare di Oristano per attività antifascista, e quindi da liberarsi immediatamente. Questo Ministero aderì disponendo la consegna del MAGASICH alle autorità

Ufficio A.P. Prot. 1.131.743.2601/10 *Suppl. al P. S.D. 540/05/44 Sic.*  
del 30 agosto e 10 settem.c.a.

Oggetto MACASICH Nicola di Giorgio.

Con lettere del 12 e 22 ottobre 1945, n. AC.1407/7/P.S., code-  
ste Sottocommissione P.S. fece presente a questo Ministero che la De-  
legazione Jugoslava presso il Consiglio Consultivo Alleanza per l'Ita-  
lia, chiedeva la consegna del "suddito jugoslavo" MARASEVIC Nikola,  
custodito nelle Case di lavoro di "Premiglio in Alghero (Sardegna)."

Questo Ministero accertò trattarsi di tale MACASICH Nicola  
di Giorgio e di TOICH Aurora, nato il 22 novembre 1923, a Piave ed ivi  
domiciliato, condannato dal Tribunale Militare di Guerra di Oristano,  
il 9 novembre 1943, alla reclusione militare per anni 8, ridotti dal  
Tribunale Supremo Militare a 6, con decorrenza dal 30 luglio 1943 e  
fine al 25 luglio 1946 in virtù del condono di anni 3 in data 5 apr-  
ile 1944.

L'8 novembre successivo la Land Forces Sub Commission A.C. (M.  
N.I.A.) con nota A/071, ha chiesto d'indagine sulle circostanze dello  
arresto del MACASICH "suddito jugoslavo", attribuito ad attività anti-  
fascista, e sulla possibilità della revisione della sentenza.

Questo Ministero ha risposto in data 3 dicembre successivo, che  
il MACASICH doveva ritenersi cittadino italiano perchè nato a Tiame nel  
1923, ed eguale comunicazione ha fatto a codesta Sottocommissione il  
31 dello stesso mese, in riscontro alla nota dell'11 precedente, AC/  
14073/P.S.

Il 21 gennaio corr.g. la Sezione Affari Civili della Commissio-  
ne Alleanza, con nota AC.14073/7/P.S. dichiarando trattarsi di tal MAGA-  
SICH e non MACASICH, ha replicato che le autorità Jugoslave lo ritengo-  
no cittadino jugoslavo, condannato dal Tribunale Militare di Oristano  
per attività antifascista, e quindi da liberarsi immediatamente. Que-  
sto Ministero aderì disponendo la consegna del MACASICH alle autorità  
Jugoslave (nota del 24 gennaio c.a.), e successivamente fu informato dal  
Procuratore Generale di Cagliari che il 10 febbraio c.a. il MAGASICH  
era stato consegnato ai carabinieri di Alghero per la traduzione alle  
carceri di Roma a disposizione delle autorità Jugoslave, opportunamen-

ta avvertite.

Risultato, intanto, da accertamenti fatti presso la Direzione delle Carceri Giudiziarie di questa città che la traduzione a Roma del MASASICH non sarebbe avvenuta, si chiedono telegraficamente al Procuratore Generale di Cagliari opportuni chiarimenti, di cui si fa riserva dare notizia a codesta Commissione Alleata.

d'ordine del MINISTRO

A handwritten signature in dark ink, appearing to be 'P. M.', written in a cursive style.

27

56A

HEADQUARTERS ALLIED COMMISSION  
A.E.O. 734  
PUBLIC SAFETY SUB COMMISSION  
SECURITY DIVISION

16 September 1946

REF. : SD/540.05-44

SUBJECT : MACASICH Nicola di Giorgio

TO : Ministry of Grace and Justice, ROME  
(Direzione Generale degli Affari Interni).

1. Reference our letter of even number dated 30 August 1946, your N.2601/131/743 dated 17 December 1945 refers to above named subject.

2. I am instructed to request your Ministry to expedite a reply to our above letter and inform this HQ whether MACASICH has been released and if so where and on what date. If subject has not yet been released it is requested that information be given of his present whereabouts whether he is to be released and when.

3. As this matter has been pending over a long period it is asked that it be treated as URGENT.

*A.D.P.S. / [Signature]*

*[Signature]*

S. J. BIE,  
Colonel,  
A/Director Public Safety  
Sub Commission.

1162

TO : Ministry of Grace and Justice, ROME  
(Direzioone Generale degli Affari Penali).

14A

1. Reference our letter of even number dated 30 August 1946, your M.2601/131/743 dated 17 December 1945 refers to above named subject.

2. I am instructed to request your Ministry to expedite a reply to our above letter and inform this HQ whether MAGASICH has been released and if so where and on what date. If subject has not yet been released it is requested that information be given of his present whereabouts whether he is to be released and when.

3. As this matter has been pending over a long period it is asked that it be treated as URGENT.

A.D.P.S. (6/10)

*[Handwritten signature]*

E.J. BIE,  
Colonel,  
A/Director Public Safety  
Sub Commission.

4472

AHS/lm.

COPY to : AO/14073/7/1S — (Public Safety Sub Com.)

2605

P. SAFETY

*[Handwritten signature]*

1462  
EA  
*[Handwritten initials]*

SUBJECT: Jugoslav Activities.

14073/7

GHQ COM.

Headquarters,  
No. 3 District.

3371/1/A2.

9 Sep 46.

11/9

Reference the enclosed copy (translation) of the Italian Ministry of the Interior letter Dio. GR. Sect III No. 443/56036 of 5 Aug 46 to Allied Commission submitting complaint from the SALERNO PREFECT regarding the activities of 50 Jugoslavs of 'U' Overseas PW Camp, EBOLI.

Will you please have this matter investigated and forward a report to this GHQ.

*[Handwritten signature]*  
- 14073/7

TRC/MC.

*[Handwritten initials]* JB ROBERTSON, Brig,  
DAG.

52A

Copy to: Headquarters,  
Allied Commission (Public Safety Sub Commission) - Your AC/14073/7/PS of 14 Aug 46 refers.

Headquarters,  
Naples Area.  
SACS  
G-5 - Your INS 65.941.33 of 20 Aug refers.

*[Handwritten initials]*

*OR*  
*Pub. Safety*  
*1127 54A*

ALLIED FORCE HEADQUARTERS  
G-5 SECTION  
APO 512

7 September 1946  
*10/10*

G-5: 936.22-5

SUBJECT: MAGASICH Nico.

TO : Chief Commissioner  
Allied Commission  
(Attn: Public Safety Sub-Commission)  
APC 79A

*PH*  
*See Gaptell*  
*10/10*  
*12/10*  
*20*

Reference your SD/540.05-44 dated 30 August 1946.

1. The position in this case <sup>*18A*</sup> is by no means clear. On 21 January 1946 you wrote (AC/14073/1/PS) to the Italian Ministry of Grace and Justice passing on the request from Dr Smolicka for MAGASICH to be released from Italian custody on the grounds that he was a Yugoslav sentenced by the Italians for an anti-fascist crime.

2. Prior to that <sup>*15A*</sup> on 8 January 1946 you wrote to Dr Smolicka (AC/14073/1/PS) stating that the Ministry of Grace and Justice were unwilling to release MAGASICH and were disputing his Yugoslav nationality.

3. However on 15 May 1946 you wrote (SD/540.05-44) to this Headquarters stating that MAGASICH had been transferred to the Military District HQ of SASSARI for transfer to Rome to be handed over to the Yugoslav Delegation.

4. It now appears from your letter of 30 August 1946 that the Ministry of Interior has become involved and the case has ultimately been referred back to the Ministry of Grace and Justice.

5. Will you please inform this Headquarters as soon as possible whether MAGASICH has ~~not~~ been released and if so where and on what date. If MAGASICH has not yet been released please ascertain where he now is, whether he is to be released and if so when.

6. As this matter has been pending since last year it is requested the matter be treated as urgent.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

*1140*

*OK*  
*Morgan*  
Pvt. A. L. HAGLEN  
Colonel, G.S.C.  
Assistant Chief of Staff, G-5.

TRANSLATION M.C.

*ADPS*  
*Logan*

*537*

MINISTRY OF INTERIOR  
P.S. General Direction  
Div. A.G.R. Sect. III  
No. 443/50634

Rome, 9 Aug. 1946

To: Ministry of Foreign Affairs  
D.G.A.P. - ROME  
" Allied Commission  
Public Safety S.C. - ROME

*14073/7*

SUBJECT: Eboli - At the Concentration Camp for Yugoslavs.

For your information we beg to inform you that at 10,30 of the 18th July last, about 6,000 yugoslavs of the S. Giovanni di Eboli Concentration Camp, marched in orderly fashion, carrying their Camp's flag, to the Ceffano Camp, to listen to a speech by General Damiano Witch Miedrag.

Attendees protested for the shooting of General Draga Mihajlovitch, which took place in yugoslavia, hailing King George and Monarchy, all the while shouting: "Down with Tito and Communism".

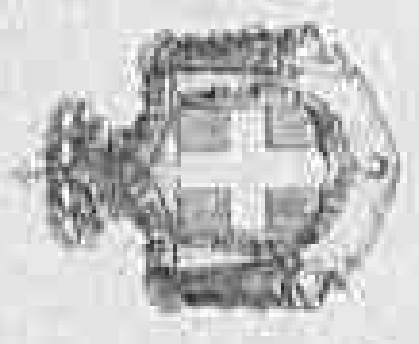
After which they all returned to own Camp without causing any incident.

For the Minister  
Ferrari

Recd. 17/8  
" by translator 19/8  
Trans. 19/8

*6430*





Ministero dell'Interno

DIREZIONE GENERALE DELLA PUBBLICA SICUREZZA

Divisione A.G.R. - Sez. 3<sup>a</sup>  
Prot. N. 443/56034 Allegato

Roma 9 agosto 1946

AL MINISTERO AFFARI ESTERI  
Direz. Gener. Aff. Pol. ROMA

ALLA COMMISSIONE ALIBATA  
S. Commiss. per la P. S. ROMA

↳ *Proposta al Togliatti del 9/8*

OGGETTO Eboli - Campo di concentramento jugoslavi.

Per notizia comunicasi che alle ore 22,30 del 18 luglio u.s. circa seimila jugoslavi del Campo di concentramento S. Giovanni di Eboli, inquadrati con alla testa la bandiera del campo, si portavano in quello di Ceffano, ove ascoltavano un discorso del Generale Comandante Damiano Vitch Miodrag.

Gli intervenuti protestando per la fucilazione del Generale Draga Mihajlovitch Miodrag avvenuta in Jugoslavia, inneggiavano a Re Giorgio ed alle Monarchia gridando: abbasso Tito e il comunismo.

Dopo di che rientravano al proprio Campo, senza provocare incidenti.

PEL MINISTRO

44

DIREZIONE GENERALE DELLA PUBBLICA SICUREZZA

AL MINISTERO AFFARI ESTERI  
Direz. Gen. Aff. Pol.

ROMA

*Divisione A.S.P. Sec. 3<sup>a</sup>*  
*Prot. N. 443/56034 Allegato*

ALLA COMMISSIONE ALLEATA  
S. Commiss. per la P.S.

ROMA

*Espresso al T. G. del*  
*Dir.*

OGGETTO Eboli - Campo di concentramento jugoslavi.

Per notizia comunicasi che alle ore 22,30 del 18 luglio u.s. circa seimila jugoslavi del Campo di concentramento S. Giovanni di Eboli, inquadrati con alla testa la bandiera del campo, si portavano in quello di Ceffano, ove ascoltavano un discorso del Generale Comandante Damiano Witch Miodrag.

Gli intervenuti protestando per la fucilazione del Generale Draga Mihajlovitch Miodrag avvenuta in Jugoslavia, inneggiavano a Re Giorgio ed alla Monarchia gridando: abbasso Tito e il comunismo.

Dopo di che rientravano al proprio Campo, senza provocare incidenti.

PEL MINISTRO



44

27C

File

52A

HEADQUARTERS UNITED COMMISSION  
Public Safety Sub-Commission  
APO 794

14073/7

Tel: 439081-502

14 August 1946

SUBJECT : Yugoslav Activities in Italy.

TO : G-5 Section, AFHQ.

51A

The attached copy of a letter received from the  
Ministry of Interior is forwarded for your information and such  
action as is considered necessary.

SE/ac

E. J. MYR, Colonel  
Acting Director.

1 encl.

6431

523

TRANSLATION

MINISTRY OF INTERIOR  
P.S. General Direction

Rome, 5 Aug. 1946

Div. A.G.R. Sect. III  
No. 443/56036

To: Allied Commission  
Public Safety S/C  
ROME

SUBJECT : Yugoslav activities in Italy.

For your information we transmit, the following telegram by the Salerno Prefect, dated 30 July, numbered, numbered 02170:

" On 30th inst., at about 1 A.M., 50 Yugoslavs of the Eboli Concentration Camp marched to the Battipaglia rail station with the intention of selling cigarettes etc., to transiting passengers. The Carabinieri there on duty requested them to withdraw, in order to avoid some unexpected incident and possible pilfering of food supplies loaded on halting goods train. But the Yugoslav internees stubbornly refused and threatened to throw hand-grenades. And only when the Carabinieri started to fire into the air with their rifles and muskets that they withdrew hurriedly towards Eboli. I draw your attention around these Yugoslavs in our past correspondence. Once again I beg you to look into the matter, in view of the alarm and indignation of local inhabitants, and to avoid any possible future disorders, to refer to the Allied Authorities for the transfer of the Camp to some other locality."

For the Minister  
/signed/

4430

TRANSLATION M.C.

51A

AF102

MINISTRY OF INTERIOR  
P.S. General Direction  
Div. A.G.R. Sect. III  
No. 443/56036

10073/7

Rome - 5 Aug. 1946

To: Allied Commission  
Public Safety S.C.  
ROME

SUBJECT: Yugoslav activities in Italy.

For your information we transmit the following telegram by the Salerno Prefect, dated 30 July, numbered 02170:

" On 30th inst., at about 1 A.M., 50 Yugoslavs of the Eboli Concentration Camp marched to the Battipaglia rail station with the intention of selling cigarettes etc. to transiting passengers. The Carabinieri there on duty requested them to withdraw, in order to avoid some unexpected incident and possible pilfering of food supplies loaded on halting goods train. But the Yugoslav internees stubbornly refused and threatened to throw hand-grenades. And only when the Carabinieri started to fire into the air with their mitres and muskets that they withdrew hurriedly towards Eboli. I drew your attention around these Yugoslavs in our past correspondence. Once again I beg you to look into the matter, in view of the alarm and indignation of local inhabitants, and to avoid any possible future disorders, to refer to the Allied Authorities for the transfer of the Camp to some other locality.

For the Minister  
/s/ illegible

Rcd. 10/8  
by translator 12/8  
Trans. 12/8

TO	INT	DATE
DIRECTOR		
DEPUTY DIRECTOR		
EXECUTIVE		
SECRETARY		
ASST. SEC.		
RECORDS		
ADMIN. OFFICE		
SECRET		
TELETYPE		

6430

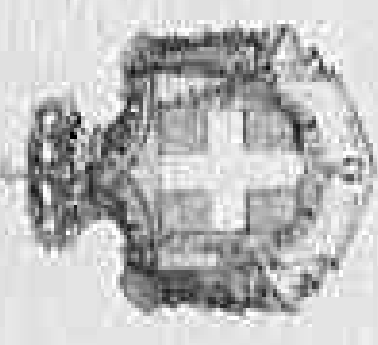
272

1946

Roma 5 agosto 1946

ALLE COMMISSIONI ALIBATA  
Sottocommissioni per la P.S.  
ROMA

MINISTERO AFFARI ESTERI  
DIREZIONE GENERALE Affari  
Politici  
ROMA



Ministero dell'Interno

DIREZIONE GENERALE  
DELLA PUBBLICA SICUREZZA

Quirino A.S.R. L. 3a  
Prot. N. 443/56035 Moggi

Reposta al Foglio del  
D. N. 24

OGGETTO = Attività jugoslava in Italia. =

Per opportuna notizia si trascrive il seguente telegramma dal  
Prefetto di Salerno, in data 30 luglio scorso, n. 02170:

" Trenta corrente ore una circa 50 jugoslavi del campo concentra-  
mento Eboli portavano presso scalo ferroviario Datigaglia scopo  
vendere et viaggiatori sigarette et altre merci. Militari Arma in  
servizio colà invitavano predetti ad allontanarsi per evitare inci-  
denti et probabile eventuale manomissione carri ferroviari carichi  
derrate colà sostanti senonchè jugoslavi non aderivano ad invito et  
raggruppatisi minacciavano lancio bombe verso carabinieri one nuove-  
mente li invitavano ad allontanarsi. Ripetuti jugoslavi lanciavano  
quindi contro carabinieri che per non essere sopraffatti sparavano  
in aria scopo intimidatorio alcuni colpi mitra et moschetto senza  
conseguenze. A ciò jugoslavi precipitosamente si allontanavano in di-  
rezione di Eboli. Rientrasi circa tali jugoslavi intercorsa corrispon-  
denza et rinovasi preghiera, tenuto presente stato allarme et indigne-  
zione popolazione quella zona scopo evitare turbamenti ordine pubblico  
intervenire presso Autorità Alleste centrali per ottenere trasferimen-  
to altrove campo concentramento jugoslavi Eboli. "

272

Direzione  
Aut. N. 443/56035/Alleg. 1

Proposta al Regio del  
D. N.

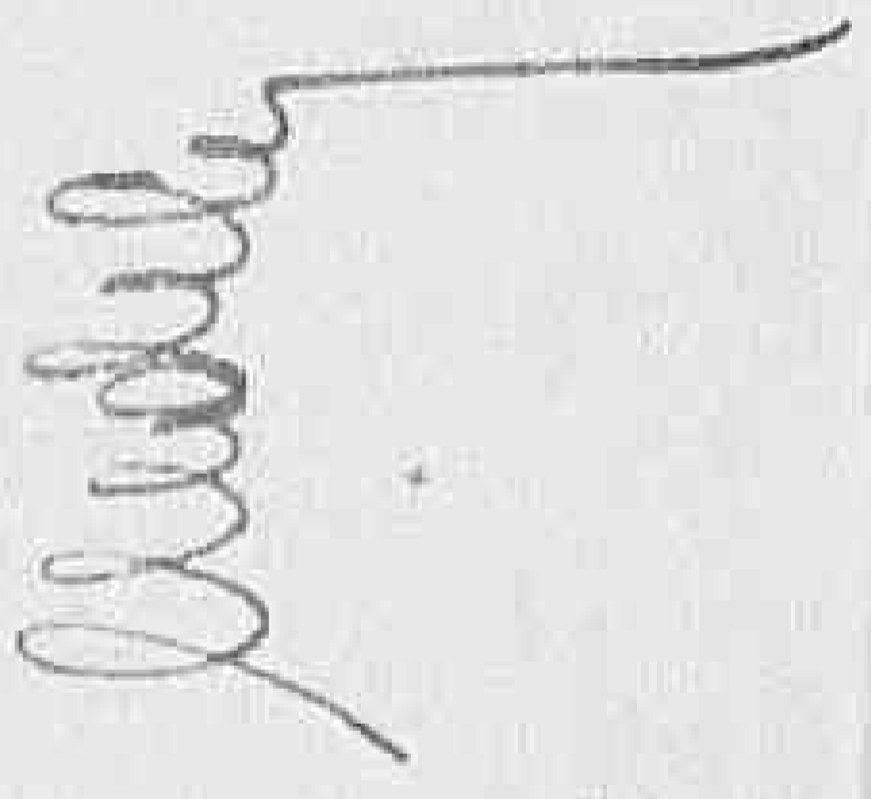
OGGETTO = Attività jugoslava in Italia. =

Per opportuna notizia si trascrive il seguente telegramma del Prefetto di Salerno, in data 30 luglio scorso, n. 02170:

« In fronte corrente ore una circa 50 jugoslavi dal campo concentramento Eboli portavano presso scalo ferroviario Battaglia scopo vendere et viaggiatori sigarette et altre merci. Militari Arma in servizio colà invitavano predetti ad allontanarsi per evitare incidenti et probabile eventuale mancassione carri ferroviari carichi merete colà sostanti esonchè jugoslavi non aderivano ad invito et raggruppati minacciavano lancio bombe veroo carabinieri che nuova- mente li invitavano ad allontanarsi. Ripetuti jugoslavi lanciavano quindi contro carabinieri che, per non essere sopraffatti sparavano in aria scopo intimidatorio alcuni colpi mitra et moschetto senza conseguenze. A ciò jugoslavi precipitosamente si allontanavano in direzione di Eboli. Richiamati circa tali jugoslavi intercorsa corrispondenza et rinnovesi preghiera, tenuto presente stato allarme et indignazione popolazione quella zona scopo evitare turbamenti ordine pubblico intervenire presso Autorità Alleate centrali per ottenere trasferimento altrove campo concentramento jugoslavi Eboli. »

1334

PER MINISTRO



D-ke-

MINISTRY OF THE INTERIOR  
P.S. General Direction

ADPS-

50A

N.441/36035

5 Aug 46.

SUBJECT : Eboli - Yugoslav Concentration Camp. Arrest of Yugoslavs by the Yugoslav Police being suspected of attempting to poison the water of the camp.

TO : Ministry Foreign Affairs  
P.S. S/C A.C.

14073/7?

The CO. RR. Company of Eboli reports that on the 29th and 30th June last, the Yugoslav Police of that concentration camp arrested six members of the camp, one of which from Naples, for attempting to poison the water in the containers existing in the camp.

Three containers of a litre each were confiscated containing powerful poison which seems to be of Russian origin.

The prisoners are at the disposition of the British Command of the camp which is carryout investigations.

TO	INT	EXT
DIRECTOR		
DEPUTY DIRECTOR		
EXEC. OFFICER		
POLICE		
IN. & REG.		
PRISONS		
ADM. OFFICER		
SECURITY		
CHIEF CLERK		

For the minister  
/s/ illegible.

Translation ac/

4430



11/10/46

Roma 5 agosto 1946

AL MINISTERO AFFARI ESTERI  
Direzione Generale Affari  
Politici ROMA  
LA COMMISSIONE ALLEATA  
Sottocommissione per la P.S.  
ROMA



Ministero dell'Interno  
DIREZIONE GENERALE  
DELLA PUBBLICA SICUREZZA

Divisione A.G.R. n. 32  
Prot. N. 441/36035 Allegato

Espresso al Regio del  
S.

OGGETTO = EBOLI - Campo concentramento jugoslavo. Arresto di jugoslavi da parte della polizia jugoslava perché sospetti di tentativi di avvelenamento di acqua potabile esistente nel campo.

La Compagnia Carabinieri di Eboli segnala che nei giorni 29 e 30 giugno decorso la polizia jugoslava di quel campo di concentramento ha proceduto all'arresto di sei elementi del campo stesso, dei quali uno reduce da Napoli, per tentato avvelenamento dell'acqua contenuta nei serbatoi esistenti nel predetto campo.

Sono stati sequestrati tre recipienti di un litro ciascuno contenente del potente veleno che vólse sia di provenienza russa.

Gli arrestati sono a disposizione del Comando inglese del campo che sta svolgendo gli accertamenti del caso.

PER IL MINISTRO

6/1/46

OGGETTO = EBOLI - Campo concentramento jugoslavo. Arresto di jugoslavi da parte della polizia jugoslava perche sospetti di tentativi di avvelenamento di acqua potabile esistente nel campo. =

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Sono stati sequestrati tre recipienti di un litro ciascuno contenente del potente veleno che violati sia di provenienza russa.

Gli arrestati sono a disposizione del Comando inglese del campo che sta svolgendo gli accertamenti del caso. =

PER MINISTRO

*[Handwritten signature]*

6672

494

HEADQUARTERS ALLIED COMMISSION  
Public Safety Sub-Commission  
APO 794

Tel: 489034-502

AG/14073/7/PS

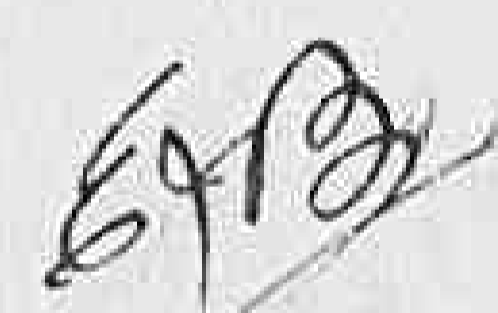
12 August 1946

SUBJECT : MAGASIC Nikola.

TO : Ministry of Grace and Justice.

Reference your 141003/95319 Office VI of the 28 May 46.

Is anything further known about the present whereabouts  
of subject please?



E. J. WITZ, Colonel  
Acting Director.

EE/as

4431

TRANSLATION M.G.

*see 21  
plus*

USA

MINISTRY OF PARDON AND JUSTICE  
Prison General Direction  
No. I41003/95319 Office VI  
Ref. to AC/I4073/PS of 6.4.46

ROME-- 28 May 1946

To: Allied Command  
Public Safety S.C.  
ROME

*14073/7*

SUBJECT: Prisoner Magasich Nicola.

Referring to a/m number and following this Ministry's letter numbered I38435/95319, dated May 6, we transmit what the CC.RR., informed in regard, replied by letter No.457/I2-6 of 16 inst:

" The Direction of the Tramariglio (Alghero) penal house, on 10 Feb. last, directed prisoner Magasich Nicola to appear before the Aldeghero CC.RR. Coy. Masich was the bearer of a letter from that Direction - No.775, dated 10 Feb. 46 - thus worded:

"" The prisoner in question was freed to day according to orders wired by the Ministry of Pardon and Justice on 7th inst.

Magasich should be handed over to the Alghero Military Garrison and this must follow directions contained in the telegram of which we enclose you copy. Sgd. Director Brancaleone "".

As no military garrison existed at Alghero, the Arma furnished Magasich with the necessary travel documents and directed him to go to the Sassari Distretto Militare, for ulterior competent formalities.

On the following day, Feb. 12th, the above Distretto sent him to the 328th Workers' Coy, by the 45th Infantry, at Inglesias (Centre to which the military belonged previous to charges against him for desertion), and thence to Cagliari to resume his journey to Rome, because the 328th Coy there had broken up since 1943.

On the afternoon of 12th Feb., Magasich sailed for Rome aboard the "Cherso". Since then nothing further is known of his movements. We have informed the Rome CC.RR. Legion in regard. On receipt of a reply we shall duly inform you."

*A*

*cc*

We reserve to forward ulterior information in connection.

Action

For the Minister

- 1 Await reply from CCRR (A) Volpe as subject may have been dealt with. 6/30
- 2 If negative then inform Jugoslav Rep as above 1946

Mod 1347 M.G.



# Ministero di Grazia e Giustizia

Direzione Generale per gli Istituti di prevenzione di pena

Roma, 28 MAG 1946

UFF. VI

Prot. n. 141002/25310  
Pis. n. I. n. 40/14075/77F.5.  
del 6-4-1946

Alla Commissione Aliante  
Postecomunista P.S.

SECRET

OGGETTO: detenuto **Margherit Niccolò**.

Con riferimento al foglio sopra indicato e facendo seguito alla nota n. 135425/55310 di questo Ministero in data 6 corrente mese, si comunica che con il Comando Generale dell'Arma dei Reali Carabinieri, inteso quanto in merito, con nota n. 427/73-6 del 16 corrente mese, ha comunicato quanto segue:

Le direzioni della zona opera per le di Braccigliolo (Alghero), la ditta "L'Espresso" s.p.a., fece presentarsi il datante Lucchini Nicola alle 30-30-30-30 di Alghero, marito della signora Lettera di quella ditta n. 775 al prot. in data 10 febbraio 1946:

Il conferimento in oggetto è stato liberato in data odierna (data ordine telegramma del Ministero di Grazia e Giustizia in data 7 corrente mese).

Il Lucchini viene consegnato al comando del Distretto Militare di Alghero che dovrà provvedere in conformità a quanto è stato richiesto nel telegramma n. 775 in copia. Il direttore d/vo Braccigliolo, telegrafando alla ditta, non escludendo in luogo dovuto di presidiare l'Arma di Alghero, per escludere i documenti di viaggio e lo stesso, con il Lucchini, si incaricò di liberare di Sestri, per gli ulteriori provvedimenti di competenza.

Al giorno dopo, il Distretto lo inviò alla 32<sup>a</sup> Compagnia Inseparabile presso la Deposito del 4<sup>o</sup> Reggimento in Inghilterra (reparto di appartenenza del militare all'atto della sua dimissione per dispensazione di servizio), da dove verrà liberato, nelle stesse condizioni, il Comando Tepe di Cagliari, per provvedere per il Distretto Militare di Roma, l'Alghero, la Sardegna favorevoli ormai disciolto fin dal 1945.

Prot. n. 141005/25313  
Rapp. di P. n. 43/14073/7/I.3.  
del 6-8-1946

alla Commissione Alleata  
Sottocommissione P.S.

ROMA

OGGETTO: Astensione Magalhães Nicolo.

Senza riferimento al foglio sopra indicato e facendo seguito alle note n. 122/433/95313 di questo Ministero in data 5 corrente mese, si comunica che il Comando Generale dell'Arma dei Reali Carabinieri, interessato in merito, con nota n. 477/12-6 del 15 corrente mese, ha comunicato quanto segue:

"La Direzione distrettuale cap. penale di Trani (Alghero), in data 10 febbraio c.m., fece presentare il detenuto Magalhães Nicolo alle Sezioni di P.S. di Alghero, marito della seguente lettera di quella Direzione n. 477 di prot. in data 10 febbraio 1946:

"Il sottoscritto in oggetto è stato liberato in data odierna giusta ordine telegrafico del Ministero di Grazia e Giustizia in data 7 corrente mese.

Il legesione viene consegnato al comando del presidio militare di Alghero che dovrà provvedere in conformità a quanto è stato richiesto con telegramma che si allega in copia. Il direttore 1/10 Trascrizione n. 477/12-6 di Alghero, non epistolare in luogo comando di presidio militare, avrà il legesione del necessario documenti di viaggio e lo servizio, avrà il legesione del Distretto militare di Sassari, per gli ulteriori provvedimenti successivi, al Distretto militare di Sassari, per gli ulteriori provvedimenti successivi.

Il giorno dopo, il Distretto lo inviò alla 100<sup>a</sup> Compagnia Lavoratori (presso il deposito del 150<sup>a</sup> Fanteria in I. ginecica) (partito di Alghero) del militare all'atto della sua partenza per dispartizione e di (Sassari), da dove raggiunse, nello stesso giorno, il Comando Truppe di Cagliari, per provvedere per il Distretto Militare di Roma, 1946.

22<sup>a</sup> Compagnia Lavoratori erasi dimoventi fin dal 1943.7

Il pomeriggio dello stesso 12 febbraio, infatti, il Magalhães, a cura del Comando Truppe di Cagliari, ha fatto imbarcare sulla nave "Cassio" diretta in continente, per raggiungere il Distretto Militare di Roma.

Non si ha notizia dei successivi suoi movimenti. È stata comunque interpellata la Legione CC. 47. di Roma per ulteriori notizie, che si fecero sapere di fornire.

Si fa riserva di comunicare le ulteriori notizie che perveniranno al riguardo.

Il Ministro

Il Ministro

WTS 47A

TRANSLATION D.S.

MINISTRY OF GRACE AND JUSTICE  
General Direction of Prisons

Rome, 6 May 1946.

VI Office

To ALLIED COMMISSION  
PUBLIC SAFETY S/C

No 138435/95319

R O M E

43A

SUBJECT : Convict MAGASIC Nicola -

Reference to your letter AC/14073/7/PS dated 6 April ult. and following our letter 138136 dated 1st inst.

The Direction of the Penal Institute of Tramariglio inform us, by telegram, that the convict in subject was handed in to the CC.RR. of Alghero since February 10 ult. to be conveyed to the Prison of Rome.

The CC.RR. General Command was to-day asked to communicate - with the utmost urgency - where Magasic is now detained.

Further communications on the matter will follow as soon as possible.

For the Minister <sup>4420</sup>  
(sgd) VOLPE.



M. 114476

Roma 6-5-1946

Ministero  
di Grazia e Giustizia

Ala Commissione Aldega  
Sottocommissione P. I.

DIREZIONE GENERALE  
PER GLI ISTITUTI DI PREVENZIONE ED EDIZIONE

ROMA

DEF. VI

Reg. del P. I. 6-1-45

Aut. N. 129425/25319

Fin. N. AD-1083/1/P. S.

OGGETTO : detenuto Magasio Nicola

Con riferimento al foglio sopra indicato, e facendo seguito alla nota n. 132136 del 1 corrente, si comunica che la direzione delle case penali di Traversiglio ha fatto conoscere telegraficamente di aver consegnato ai carabinieri di Alghero il detenuto in oggetto fin dal 10 febbraio scorso, per la traduzione alle carceri di Roma.

In pari data è stato interessato il Comando Generale dell'Arma dei Reali Carabinieri perchè facesse conoscere, con la massima urgenza, dove il detenuto stesso trovasse attualmente ristretto.

Si fa, pertanto, riserva di ulteriori comunicazioni al riguardo.

Per il Ministro

4426



*WRB*  
*43A*

TRANSLATION T.B.

MINISTRY of GRACE and JUSTICE  
P.S. GENERAL DIRECTION

Rome, 1/5/46

Off. VI

I38186/95319

Reply to note AC/I4073/7/PS

Dated 6/4/1946

TO	INIT	DATE
DIRECTOR	<i>WRB</i>	<i>5</i>
DEPUTY DIRECTOR	<i>H</i>	
EXEC. OFFICER		
PROSEC.	<i>WRB</i>	<i>6/5</i>
LIC. & REG.	<i>WRB</i>	<i>7/5</i>
PRISONS		
ADJ. OFFICER		
SECURITY		
CHIEF CLERK		

TO : ALLIED COMMISSION  
Public Safety S/C

R.O.M.E

SUBJECT : Convict ~~MAGASIO~~ Nicola.

With reference to the above indicated note, we communicate that, with wire communication, we have urged the Direction of TRABARIGLIO Prison to transmit us the reasons why the transfer of the above named Prisoner to the Rome Prison do not took place.

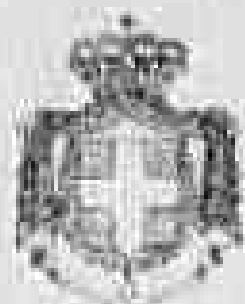
We have also urged the CC.MR. General Command.

We reserve further informations in regard.

FOR THE MINISTER

/s/ Illegible

*442*



Ministero  
di Giustizia

DIREZIONE GENERALE  
PER GLI ISTITUTI DI PREVENZIONE E DI PENA

UFF. VI

Prot. N° 150486/95319

OGGETTO Detenuto Massimo Nicola.-

*Franco*

Roma 9 MAG 1946 196

Ala Commissione Alleata  
Sottocommissione I.S.  
ROMA

Richiesta n° del 6/4/1946

Dir. In. ARG/14075/7/

I.S

Con riferimento al foglio sopra indicato, si comunica di aver sollecitato telegraficamente la direzione della casa penale di Trasariglic a comunicare i motivi della mancata traduzione del detenuto in oggetto alle carceri di Roma.-

Altro sollecito è stato fatto al Comando Generale dell'Arma dei RR.CC.-

Si fa riserva di ulteriori comunicazioni al riguardo.-

Per il Ministro

*Amicucci*

45A

TRANSLATION T.B.

MINISTRY OF GRACE AND JUSTICE  
General Direction of Prisons

Office 1° A.F.  
N.131.743.2601/1°

Rome, 3/4/1946

Reply note N.14073.7  
of 4/2/1946  
Div. AC Sect. PS.

TO : ALLIED COMMISSION  
Legal Sub Commission  
R O M E

and F.I. to: LIAISON OFFICE

SUBJECT : MAGASIC Nicola.

The Cagliari General Attorney communicates that the convict in subject, since the 10th Feb. 1946 was handed over to CC.RR., in order to be conveyed to the Rome Prisons, at the disposal of the Yugoslav Delegation.

By order of the Minister

Illegible

TO	INITIALS	DATE
DIRECTOR	[initials]	10/4
DEPUTY DIRECTOR	[initials]	10/4
EXEC. OFFICER	[initials]	10/4
POLICE	[initials]	10/4
CC. & REG.	[initials]	
PRISONS	[initials]	
ADJ. OFFICER		
SECURITY		
CHIEF CLERK		

442\*



Ministero di Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI  
DELLE GRAZIE E DEL CASELLARIO

Ufficio I° A.P.  
Tel. N° 131.743.2601/1°

*P. Safety*

Roma, 7 Aprile 1945

*Tranelli*  
ALLA COMMISSIONE ALLEATA  
Sottocommissione Legale  
ROMA

Registrazione del 4/2/1945  
In P.S. 14073.7

Oggetto: MAGASIC Nicola.

e per conoscenza:  
ALL'UFFICIO COLLEGAMENTO  
S E D E

Il Procuratore Generale di Cagliari comunica che il detenuto di cui in oggetto fin dal 10 febbraio e.a. fu consegnato al CO.RR. per essere trattenuto alle carceri di Roma a disposizione della Delegazione Jugoslava.

d'ordine del MINISTRO

*[Signature]*

4420

TRANSLATION *WVA*

## MINISTRY OF GRACE AND JUSTICE

Rome, 5 April 1946

131533/95319

TO : ALLIED COMMISSION  
CIVIL AFFAIRS SECTION

SUBJECT : Detainee Nikola MAGASIC REG.

TO	INIT	DATE
DIRECTOR	<i>[initials]</i>	<i>[initials]</i>
DEPUTY DIRECTOR	<i>[initials]</i>	<i>[initials]</i>
OFFICER	<i>[initials]</i>	<i>[initials]</i>
PRISON	<i>[initials]</i>	<i>[initials]</i>
PRISONS	<i>[initials]</i>	<i>[initials]</i>
ADJ. OFFICER		
SECURITY		
CHIEF CLERK		

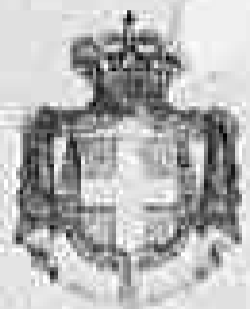
Reference to-day's telephone call from the Allied Commission, we wish to inform you that on 7 February 1946 this Ministry ordered the transfer of the a/n from the prison of Tramariglio (Sardinia) to the judicial jails of Rome.

On the same day the General Command of CCRR were requested to issue to the appropriate offices the necessary instructions for the transfer of Nikola MAGASIC from Tramariglio to Rome as soon as possible.

*PS/C**4424*

FOR THE MINISTER

*/s/*



Mod. 1541 MC

Ricevuto 5 APR 1946 1946

8 APR 1946

Ministero  
di Grazia e Giustizia

DIREZIONE GENERALE  
PER GLI ISTITUTI DI PREVENZIONE E DI PENA

Divisione Affari Civili  
PISA

Rel. N°

Resposta al F. 144  
Fu. Pa. N°

OGGETTO: Scelta Duccio Scudi

In relazione alla richiesta telefonica  
del rama di condotta G. Scudini, in contri-  
ca del questo Ministero di Pubblica  
Affari, Direzione in oggetto della casa, per  
la Trasmigrazione (Scudini), alle carceri peni-  
tenciarie di Roma San Giovanni e S. Maria U.S.  
La suddetta è stata interposta al Coman-  
do Generale dell'Arma dei Penali Carabinieri,  
perché dia la opportuna disposizione in un  
lato, e per la sollecitazione di Scudini  
al Comando di Trasmigrazione U.S.

Il Ministro

*[Handwritten signature]*



43A

HEADQUARTERS ALLIED COMMISSION  
Public Safety Sub-Commission  
APO 394

Tel: 489081-355

6 April 1946

AC/1407 3/7/46

SUBJECT : NIKOLA MAGASIC.

TO : Ministry of Grace and Justice.

26A

1. Reference is made to our letter of even number dated 4 February 1946.
2. Subject has not yet been handed to the Yugoslav Delegation in Rome. He is apparently still in Sardinia.
3. Can arrangements be made please to expedite this matter, which has now become one of some urgency.

*John W. Chapman*  
 JOHN W. CHAPMAN  
 Colonel, JAGC  
 Director.

FJW/cm

42A

COPY TO: - Dr. Sloven J. SMODLAKA  
 Deputy Representative of Yugoslavia  
 Advisory Council for Italy  
 (your 353/46 dated 31 March refers).

4420

42A



JUGOSLAV DELEGATION  
TO THE ADVISORY COUNCIL FOR ITALY  
Br. 383/46

31 March 1946

SUBJECT: MAGASIC NIKOLA

*SA + 434*  
*23 APR 1946*

Dear Brigadier Carr,

Reference your AC/14073/7/PS of 4 February 1946.

It is courteously requested that we be informed about action taken regarding this subject, since Magasic has not yet been handed over to us.

Yours very truly

*Dr. Sloven J. Smodlaka*

Dr. SLOVEN J. SMODLAKA,  
Deputy Representative of Yugoslavia  
Advisory Council for Italy

M. CARR, Brigadier,  
Vice President,  
Civil Affairs Section,  
H.Q.A.C.

*P.P. McC*

TO	INIT	DATE
DIRECTOR	<i>[Signature]</i>	3/10
DEPUTY DIRECTOR	<i>[Signature]</i>	3/14
CHIEF OFFICER	<i>[Signature]</i>	3/14
OFFICE		
ADVISOR		
ADVISOR		
SECURITY		
CHIEF CLERK		

6610  
1825  
ALLIED MILITARY GOVERNMENT  
HEALTH SERVICES



4A

ALLIED COMMISSION  
Liaison Office I.G.T.  
Bologna

— 29th March '46

Telephone: EMILIA 7

Reference: AC/LG/PS/17.22

Subject: ARREST OF JUGOSLAV NATIONALS.

To: Public Safety Sub-Commission,  
A.C.H.Q.

(through Lt.Col. Walters)  
(Chief Liaison Officer,  
(Bologna.)

21B

1. Reference your letter AC/14322/PS dated 17 Jan. '46 on the above subject.
2. Enquiry has been made at the Questura of each province in Emilia, and 417 F. S.S., with negative result.

N.F.A.

*Andrew G. P. Way*  
 ANDREW G. P. WAY, MAJOR  
 Allied Commission Liaison Officer  
 (Public Safety)

*Altran taken*  
 on 31<sup>A</sup>  
 2<sup>4</sup>/<sub>46</sub>

Forwarded

*T. W. J. Walters*  
 T. W. J. WALTERS, LT. COL.,  
 Chief Liaison Officer,  
 Bologna.

AGPW/1s

TO	INITIALS	DATE
DIRECTOR	<i>[initials]</i>	7/4
DEPUTY DIRECTOR	<i>[initials]</i>	7/4
CHIEF CLERK	<i>[initials]</i>	2/4
SECURITY		
CHIEF CLERK		

FRATELLI (N. 1.0.)

HOA

MINISTRY OF INTERIOR  
 General Direction for P.S.  
 Div. A.G.E. Sect. II  
 SO. 413/41747

ROME - 20 MARCH 1946

NO: ALLIED COMMAND  
 BUREAU SAFETY S.O.  
 SOE

For action See 34A.

Full info supplied to AFHQ

283/100

21A

SUBJECT:

Arrest of Italians.

Referring to AC/1431 P.S. of 17 Jan. last, we beg to inform you that on 21st August 1945, with the collaboration of the Allied Military and of those on the dependence of the Allied Military Government, the Questura of Cuneo proceeded to the arrest of the following Slavs:

1. - Stipcevic Eugenio fu Matteo, Italian subject;
2. - Trbovic Peter di Rado;
3. - Tatolovic Susan di Teodoro;
4. - Bacellic Ante di Rocco;
5. - Duplancic Vinco di Antonio;
6. - Corotai Franz di Giorgio.

Although they all took part in partisan formations during the clandestine period, after the liberation they continued to go about armed, abandoning themselves to all sorts of abuses to the detriment of the local population.

In their luggage when arrested were found two automatic pistols, 20 Kg. of explosive and 200 detonators, besides a large quantity of material collected - it appears - during the partisan period.

After the Allied Military Government had examined the question and disposed of that the prisoners be committed to an ordinary law court, the local Questura, by report dated 26-9-45, referred the matter to the local Procura del Regno who saw to the release of Corotai Franz, not considered guilty, and detain the others at the local prison.

After penal investigation proceedings had passed through the hands of the Giudice Istruttore del Tribunale di Cuneo, the trial documents were transmitted to the competent 441.

Military Tribunal, since the defendants were convicted of crimes classified as military ( Art. 22 S.E.L.S.).

Thus, on the 3rd of Feb. last, the prisoners were transferred to Lavin, and placed at the disposal of that Military Tribunal.

In connection with the other arrested Slav, Dr. Slavko Moravec, we are still waiting for the already urged for report of the Milan Prefecture. We shall inform you of same as soon as it is handed us.

For the Minister  
/s/ illegible

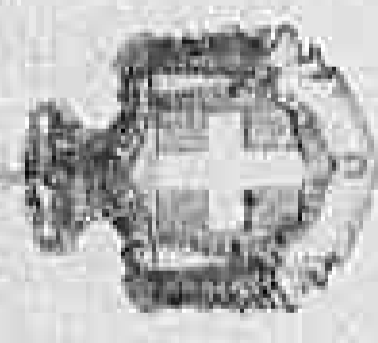
N.F.A.

See 34<sup>A</sup>

22/3



4410



Ministero dell'Interno

DIREZIONE GENERALE DELLA PUBBLICA SICUREZZA

Roma 20 marzo 1945

*Franslate*

AL COMANDO COMMISSONE ALLEATA  
Sottocommissione per la P.S.  
R. O. M. A.

Direzione A.G.R. Sec. 2a  
Prot. N. 443/41247 Allegati

Risposta al foglio del  
Gen. *Lu*

OGGETTO = Arresto di cittadini jugoslavi. =

*RF*

In risposta alla nota 17 gennaio scorso n. AC. 14322 P.S., si comunica che il 21 agosto 1945, in collaborazione con militari alleati e d'ordine del Governo Militare Alleato, la Questura di Cuneo ha proceduto all'arresto dei seguenti slavi:

1. - Stipcevic Eugenio fu Matteo, cittadino italiano;
2. - Trbovic Peter di Redo;
3. - Tatalovic Dusan di Teodoro;
4. - Bacelic Ante di Rocco;
5. - Duplancic Vinco di Antonio;
6. - Corotai Franz di Giorgio, tutti cittadini jugoslavi.

I suddetti, benchè durante il periodo partigiano avessero fatto parte di formazioni partigiane, tuttavia dopo la liberazione continuavano a circolari armati commettendo soprusi e prepotenze in danno della popolazione locale.

All'atto dell'arresto, nel loro bagaglio personale furono rinvenute due pistole automatiche, kg. 20 di esplosivo plastico e 200 detonatori, nonchè un ingente quantitativo di merce proveniente, pare, da operazioni compiute

4410

Direzione A.G.R. 2a  
Tel. N.º 443/41247 Allegato

Risposta al Teleg. del  
1/12/45

OGGETTO = Arresto di cittadini jugoslavi. =

— B.F.

In risposta alla nota 17 gennaio scorso n. AC. 14322 P.S., si comunica che il 21 agosto 1945, in collaborazione con militari alleati e d'ordine del Governo Militare Alleato, la Questura di Cuneo ha proceduto all'arresto dei seguenti slavi:

- 1. - Stipcevic Eugenio fu Matteo, cittadino italiano;
- 2. - Trbovic Peter di Rado;
- 3. - Tatalovic Dusan di Teodoro;
- 4. - Bacelic Ante di Rocco;
- 5. - Duplancic Vinco di Antonio;
- 6. - Corotai Franz di Giorgio, tutti cittadini jugoslavi.

I suddetti, benchè durante il periodo partigiano avessero fatto parte di formazioni partigiane, tuttavia dopo la liberazione continuavano a circolare armati commettendo soprusi e prepotenze in danno della popolazione locale.

All'atto dell'arresto, nel loro bagaglio personale furono rinvenute due pistole automatiche, kg. 20 di esplosivo plastico e 200 detonatori, nonchè un ingente quantitativo di merce proveniente, pare, da operazioni compiute nel periodo partigiano.

Il Governo Militare Alleato, dopo avere esaminato la questione, disponeva che i suddetti fossero deferiti alla Magistratura ordinaria, per cui la locale Questura, con rapporto in data 26.9.1945, riferiva i fatti alla locale Procura del Regno che provvedeva a far scarcerare il Corotai Franz non ritenuto colpevole ed a trattenerne gli altri in stato di arresto presso le locali carceri.

4410

::/::

Dopo essere stato il relativo procedimento penale in istruttoria presso il Giudice Istruttore del Tribunale di Cuneo, gli atti relativi sono stati trasmessi al Tribunale Militare di Torino per competenza, essendo stati i suddetti ritenuti responsabili di un reato tipicamente militare (art. 224 C.P.L.G.).

I detenuti sono stati in data 3 febbraio scorso trasferiti a Torino a disposizione di quel Tribunale Militare.

Per quanto riguarda l'altro arrestato Dott. Slavko Moravec, si attendono notizie dalla Prefettura di Milano, già sollecitata, e si fa riserva di riferire a parte nel più breve termine possibile. .

PEL MINISTRO



39A

14072/1

Office of the Flag Officer,  
Liaison, Italy,  
ROME.

24th March, 1946.

No.F.O.L.I.1122/5.

PUBLIC SAFETY SUB COMMISSION,  
ALLIED COMMISSION.  
(Attention of Lieutenant Colonel Wilson).

ENTRY INTO MALTA OF JUGO-SLAV NATIONAL -  
DRAGAN FILIPOVIC.

A copy of Vice Admiral, Malta and Central Mediterranean's letter No.Malta 1085/E/35/6, dated 12th March, 1946, together with relative enclosures, is forwarded in continuation of my letter No.F.O.L.I.1122/5, dated 13th March, 1946.

TO		
DIRECTOR	<i>[initials]</i>	26/3
DEPUTY DIRECTOR	<i>[initials]</i>	26/3
CHIEF OFFICER	<i>[initials]</i>	
POWELL	<i>[initials]</i>	26/3
ED. STONE		
FRANCO		
ADM. OFFICER		
SECURITY		
CHIEF CLERK		

388

*[Signature]*

441\*

for REAR-ADMIRAL.

Enclosure:-  
Copy of Vice Admiral, Malta and Central Mediterranean's letter No.Malta 1085/E/35/6, dated 12th March, 1946 and enclosures thereto.

39B

SUBJECT: RYEH UNTO NAJDA DE YUGOSLAV NEKRETA - D. ZHILIPONIC.

FROM : VICE ADMIRAL, MALTA.  
DATE : 12th March, 1946. Malta No. 1085/2/33/6.  
TO : FLAG OFFICER LIAISON ITALY  
(Copies to:  
Senior Naval Officer, Maritime Study  
Commission Office (A.M.S. COMMALE).)

The attached reports on the illegal entry into Italy of  
B. PILLIOWIC are forwarded in confirmation of my letter No. 1085/2/33/2  
of 4th March, 1946.

2. It will be observed that the statements made by this man are  
contradictory but it is considered that the statement made to the  
Commanding Officer of H.M.S.L. 134 before the recent disembarkation to the  
truth, as the man has previously no desire to return to Yugoslavia.

See 39E

3. The action taken by the Civil Affairs Officer, Lamergate  
aimed to require investigation, and it is requested that you will  
inform the appropriate authorities.

'A'

4. Information has since been received from the Senior Marine  
Officer, Eastern Sicily, that PILLIOWIC has returned to Sicily in H.S.C.  
(L) 36. The Italian V.O.s have been informed but have no interest in  
the matter as they state that large numbers of Yugoslav residents  
without passports are now residing in Sicily.

*A. P. ...*

VICE ADMIRAL

6615



Senior Naval Officer, Eastern Sicily  
Commanding Officer H.M.S. Gibraltar

The attached reports on the illegal entry into Malta of  
E. FILIPPOVIC are forwarded in accordance of my Letter No. 1005/1/35/2  
of 4th March, 1946.

2. It will be observed that the statement made by this man are  
contradictory but it is considered that the statement made to the  
Commanding Officer of H.M.S.L. 134 under the present circumstances to the  
truth, as the man has obviously no desire to return to Yugoslavia.

See 39E

3. This action taken by the Civil Affairs Offices, Legation  
appears to require investigation, and it is requested that you will  
inform the appropriate authorities.

4. Information has since been received from the Senior Naval  
Officer, Eastern Sicily, that FILIPPOVIC has returned to Sicily in M.S.C.  
(L) 36. The Italian Police have been informed but have no interest in  
the matter as they state that large numbers of Yugoslav nationals  
without passports are now residing in Sicily.

*V. De M. ...*

VICE ADMIRAL

4415

Enclosures:-

- 1. Senior Naval Officer, Eastern Sicily's Letter No. 93/507  
dated 5th March, 1946.
- 2. Commanding Officer, H.M.S. GIBRALTAR's Letter No. M.S. 354/415  
dated 5th March, 1946.

FILE OFFICER LINDSEY  
 D. 21 MAR 1946  
 No. 11 2054/123/S  
 ROME

1085/E/367  
CONFIDENTIAL  
1085/E/367  
39c

Office of the Senior Naval Officer,  
Eastern Sicily,  
Messina.

5th March 1946.

No. 03/557.

Sir,

In accordance with your signal timed 031235 March, I have the honour to submit the following report.

2. Lieutenant R.S. MORTIMER, R.N.V.R., representing S.O.R.C.F. Messina, was sent to Malta on duty between 22nd and 30th January 1946. During this period he was accommodated in H.M.S. "GRETALE" and passage for his return to Messina had been arranged in "Pompeo Magno" sailing a.m. 30th January. At about 1800 on 29th January he had occasion to visit the First Lieutenant's office in H.M.S. "GRETALE" and found there the Jugo-Slav Dragan Filipovic in the office talking with the Secretary and the First Lieutenant, and clearly in a state of considerable perturbation at the information that he was to leave Malta immediately. During the progress of this conversation Lieutenant Mortimer became aware that (a) Dragan Filipovic had previously been in Sicily, (b) that the Secretary had instructions that Dragan Filipovic was to take passage in "Pompeo Magno", though it did not seem to be clear where he was to disembark, and (c) that Dragan Filipovic was raising every possible objection to embarking in "Pompeo Magno".

3. With the idea of assisting in what appeared to be a somewhat emotional situation Lieutenant Mortimer volunteered to keep an eye on Dragan Filipovic while in "Pompeo Magno" and to see him put ashore in Sicily and render him such assistance as was possible. This was agreed to.

4. It is desired to emphasise that this was the first occasion upon which Lieutenant Mortimer had ever seen Dragan Filipovic. He did not form a friendship with him while in H.M.S. "GRETALE". His motives were purely altruistic and activated purely by a desire to assist in what seemed to him an awkward situation.

5. The "Pompeo Magno" arrived at Messina about 2000 on 30th January and Lieutenant Mortimer, by this time feeling considerable embarrassment at the commitment he had taken upon himself, arranged to accommodate Dragan Filipovic in one of the Coastal Force craft in reserve at Messina.

6. The next morning and for several days following Lieutenant Mortimer did his best to persuade Dragan Filipovic to return to Jugoslavia or to go ashore in Sicily. Dragan Filipovic refused with tears to do either and implored Lieutenant Mortimer to assist him to

4412

Dragan Filipovic

2. Lieutenant R.S. MORTIMER, R.N.V.R., representing S.O.R.C.F. Messina, was sent to Malta on duty between 22nd and 30th January 1946. During this period he was accommodated in H.M.S. "GRETALE" and passage for his return to Messina had been arranged in "Pompeo Magno" sailing a.m. 30th January. At about 1800 on 29th January he had occasion to visit the First Lieutenant's office in H.M.S. "GRETALE" and found there the Jugo-Slav Dragan Filipovic in the office talking with the Secretary and the First Lieutenant, and clearly in a state of considerable perturbation at the information that he was to leave Malta immediately. During the progress of this conversation Lieutenant Mortimer became aware that (a) Dragan Filipovic had previously been in Sicily, (b) that the Secretary had instructions that Dragan Filipovic was to take passage in "Pompeo Magno", though it did not seem to be clear where he was to disembark, and (c) that Dragan Filipovic was raising every possible objection to embarking in "Pompeo Magno".

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1412

6. The next morning and for several days following Lieutenant Mortimer did his best to persuade Dragan Filipovic to return to Jugoslavia or to go ashore in Sicily. Dragan Filipovic refused with tears to do either and implored Lieutenant Mortimer to assist him to reach North Africa where he stated he had friends. Dragan Filipovic was retained in this unoccupied Coastal Force craft throughout this period.

7. Finally .....

The Vice-Admiral,  
Malta and Central Mediterranean.

CONFIDENTIAL. 1085/E 35/ of 12 R. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

Page 2.

Senior Naval Officer Sicily's Letter No. 03/557 dated 5th March 1946.

- 7. Finally Dragan Filipovic became acquainted with the Italian Captain of M.S.C.(L) 36 and arranged to travel back to Malta in that craft, apparently with the idea that he would there get passage to North Africa. Lieutenant Mortimer became aware of this arrangement at the last minute, but did nothing to frustrate it, apparently feeling that Dragan Filipovic would be arrested on arrival in Malta and that this would be the easiest way out of the impossible situation in which he (Lieutenant Mortimer) had allowed himself to become involved. M.S.C.(L) 36 sailed from Messina for Malta on 13th February.
- 8. Lieutenant Mortimer is a zealous, enthusiastic and capable young officer whose conduct hitherto has given every satisfaction, and it is quite incomprehensible to me that he elected to except the entire responsibility for the accommodation of the Jugo-Slav himself and did not take the obvious course of reporting the matter to me at once. His action in this respect cannot be condoned and it is very much regretted that such a concealment could have taken place within my command. It is submitted, however, that it was most unfortunate that H.M.S. "GREGALE" failed to inform me, as Senior Naval Officer in Sicily, that passage for this Jugo-Slav national had been arranged in "Pompeo Magno".

I have the Honour to be,

Sir,

Your Obedient Servant,

*R.H. S. S. S. S.*  
CAPTAIN, R.N.

441

ENCLOSURE No 2. MALTA No 1085/E/35/4 of 5<sup>th</sup> March, 1946

CONFIDENTIAL 397

DRAGAN FILIPOVICH (YUGOSLAV NATIONAL)  
Illegal Immigration to Malta.

FROM ... THE COMMANDING OFFICER, H.M.S. "GREGALE"

DATE ... 5th March, 1946

No. M.B. 954/415

TO ..... THE VICE ADMIRAL, MALTA

Report as required by your 031235 March is submitted.

- 2. This man was brought to Malta in M.L. 134 and the Commanding Officer's account of the circumstances is attached.
- 3. On arrival in Malta, efforts were made to get into touch with the Field Security. Before being successful in doing this, however, contact had been made with the British Naval Liaison Officer who took the case in hand and arranged for DRAGAN FILIPOVICH to leave Malta by the first passage which he could arrange.
- 4. The ship in which this man was sent away was, by chance, the same as that in which Lieutenant Kortimer was returning to Messina on duty.



*Hislop*  
COMMANDER, R.N.V.R.,  
COMMANDING OFFICER.

Encl.

6/3/46

(COPY) 2 MALTA No. 1085/1 of 12<sup>th</sup> March 1946 39E

BRAGAN FILIPOVICH

This man arrived from Sicily at Lampedusa in a small fishing craft on 20th January, and the Civil Affairs Officer, (A.M.G.) of Lampedusa requested me to give him passage to Malta when he could be attended to by the competent authorities. The Civil Affairs Officer, Captain Moon, was handing over the affairs of Lampedusa to the Italians, and not knowing what to do with this man, I think, glad to have the opportunity of sending him to Malta.

2. This man is in possession of the following papers:-

- (1) Identity card issued by A.M.G. Trieste
- (2) Yugoslav Passport (pre Tito) expired.
- (3) Permit from Italian authorities to reside temporarily in Italy.

3. His story is briefly that he was a Croatian Royalist, who after being held for interrogation by the Tito authorities in a concentration camp, was released, but knowing that existence would be somewhat insecure for persons of his opinions under the present regime, he left Yugoslavia. He believes that he is no longer a Yugoslav subject and is in fact stateless, and has since been trying to regularize his position so that he can emigrate, having been unable to get work in Italy. By profession he is a Civil Engineer.

4. Paragraph 3 above is founded only on his own statements, but he has given me the impression of being an honest and reliable man.

5. It was thought advisable to obtain the above brief particulars before handing him over to the competent authorities.

(Signed) R. WILKINSON

Lieutenant, R.N.V.R.,  
Commanding Officer,  
H.M.S. "J" 34

21st January, 1946.

4400

This man arrived from Sicily at Lampedusa in a small fishing craft on 20th January, and the Civil Affairs Officer, (A.S.C.) of Lampedusa requested me to give him passage to Malta when he could be attended to by the competent authorities. The Civil Affairs Officer, Captain Moon, was handing over the affairs of Lampedusa to the Italian, and not knowing what to do with this man, was, I think, glad to have the opportunity of sending him to Malta.

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4. Paragraph 3 above is founded only on his own statements, but he has given me the impression of being an honest and reliable man.

5. It was thought advisable to obtain the above brief particulars before handing him over to the competent authorities.

(Signed) R. M. M. J.

Lieutenant, R.N.V.R.,  
Commanding Officer,  
H.M.S. 134.

23rd January, 1946.

5100

38A

AS 17  
PP

Office of the Flag Officer,  
Liaison, Italy,  
ROME.

13th March, 1946.

No.F.O.L.I.1122/5.

PUBLIC SAFETY SUB COMMISSION,  
ALLIED COMMISSION.

(Attention of Lt. Col. Wilson).

ENTRY INTO MALTA OF YUGOSLAV NATIONAL -  
D. FILIPOVIC.

Copy of letter dated 22nd February, 1946  
from Defence Security Officer, Malta is forwarded  
for your information.

2. Arrangements are being made by Vice  
Admiral, Malta and Central Mediterranean for  
the return of Filipovic to Messina and you will  
be advised as to his expected time of arrival.

3. It is requested that you will advise  
Italian Authorities in order that they may take  
any action considered necessary as it is not  
known whether Filipovic has permission to reside  
in Italy.

MM NAMM

6400



13th March, 1946.

No.F.O.L.I.1122/5.

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ALLIED COMMISSION.  
(Attention of Lt. Col. Wilson).

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*W. N. M. M.*

4400

REAR-ADMIRAL.

Enclosure:-

Copy of Defence Security Officer, Malta's letter dated 22nd February, 1946 and enclosure thereto.

*1 Subject has arrived. See later cables. } see 37A  
2 Moral Police Sicily informed *Ph.* } phone  
15/3*

C O P Y.URGENTRef : SF. 286  
Rel : F. 231Confidential.

Y.H.,

Dragan FILIPOVIC.

I am informed by the Commissioner of Police that on Tuesday 19th February, 1946, the above-named arrived in Malta from Augusta on board a British naval landing craft, without a valid passport or any other document of identity. He was in possession of a paper signed by Lieutenant Mortimer, R.N.V.R., Messina, stating that the above-named has been given a passage in this British naval landing craft as far as Malta.

On being questioned, he made the following statement :

Up to 1942 or 1943 he was studying civil engineering in Yugoslavia when he was called up and had to give up his studies. Later he joined Marshal Tito's army and served as a Lieutenant, but subsequently managed, on his being discharged from the service in August, 1945, to leave Yugoslavia and proceeded to Italy.

About a month ago he left Palermo and made his way to Lampedusa on an Italian fishing trawler, but after a short stay he succeeded in coming over to Malta on a British naval motor launch, in Malta he stayed at H.M.S. "GREGALE" as a guest of British naval officers.

While at "GREGALE" he was befriended by Lieutenant Mortimer, R.N.V.R. and about a week ago he again left Malta (in the company of Lieut. Mortimer) and proceeded to Messina on an Italian warship, believed to be the "POMPEO MAGNO". Soon after their arrival in Messina Lieut. Mortimer and Filipovic parted company and the latter returned to Malta as already stated.

It will be seen, therefore, that this individual has visited Malta previously without permission. I am informed that the Immigration Authorities here have refused him permission to land.

My own opinion is that this man should be returned from whence he came, and as the Navy were responsible for giving him a passage they could be made responsible for his return journey.

38C

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My own opinion is that this man should be returned from whence he came, and as the Navy were responsible for giving him a passage they could be made responsible for his return journey.

I also attach a copy of a note given to this individual by Lieutenant Mortimer.

(Sgd.) J.A. GREEN.

for (P. PERFECT) Lt.-Colonel

D.S.O.

Malta,  
22nd February, 1946.

33<sup>0</sup>

C O P Y.

To whom it may concern.

DRAGON FILIPOVIC is endeavouring to reach  
Croatian friends in Tunis by the name of  
LUKA LUSICH of Machadia, Tunisia, and has been given  
passage in this N.S.C.L. as far as Malta, that  
from there he may gain a passage to North Africa.

(Sgd.) I.C. Mortimer,

Lt. R.N.V.R.

Messina.

440<sup>0</sup>

(1289). Wt. 30147/D.5071. 25,000M. 11/44. P.L.

37A  
S. 1320d.  
(Established—May, 1949)  
(Revised—June, 1949)

FOLI (R) PUBLIC SAFETY SUB COMMISSION H.Q. A.C.

VAM

14073/7

Restricted

Your 121159.

(2) FILIPOVIC returned to Sicily on board U.S.C. 35 on 9th March 1946. Italian police informed by SKOBY but state there are large numbers of Yugoslav nationals without passports in Sicily and appear completely disinterested. Written report.

)----- 12204A March-----

REF...E.T.A. OF FILIPOVIC.

T/P E/L FOR 2310 WAG, D. 12/3  
Dist. 0-5 10 30 32 Log 2-0/1 P.S. S/C.

Letn.  
12/3  
[Signature]

4405

VAM (R) PUBLIC SAFETY SUB-COM HQ A.C.

FOLI (22)

Unclassified

Para 2 of your 4085/8/35/2 dated 4th March.  
Request earliest notice be given of E.T.A. of WILKINSON.

-----12:59A March-----

T/P P/L T OD 1210 PAG.3. 12/3  
Dist. 0-5 10 30 32 103. 2-H/M P.S. S/C.

*Seen. file follows Notices.*

*NFA. at present*

*12/3*

*[Handwritten signature]*

4404

# INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

*P. Safety 9/c*  
*26 A*

Originator's Reference: 1 547

Message Centre No: H/439

Date/Time of Origin: MAR 101130-A

Date Time Rec'd: MAR 110845

Precedence: ROUTINE

FROM: MAIN HQ 13 CORPS

TO : BRITISH EMBASSY BELGRADE, INFO: AFHQ ALCOM

*DPS*  
*DDPS*  
*PC*  
*2*

## CONFIDENTIAL

CONFIDENTIAL.

SPERAC. IVO applied to port security for docks permit and was found not to have and af permit to be in zone.A. Only document of identity offered was Yugoslav non residents identity card issued TRIESTE 1 March 46. Had not registered as an alien and was not living at address given. Have checked with UNKRA who have assumed responsibility for ensuring his correct documentation soonest. He will be released. This detention was due solely to reasons given above. All info.

AC DIST

INFO ACTION P SAFETY SC  
INFO CHIEF COMMISSIONER  
P SAFETY (TC) 2  
FILE 2  
FLOAT

INFO - ACTION

## CONFIDENTIAL



4403

536  
MARCH 081830A

DPS - [unclear]  
DIPS [unclear]  
Pol 1 [unclear]  
2 [unclear]

H/389  
MARCH 091600  
ROUTINE

[unclear]  
[unclear]

BRITISH EMBASSY BELGRADE MILITARY ATTACHE  
13 COMUS ,INFO: AFHQ ALCOM

**CONFIDENTIAL**

CONFIDENTIAL:

Subject is arrest of Yugoslav citizen Spirac.

1. Unrra Belgrade were informed on 7 March through Jugo-slav Quarters that Ivo Spirac representing " Zavod Za Vanredne Nabavke " who has just replaced Bozevic in this post had been arrested by Allied Authorities in Trieste.
2. They had previously been inform that Spirac was not obtaining same facilities in connection with visits Port etc. As Bozevic end it appears his arrest was due to non-possession of requisite permit.
3. Unrra co-operated Spirac as Official representative "ZZYN which is organization through which Unrra deal with Jugo-slav Government.
4. They urgently request if arrest was in fact due to reasons stated above Spirac be given his freedom whilst matter is being rectified.
5. For your information story has received some prominence in todays Belgrade newspaper Politika. A full statement of the facts would therefore be helpful.

HEADQUARTERS

AC. DIST

11 MAR 1946

-----  
 INFO ACTION - LIAISON DIV  
 INFO- CHIEF COMMISSIONER  
 LEGAL  
 P SAFETY 2  
 FILE 2  
 FLOAT

4 1946

**CONFIDENTIAL**



34<sup>A</sup>

HEADQUARTERS ALLIED COMMISSION  
Civil Affairs Section  
AFG 394

AC/14073/7/IS

March 1946

SUBJECT : Arrests of Yugoslavs in Italy.

TO : AFHQ, G-5 Section.

1. Reference is made to your 250.3 dated 14 Jan 46, and our letter of even number dated 25 Jan 46.
2. The following five Yugoslavs were arrested on 25 February 1946 by 315 Field Security Section on security grounds. F.S.S. state they have evidence that these men have been associating with known Tito agents, and they are holding them in the civil jail at Turin pending investigation.

STIPCEVIC	Eugen
TRBOVIC	Peter
VATAROVIC	Dusan
BECEVIC	Ante
MIKIC	Vinko

3. The above men, together with ERANC Franko were first arrested on 20th August 1945 by the joint work of Allied Military Authorities and Cuneo CC.MR. and Questura. The men are ex-partisans who remained after the liberation at DOGLIANI (Cuneo Province) and became local bandits. ERANC was released on 8 Sept 45 when it was found that he had only recently joined the band and was not involved. He was not charged.

4. The five men mentioned in Par.2 were charged with:--
  - a) - Crime mentioned in Art. 81 - 110 C.P. 224 pp. Capv. 1st and 2nd C.E.M.S. For having at Dogliano and neighbourhood, before April 1945 until end of said month, acted together, first as partisans then as soldiers, forced

6601

I

many persons to hand over to them material, goods and foodstuffs. The persons robbed were: Fassato Braenegilda, was compelled to hand over one hundred bicycle frames; Ravera Giuseppe and Ludasso Giovanni their hunting guns; Rolfo Create one hundred dozen eggs; Barbero J.B. a cooker, 10 Kgs. of lard and his motorcycle; Dardo Giovanni a "Lenica" truck; Panfredi Felice two brand-new tyres; Ravinale Enrico a motorcycle; from Guertara Carolina men and women's underclothing; from Corrado Giuseppe five lorry wheels and spare parts; from Montanaro Caterina various articles and foodstuffs. The purpose of the robberies was gain. The persons robbed were ill-treated and threatened.

b) - Crime mentioned in Art. 612 pp. capv. 110 - 339 C.P. For having concurred at Monforte d'Alba in July 1944 with pointed arms threatened to kill Eustino Lorenzo.

c) - Crime mentioned in Art. 629 pp. Capv. 81 - 110 C.P. 4 D.L.L. 10/5/1945, N.234. For having acted together in obliging De Valle Ernesto to give over his tobacco coupons.

d) - Crime mentioned in Art. 1, 1st D.L.L. of 10/5/1945, N.234 and 110 C.P. For unlawfully detaining two pistols, two loaders, a sack containing 20 Klg. of explosives and two detonators.

e) - STIPCEVIC (alone). Offence mentioned in Art. 628 pp. Chapter 1, N.14 D.L.L. of 10/5/1945, N.234. Having at Bouchiere compelled, with pointed weapon, a Ravinale Enrico to give up his bicycle.

5. The investigation showed that some of the above offences were committed when the men were in partisan service and the papers were therefore forwarded to the Procuratore Militare, who released the men on provisional liberty on 19 February 1946. It is stated by the Public Safety L.O. Turin that the Procuratore Militare did not desire to become involved with the Yugoslav Government and hoped the men would make their way back to Yugoslavia as D.P.'s. However, as pointed out in Par. 2 above, the 5 men have now been arrested by F.S.S.

6. Dr. SLAVKO ROBAVEC was arrested in Turin on 21 September 1945 for illegal possession and carrying a loaded

440

firearm. When charged he was allowed bail but did not reappear. A warrant has been issued for his arrest.

For the Chief Commissioner



M. CARR, Brigadier  
VP CA Section.

33A

ALLIED COMMISSION  
LIAISON GROUP  
PIEMONTE REGION  
Public Safety Section

27th. February, 1946.

Ref. No.: PR/L/PS/21/29.

Subject: Yugoslav Nationals.

To: A.C. H.Q. Public Safety Sub-Commission, APC.394.

Further to correspondence on this matter your file  
No. AC/14C73/7/PS.

1) Information has been received from 315 Field Security Section  
that the five Yugoslavs,

- STIPCICVIC Eugen
- TRBOVIC Peter
- TATAROVIC Dusan
- BECEVIC Ante
- DUPLOVIC Vinko

were arrested by that section on the 25th. instant on security grounds.

2) Field Security Section state that they have evidence that these men have been associating with known TITO agents and they are holding them in the Civil jail at Turin pending investigation.

3) Forwarded for information.

*F. G. Green*

F. G. GREEN,  
Lt. Colonel G.I.,  
Chief Police Liaison Officer.

DPS

~~DPS~~

Pat. 1. 2

4390

Further to correspondence on this matter your file  
No. AC/14073/7/PS.

1) Information has been received from 315 Field Security Section  
that the five Yugoslavs,

- STIPCEVIC Eugen
- TRBONIC Peter
- TAJAROVIC Dusan
- BECELIC Ante
- DUPLONCIC Vinko

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2) Field Security Section state that they have evidence that  
these men have been associating with known TITO agents and they  
are holding them in the Civil jail at Turin pending investigation.

3) Forwarded for information.

*L. Green*

F.G. GREEN,  
Lt. Colonel G.L.,  
Chief Police Liaison Officer.

DPS

~~DPS~~

Pl. 1. *[initials]*  
2.

4390

4

*Francis is seen as possible plane ER 23/2 32A*

ALIED COMMISSION  
LIAISON GROUP  
PIEMONTE REGION  
Public Safety Section

19th. February 1946  
*Recd 23/2 ER*

Ref. No: FR/L/PS/21/29  
Subject: Yugoslav Nationals  
To: AC HQ. Public Safety Sub-Commission, APO 394.  
*30A*

Referring your AC/I4073/7/PS dated 12/2/1946.

1. All five individuals named are charged with some offence (see attached copy of sentence of Giudice Istruttore). It is to be noted that murder charges have been dropped.

2. All five were arrested at 05.30 hours on 20th. August 1945.

3. Procuratore Militare has decided to release in provisional liberty on 19th. February 1946 owing to overcrowded state of courts (28,000 cases are awaiting trial in Piemonte) and desiring to avoid bickering with Yugoslav Government. He is hoping they will disappear and go home to Jugoslavia as D.P.s.

4. Franc was released as soon as it was clear that he had only recently joined the band and was not involved in their misdeeds. No charge proffered.

5. Franc was arrested at 05.30 hours on 20th. August 1945.

6. No sentence on Franc as he was not charged.

7. Franc was released on or before 8th. September 1945

8. Moravec was arrested on 21st. September 1945

For AC C.L.O.

*W.H. Souter, Capt*

*W.G. GREEN*

4396

19th. February 1946  
*Rec'd 23/2 SR*

Ref. No: FR/L/PS/21/29  
Subject: Yugoslav Nationals  
To: AC HQ. Public Safety Sub-Commission, APO 394.

*30A*  
*32*

Referring your AC/I4073/7/PS dated 12/2/1946.

1. All five individuals named are charged with some offence (see attached copy of sentence of Giudice Istruttore). It is to be noted that murder charges have been dropped.

2. All five were arrested at 05.30 hours on 20th. August 1945.

3. Procuratore Militare has decided to release in provisional liberty on 19th. February 1946 owing to overcrowded state of courts (28,000 cases are awaiting trial in Piemonte) and desiring to avoid bickering with Yugoslav Government. He is hoping they will disappear and go home to Jugoslavia as D.P.S.

4. Franc was released as soon as it was clear that he had only recently joined the band and was not involved in their misdeeds. No charge proffered.

5. Franc was arrested at 05.30 hours on 20th. August 1945.

6. No sentence on Franc as he was not charged.

7. Franc was released on or before 6th. September 1945

8. Moravec was arrested on 21st. September 1945

For AC C.I.O.

*W. G. Green*  
*W. G. Green*  
Lt. Colonel G.L.  
Chief Police Liaison Officer.

*639*

TRANSLATION M.C. 32BCOPYSentence delivered by the Giudice Istruttore.

SUBJECT: Yugoslav Nationals.

The Giudice Istruttore with the Civil and Penal Tribunal of Cuneo issued the following judgement in the penal precedents against:

- 1) - Stipcevic Eugenio fu Matteo and fu Castio Simeona - born at Zara on 28/2/1908 - detained C.G. Cuneo.
- 2) - Trbobic Peter di Rado and fu Ivosovic Maria - born at Dresliza on 12/7/1919 - detained C.G. Cuneo.
- 3) - Tatalovic Ducan di Teodoro and di Saviza Ivosovic - born at Dresliza on 15/10/1910 - detained C.G. Cuneo.
- 4) - Bacevic Antonio di Rocco and of Ugera Maria - born at Sevenico on 10/4/1925 - detained C.G. Cuneo.
- 5) - Duplancich Vinco di Antonio and di Fabiana Maria - born at Spalato on 25/10/1923 - detained C.G. Cuneo,

Charged with

- a) - Crime mentioned in Art. 81 - 110 C.P. 224 pp. capv. 1st and 2nd C.P.M.G. for having at Dogliano and neighbourhood, before April 1945 until end of said month, acted together, first as partisans then as soldiers, forced many persons to hand over to them material, goods and foodstuffs. The persons robbed were: Fossato Ermenegilda, was compelled to hand over one hundred bicycle frames; Ravera Giuseppe and Madasso Giovanni their hunting guns; Rolfo Oreste one hundred dozen eggs; Barbero G.B. a cooker, 10 Kgs. of lard and his motorcycle; Dardo Giovanni a "Lanica" truck; Manfredi Felice two brand-new tyres; Ravinale Enrico a motorcycle; from Quartara Carolina men and women's underclothing; from Corrado Giuseppe five lorry wheels and spare parts; from Montanaro Caterina various articles and foodstuffs. The purpose of the robberies was gain. The persons robbed were ill-treated and threatened:



- b.) - ~~for~~ crime mentioned in Art. 612 PP. opv. 110 - 339 C.P. for having concurred at Monforte d'Alba in July 1944 with pointed arms threatened to kill Fantino Lorenzo.
- c.) - ~~for~~ crime mentioned in Art. 629 PP. cpv. 81 - 110 C.P. 4 D.L.L. 10/5/1945, N. 234. For having acted together in obliging De Valle Ernesto to give over his tobacco coupons.
- d.) - ~~for~~ crime mentioned in Art. 3, 1st D.L.L. of 10/5/1945, N. 234 and 110 C.P.. For unlawfully detaining two pistols, two loaders, a sack containing 20 Klg. of explosives and two detonators, Stipcevic, besides offence mentioned in Art. 628pp. Chapter I, N. 14 D.L.L. of 10/5/1945, N. 234, ~~was~~ charged with having at Monchiere compelled, with pointed weapon, a Ravinale Enrico to give up his bicycle.

(e) STIPCEVIC (alone) offence mentioned in Art. etc.

Deeming that defendants have to answer for crimes pertaining to the army: as trial papers show, some of their offences were committed when still in the partisan formations, and considered, therefore, as men in the regular service (according to Art. 7 C.P.M.G.).

P.Q.M.

Complying with requests of the P.M. - according to Art. 39 C.P.P. - declares its incompetency and orders the on-forward transmission of documents to the Procuratore Militare del Regno with the Military Territorial Tribunal of Turin, empowered to act accordingly.

Careo 30 Jan. 1946

The Giudice Istruttore

The Cancelliere  
Turin 15 Feb. 1946

4390

COPIA

SENTENZA DEL GIUDICE ISTRUTTORE.

IN NOME DI S. A. R.

UMBERTO DI SAVOIA

PRINCIPE DI PIEMONTE SUGGERENTE GENERALE  
DEL REGNO

IL GIUDICE ISTRUTTORE PRESSO IL TRIBUNALE CIVILE E PENALE  
DI CUNEO - ha pronunciato la seguente sentenza nel procedimento  
penale.

C O N T R O

- 1°) - STIPCEVICH Eugenio fu Matteo e fu Gastio Simeona - nato a  
ZARA il 28/2/1908 - detenute C.G. Cuneo.
- 2) - TRBOBIC Peter di Rado e fu Ivosevio Maria nata a Dresliza  
il 12/7/1919 - detenute C.G. Cuneo.
- 3) - TATABOVIC Lucan di Teodoro e di Saviza Ivosevio - nato a  
Dresliza il 15/10/1910 ( detenuto C.G. Cuneo)
- 4) - BACEVIC Antonio di Rocco e di Ugerna Maria nato a Sevenico  
il 10/4/1925 - detenuto C.G. Cuneo. -
- 5) - DUPLANGICH Vinco di Antonio e di Fabiana Maria nato a Spalato  
il 25/10/1923 ( detenuto C.G. Cuneo )

I N F U T A T I

- a) - del reato di cui agli art. 81 - 110 C.P. 224 pp. capv. 1° e  
2° C.F.M.G. per avere in quel di Dogliani e dintorni da data  
imprecisata e fino all'aprile 1945 in concorso fra loro, con  
più azioni esecutive di un medesimo disegno criminoso, quali  
partigiani e quindi quali militari alle armi (art. C.F.M.G.)  
senza necessità imposto a diverse persone della zona requisiti-  
zioni non dovute, più precisamente ed in particolare a  
POSSATO Ermenegilda la requisizione di cento telai di bici-  
cletta: a RAVERA Giuseppe un fucile da caccia: a MUDASSO  
Giovanni un fucile da caccia: a ROLFO Creste cento dozzine  
di uova: a BARBERO Giovanni Battista una cucina economica  
Kg. 10 di lardo ed una motocicletta: - a D'ARCO Giovanni  
autocarro - Lanica: a MANFREDI Felice, due gomme nuove, a  
RAVINALE Enrico unamotocicletta: e QUARTARA Carolina, maglierie

DEL REGNO

IL GIUDICE ISTRUTTORE PRESSO IL TRIBUNALE CIVILE E PENALE  
DI CUNEO - ha pronunciato la seguente Sentenza nel procedimento  
penale.

## C O N T R O

- 1°) - STIPEVICH Eugenio fu Matteo e fu Castio Simona - nato a  
MARA il 28/2/1908 - detenuto C.G. Cuneo.
- 2) - TRBOBIO Peter di Rado e fu Ivosevio Maria nato a Dresliza  
il 12/7/1919 - detenuto C.G. Cuneo.
- 3) - TATALOVIC Imcan di Teodoro e di Saviza Ivosevio - nato a  
Dresliza il 15/10/1910 ( detenuto C.G. Cuneo)
- 4) - BACEVIC Antonio di Rocco e di Ugera Maria nato a Sevenico  
il 10/4/1925 - detenuto C.G. Cuneo. -
- 5) - DUPLANTICH Vinco di Antonio e di Fabiana Maria nato a Spalato  
il 25/10/1923 ( detenuto C.G. Cuneo )

## I M P U T A T I

- a) - del reato di cui agli art. 81 - 110 C.R. 224 pp. capv. 1° e  
2° C.R.M.G. per avere in quel di Dogliani e dintorni da data  
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più azioni esecutive di un medesimo disegno criminoso, quali  
partigiani e quindi quali militari alle armi (art. C.F.M.G.)  
senza necessità imposta a diverse persone della zona requisiti-  
zioni non dovute, più precisamente ed in particolare a  
FOSSATO Ermenegilda la requisizione di ceato telai di bici-  
clette; a RAVERA Giuseppe un fucile da caccia; a MUDASSO  
Giovanni un fucile da caccia; a ROLEO Oreste cento dozzine  
di uova; a BARBERO Giovanni Battista una cucina economica  
Kg. 10 di lardo ed una motocicletta: - a DARDI Giovanni  
autocarro - lanica; a MANFREDI Felice, due gonne nuove, a  
RAVINALE Enrico unmetocicletta; a QUARTARA Carolina, maglierie  
da uomo e da donna; a KONRADO Caterina oggetti vari e generi  
alimentari diversi; a CORRADO Giuseppe; cinque ruote di auto-  
carro ed altri pezzi di autocarro; Commettendo il fatto a  
fine di lucro; con violenza e minaccia nei confronti delle  
predette persone:
- b) - del reato di cui agli art. 612 p.p. capv. 110 - 339 C.P. per  
avere in Monforte d'Alba nel luglio 1944 in concorso fra loro  
minacciato di morte con armi PANTINO Lorenzo.
- c) - del reato di cui agli art. 629 pp. capv. 81 - 110 C.P. 4 D.F.L.  
10/5/1945 p. 234 per avere in Dogliani da data imprecisata

- 2 -

e fine all'Agosto 1945 in concorso tra loro e quindi in più persona riunite con più azioni esecutive di un medesimo disegno, al fine di procurarsi un ingiusto profitto, costretto DE VALLE Ernesto a consegnare loro buoni per provvedimento di tabacchi.

d) - del reato di cui all'art. 3 partep prima cpv. 1° D.L.L. 10/5/1945 n. 234 e TIC C.P. per avere nelle stesse circostanze due piccioli, due caricatori, un sacchetto di - materiale esplosivo del peso di Kg. 20 ed infine due scatole di 100 detonatori ciascuno. Lo STIPOVICH inoltre del reato di agli art. 628 pp. Cap. I° N. 1 4 D.L.L. 10/5/1945 N. 234 per essersi in Mouchiere nel luglio del 1944 impossessato, al fine di procurarsi un ingiusto profitto, mediante minaccia con armi, di una bicicletta in danno di RAVINALE Enrico sottraendola a costui che la deteneva.

Ritenuto che tutti gli imputati devono rispondere di un reato tipicamente militare:  
 Che inoltre degli atti di causa risulta che gli imputati hanno commesso alcuni dei fatti loro ascritti mentre erano inquadrati in regolari formazioni partigiane e quindi quali militari alle armi in servizio (art. 7 C.E.L.G.)

P. Q. M.

Visto l'art. 39 C.E.L.G. in conformità alle richieste del P.M. dichiara la propria incompetenza ed ordina la trasmissione degli atti al Signor Procuratore Militare del Regno presso il Tribunale Militare Territoriale di Torino, competente per materia e territorio.

Cuneo 14 30. I. 1946

439a

retto DE VALLI Ernesto a consegnare loro buoni per prelevamento di tabacchi.

del reato di cui all'art. 3 partep prima cpv. 1° D.L.I. 10/5/1945 n. 234 e l'IO C.P. per avere nelle stesse circostanze del reato di illegittimo acquisto, due caricatori, un sacchetto di - materiale esplosivo del peso di Kg. 20 ed infine due scatole di 100 detonatori ciascuno. Lo STIPCEVICH inoltre del reato di agli art. 628 pp. Cap.1° N.1 4 D.L.I. 10/5/1945 N. 234 per essersi in Moushiere nel luglio del 1944 impossessato, al fine di procurarsi un ingiusto profitto, mediante minaccia con armi, di una bicicletta in danno di RAVINALE Enrico sottraendola a costui che la deteneva.

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Che inoltre dagli atti di causa risulta che gli imputati hanno commesso alcuni dei fatti loro ascritti mentre erano inquadrati in regolari formazioni partigiane e quindi quali militari alle armi in servizio (art. 7 C.P.E.G.)

P. Q. M.

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Cuneo 11 30.I.1945

4390

IL GIUDICE ISTRUTTORE  
f.to Ill. lo

IL CANCELLIERE  
f.Ill.lo

Torino 16 Febbraio 1946

31A

HEADQUARTERS ALLIED COMMISSION  
APO 394  
LEGAL SUB-COMMISSION

AG/4132/I.

MP/es  
21 February 1946

SUBJECT : Bacelic Ante.

14073/7  
=

TO : Public Safety Sub-Commission.

1. Yugoslav Delegation to the Advisory Council for Italy has requested this Sub-Commission to obtain the release from Italian authorities of some individuals claimed as Yugoslav nationals among whom is the a/mentioned.

2. I am informed that Bacelic Ante was arrested on the 21 August by Military Police at Dogliani near Turin while he was awaiting ~~for~~ repatriation.

3. May this Sub-Commission please be informed at your earliest convenience whether the a/mentioned is still held by Allied authorities and if any charge has been brought against him.

*G. G. Hannaford*

G.G. HANNAFORD,  
Lt. Col.,  
Deputy Chief Legal Advisor.

TO	INIT	DATE
DIRECTOR	<i>W</i>	23/2
DEPUTY DIRECTOR	<i>W</i>	23/2
EXT. OFFICER		
PHONE	<i>W</i>	23/2
LIC & REG.		
PRISON		
ADM. OFFICER		
SECURITY		
CHIEF CLERK		

*Reply awaited  
at home in 21/2*

439~

30A

HEADQUARTERS ALLIED COMMISSION  
Public Safety Sub-Commission  
APO 394

Tel : 478427

AG/14073/7/PS

12 February 1946

SUBJECT : Yugoslav Nationals.

TO : Chief Liaison Officer,  
Piedmonte.  
(Attn: P.S. Liaison Officer).

28A

1. Reference your letter PR/L/PS.16/5 of 29/1/45 re above nationals.
2. Will you please forward to this Hq. as quickly as possible:-
  - a) the offences with which each individual in custody is charged;
  - b) date of arrest;
  - c) whether likely to be brought to trial in the near future;
  - d) charges against Franc;
  - e) date of arrest;
  - f) sentence;
  - g) date of release;
  - h) date of arrest of Moravec.
3. Will you please treat this enquiry as urgent.

EJB/ae

  
E. J. BYRNE, Colonel  
Deputy Director.

4391

HEADQUARTERS ALLIED COMMISSION  
Public Safety Sub-Commission  
APO 394

209

Tel : 476427

AC/14073/1/PS

12 February 1946

SUBJECT : Arrest of Jugoslav Nationals.

TO : Ministry of Interior,  
Director General P.S.

1. Reference this Hq. letter on above subject  
AC/14322/PS dated 17th January 1946.
2. May the information requested now be given  
please.

EJB/ae

*E. J. Bye*  
E. J. BYE, Colonel  
Deputy Director.

4390



ALLIED COMMISSION  
LIAISON GROUP  
PIEMONTE REGION  
Public Safety Section

28A

Ref. No: PR/L/PS/16/5

Subject: Arrest of Yugoslav Nationals.

To : HQ. A.C. Public Safety Sub-Commission.

29th January 1946

INIT	DATE
216	3/4/46

Reference your AC/14322/PS dated 17 January 1946.

1. Full reports have already been rendered three times of the arrest of the Yugoslavs mentioned, but as files have already been sent to archives references are not available.
2. The first six men are ex-partisans who remained after the liberation at Dogliani (Cuneo Province) and became plain and simple bandits terrorising the district. They were arrested by joint work of AMG, British soldiers, Cuneo CCRR and Questura and apart from KRANIC (released months ago) are accused before the Tribunale on charges ranging from two murders to illegal possession of arms and società a delinquere. The men were receiving 15,000 lire each subsidy from the Communist Party every month.
3. MORAVEC, who at the time was acting purely as a political agent in Torino, appeared at this Headquarters and claimed that as the men are Yugoslavs they could only be tried by Yugoslavs in Yugoslavia, obviously absurd; he then tried to say they were members of the Yugoslav mission, but they had no authority as such; he himself was arrested for illegal possession and carrying of a loaded pistol and when charged was allowed bail by the magistrate; he did not reappear and there is a warrant for his arrest.
4. All these men are common thugs and criminals and the 438.

Their Yugoslav

Subject: Arrests

To : HQ. A.C. Public Safety Sub-Commission.

216

Reference your AC/14322/P3 dated 17 January 1946.

1. Full reports have already been rendered three times of the arrest of the Yugoslavs mentioned, but as files have already been sent to archives references are not available.
2. The first six men are ex-partisans who remained after the liberation at Dogliani (Cuneo Province) and became plain and simple bandits terrorising the district. They were arrested by joint work of AMG, British soldiers, Cuneo CCRH and Questura and apart from KRANC (released months ago) are accused before the Tribunale on charges ranging from two murders to illegal possession of arms and società a delinquere. The men were receiving 15,000 lire each subsidy from the Communist Party every month.
3. MORAVEC, who at the time was acting purely as a political agent in Torino, appeared at this Headquarters and claimed that as the men are Yugoslavs they could only be tried by Yugoslavs in Yugoslavia, obviously absurd; he then tried to say they were members of the Yugoslav mission, but they had no authority as such; he himself was arrested for illegal possession and carrying of a loaded pistol and when charged was allowed bail by the magistrate; he did not reappear and there is a warrant for his arrest.
4. All these men are common thugs and criminals and the evidence against them is overwhelming. Their Yugoslav friends have tried every trick to intimidate the Italian authorities.
5. The bodies are as stated in your letter at Cuned and Fossano except for KRANC (released) and MORAVEC (latitante).

FOR THE CHIEF LIAISON OFFICER.

L. MONTAGUE  
Lt. Colonel,  
For Chief Liaison Officer.

JK/La

HEADQUARTERS  
**ALLIED COMMISSION**  
 LIGURIA LIAISON GROUP  
 CMF - APO 394

27A

REF : LOP. 534  
 SUBJECT : Arrest of Yugoslav Nationals.  
 TO : Director  
 Public Safety Sub Commission  
 Allied Commission

31 at Jun. 46

21B

- Reference your letter dated 17/1/46, Ref. AC/14322/85 enquiries have been made in this Region, and it does not appear the subjects are incarcerated in any of the Prisons of the Region, and no judicial proceedings are in evidence against them.
- Submitted for your information.

For the Chief Liaison Officer:

*J. Fane*  
 J. FANE  
 Major  
 Liaison Officer.

TO	INIT	DATE
DIRECTOR		
DEPUTY DIRECTOR		
TYC. OFFICER		
CHIEF	<i>JF</i>	28 <sup>th</sup>
A. C. & REG.		
ISSUES		
ADM. OFFICER		
SECURITY		
CHIEF CLERK		

4380

HEADQUARTERS ALLIED COMMISSION  
APO 394  
CIVIL AFFAIRS SECTION

210A

Ref: AC/14073/7/RS.

4 February 1946.

Dear Dr. Smolaka,

24 A

Reference your Br. 115/46 of 30 January 1946.

The Ministry of Grace and Justice have been asked to make all arrangements necessary to have Magasic brought to Rome and handed over to you.

Yours very truly,



M. CARR, Brigadier,  
Vice President,  
Civil Affairs Section.

Dr. SLOVEN J. SMOLAKA,  
Deputy Representative of Yugoslavia,  
Advisory Council for Italy,  
R o m e.

387

257

HEADQUARTERS ALLIED COMMISSION  
APO 394  
CIVIL AFFAIRS SECTION

AC/14075/7/25

4 February 1946


SUBJECT: Nikola MEGASIC

TO : The Ministry for Grace and Justice  
(for the personal attention of the Minister).

Reference is made to your No. 3048 of 23 January 46.

The Yugoslav Delegation to the Advisory Council for Italy has asked that Megasic should be handed to the Delegation in Rome, from where they will be responsible for his further transportation.

Will you please therefore, have all necessary arrangements made for bringing Megasic to Rome and handing him over.

  
M. CARR Brigadier  
Vice President  
Civil Affairs Section

4380

24A

JUGOSLAV DELEGATION  
TO THE ADVISORY COUNCIL FOR ITALY  
Br. 115/46

31 GEN 1946  
30 January 1946

SUBJECT: Magasic Nikola.

22A

18A

Dear Brigadier Carr,

I thank you for your letters Ref. AC/14073/1/PS of 21 January and 26 January 1946.

The Ministry of Grace and Justice should ensure Magasic's transport to this Delegation in Rome, which will take care of his farther transportation.

As soon as Nikola Magasic will arrive to us in Rome, we shall inform our Government about.

Yours very truly

*Dr. Sloven J. Smodlaka*

DR. SLOVEN J. SMODLAKA,  
Deputy Representative  
of Yugoslavia, A.C.I.

M. CARR, Brigadier,  
Vice President  
Civil Affairs Section,  
H. Q. A. C.

*On the way from American Embassy*

*P.O.C.  
for your attention  
3/4  
in Section*



*Get File ME*

*Miss Campbell 43981*

23A

HEADQUARTERS ALLIED COMMISSION  
APO 394  
CIVIL AFFAIRS SECTION

Ref: AC/14073/7/RS.

26 January 1946.

Dear Dr. Smolaka,

(f/a)

(f/a)

With reference to your Gov. br. 69/46 of 14 Jan 46 and further to my letter AC/14073/7/RS of 21 January 46. A reply to the following effect has been received from the Ministry of Grace and Justice.

The Ministry consider that Nikola MAGASIC should be handed over as there are insufficient grounds on which to dispute the contention of the Yugoslav authorities that the prisoner is a Yugoslav citizen.

Accordingly, the Ministry has issued orders to the competent authorities to put Nikola MAGASIC at the disposal of the Yugoslav authorities.

Yours very truly,

M.C.

M. CARA, Brigadier,  
Vice President,  
Civil Affairs SECTION.

Dr. SLOVEN J. SMOLAKA,  
Deputy Representative of Yugoslavia,  
Advisory Council for Italy,  
R o m e.

438+

Copy to: AFHQ, G-5 Section  
(Reference this HQ letter AC/14073/7/RS of 21 Jan 46.)

23B

HEADQUARTERS ALLIED COMMISSION  
APT 394  
CIVIL AFFAIRS SECTION

14073/PS

25 Jan 46

SUBJECT: Alleged arrests of Yugoslavs in Italy.


TO : A.P.H.Q. G-5 Section.

Reference your G-5:250.3 of 14 Jan 46.

1. The cases are being investigated and you will be informed so soon as this HQ is in possession of fuller facts concerning each case.

2. The only information held by this HQ concerns <sup>22 D</sup> DUBLANCIC VINKO and a note of this is attached.

FOR THE CHIEF COMMISSIONER:

  
M. CARR Brigadier  
VP CA SECTION

4380



22A

( Translation M.B. )

THE MINISTER OF GRACE AND JUSTICE

Rome, 23/1/1946

Nr. 9148

To: ADDED COMMISSION  
Civil Affairs Section  
ROME

SUBJECT: Nikola MAGASIC.

18A 14073/17  
A. 1/16

Reference to note AG/14073/PS dated 21st inst. concerning the handing over of a/m convict to the Yugoslav Representative of the Board of Councillors.

This Ministry, having examined aforesaid note, deems it necessary to proceed to the handing over, as there are no sufficient reasons to discuss the statement by the Yugoslav Authorities that convict in question has to be really considered to be a Yugoslav citizen.

Accordingly, orders were issued to the competent Authorities to put a/m MAGASIC at disposal of the Yugoslav Representatives.

The Minister  
s/ TOGLIATTI

no

TO	INIT	DATE
DIRECTOR		
DEPUTY DIRECTOR	25/1	
CHIEF OFFICER	25/1	
CLERK		
SECURITY		
CHIEF CLERK		

file on P. 22A  
on 23/1

4384

24 GEN. 1946 Mod. 462 MIG

Roma, 23. 1. 1946

*PS*  
*47.13*



*U. Guadagnoli*

MINISTRO DI GRAZIA E GIUSTIZIA

*1148*

Alla Commissione Alleata  
Sezione Affari Civili

R O M A

OGGETTO: Nikola MAGASIC.

Si fa riferimento alla lettera AC/14073/7/P.S. del 21 corrente relativa alla richiesta di consegna del detenuto in oggetto da parte del rappresentante iugoslavo presso il Consiglio Consultivo.

In proposito questo Ministero, esaminate le ragioni esposte nella suddetta lettera, ritiene di dovere effettuare la consegna stessa non avendo elementi tali da contestare l'affermazione dell'Autorità Jugoslava, che il MAGASIC debba realmente essere considerato come cittadino iugoslavo.

Nel contempo è stato impartito ordine alla Autorità competente di porre il nominato MAGASIC a disposizione

Alla Commissione Alleata  
Sezione Affari Civili

ROMA

OGGETTO: Nikola MAGASIC.

Si fa riferimento alla lettera AC/14973/7/P.S. del 21 corrente relativa alla richiesta di consegna del detenuto in oggetto da parte del rappresentante iugoslavo presso il Consiglio Consultivo.

In proposito questo Ministero, esaminate le ragioni esposte nella suddetta lettera, ritiene di dovere effettuare la consegna stessa non avendo elementi tali da contestare l'affermazione dell'Autorità Jugoslava, che il MAGASIC debba realmente essere considerato come cittadino iugoslavo.

Nel contempo è stato impartito ordine alla Autorità competente di porre il nominato MAGASIC a disposizione della Rappresentanza Jugoslava.

IL MINISTRO

*Hyliak*



*21/11/48*

AC/1473/7/PS 228

HEADQUARTERS ALLIED COMMISSION  
APO 394  
LEGAL SUB-COMMISSION

/cc  
18 January 1946

AC/4132/L.

SUBJECT : Alleged arrests of Yugoslavs in Italy.  
TO : AHFQ, G-5 Section.

*Not Sent*  
*MO*

1. Reference your G-5: 250.3 of 14 January 1946.
2. Copies of the Minister's letter and our reply on the question of Italian citizenship are attached. The Italian Ministry of Foreign Affairs take the attitude that as most of the persons indicated in the Yugoslav memorandum were born in Istria and served in the Italian Army they are still Italian citizens until such time when, if at all, the place of their birth is ceded to Yugoslavia under the Peace Treaty or some other international agreement.
3. This Sub-Commission is of opinion that the whole case boils down to an attempt by Yugoslav authorities to confuse the issues and to create a precedent by which Allied action might be interpreted as an endorsement of the Yugoslav contention that Istria is already "de facto" integral part of Yugoslavia.
4. With the exception of Duplancic Vinko of whom a memorandum is enclosed, no record is found in the files of this Sub-Commission in regard to the other Yugoslav Nationals allegedly arrested by Allied or Italian authorities.
5. Your letter, therefore, is being passed to Public Safety Sub-Commission, responsible for the detention of the persons referred thereto.

*be informed as soon as this*  
For the Chief Commissioner

*G.G. HANNAFORD 4350*  
G.G. HANNAFORD,  
Lt. Col.,  
Deputy Chief Legal Advisor.

Copy to: Chief Comm.  
Executive Comm.  
Polads (A) and (B)

Encl.

22C

HEADQUARTERS ALLIED COMMISSION  
APO 394  
LEGAL SUB-COMMISSION

/ada.

17 January 1946.

AD/4132/L.

SUBJECT : Alleged arrests of Jugoslavs  
in Italy.

TO : ANHQ, G-5 Section.

1. Reference your G-5: 250.3 of 14 January 1946.
2. With the exception of Duglasovic Vinko of whom a memorandum is enclosed, no record is found in the files of this Sub-Commission in regards to the other Jugoslav Nationals allegedly arrested by Allied or Italian authorities.
3. Your letter therefore, is being passed to Public Safety Sub-Commission responsible for the detention of the persons referred thereto.

For the Chief Commissioner.

G.G. HANNAFORD  
Lt. Col.,  
Deputy Chief Legal Advisor.

Incls.

NOT Sent.  
TWC

4373

*Belgrade  
Information  
22D*

- 1. Duclancic Vinko was arrested on 19 August 1941 by fascist authorities, then tried and sentenced on 14 Oct. 1941 to 20 years imprisonment by a fascist Extraordinary Court, because of his antifascist activity. Escaped from the prison of Fossano after the surrender of Italy and joined the Italian Partisan Forces. *He was*
- 2. In August 1945 he was re-arrested by Italian authorities and was again put in the same prison at Fossano.
- 3. On 14 November 1945 the Yugoslav Delegation requested this Sub-Commission that necessary steps be taken with the proper Italian authorities in order to get the prisoner released and handed over to Yugoslav authorities. *to have*
- 4. This Sub-Commission promptly contacted the Ministry of Prison and Justice on the matter. However, despite the pressure brought upon its appropriate Procuratori by the Ministry, no advice has been yet received in this case. *from*

*to have been apprehended here*

HEADQUARTERS ALLIED COMMISSION  
Public Safety Sub-Commission  
APO 394

5/2  
ZIA

AC/14322/PS

17 January 1946

SUBJECT : Arrest of Yugoslav Nationals.

TO : Ministry of Interior,  
Director General of P.S.

1. A protest has been received from the Yugoslav Embassy in London against the arrest by the Allied or Italian authorities in Italy of various Yugoslav nationals.

2. It is alleged that the following named persons were arrested on 18th August 1945 by the Italian Police and handed over to the Allied authorities:

EUGEN STIPCEVIC (Garibaldi Brigade)  
PEER TREBOVIC  
DUSAN TATAROVIC  
ANTE BECELIC  
VINKO DUPLONCIC  
FRANKO KRANC.

STIPCEVIC is said to be imprisoned at CUNEO and the others at FOSANO apparently accused of robbery.

3. Dr. SLAVKO MORAVEC, a delegate of the Yugoslav Red Cross, appointed to the Milan Commission for repatriation is alleged to have been arrested on 21st September 1945 charged with carrying arms.

4. It would be appreciated if the fullest enquiry could be made and any information obtained regarding circumstances of arrest, charges and present position and places of detention be forwarded to this Hq. as early as possible.

EJB/ae

E. J. BYE, Colonel  
Deputy Director.

4370

HEADQUARTERS ALLIED COMMISSION  
Public Safety Sub-Commission  
APO 394

17 January 1946

AC/14322/PS

SUBJECT : Arrest of Yugoslav Nationals, *see 27A*  
TO : A.C., I.O. Bologna, Liguria, Piedmonte,  
Lombardia, Bolzano, Venezia.  
Prov. Coma. Udine. (Attn. P.S.C.s).

1. A protest has been received from the Yugoslav Embassy in London, against the arrest by the Allied or Italian authorities in Italy of various Yugoslav nationals.

2. It is alleged that the following named persons were arrested on 18th August 1945 by the Italian Police and handed over to the Allied authorities

MIGEN STIPCEVIC (Garibaldi Brigade)  
PETER TRBOVIC  
DUSAN TATAROVIC  
ANTE BYCELIC  
VINKO DURLONCIC  
FRANKO KRANC

Stipcevic is said to be imprisoned at KUNEO and the others at POSANO, apparently accused of robbery.

3. Dr. SLAVKO MORAVEC, a delegate of the Yugoslav Red Cross, appointed to the Milan Commission for repatriation is alleged to have been arrested in Turin on 21st Sept. 1945 charged with carrying arms.

4. It is requested that urgent enquiry be made and any information obtained regarding circumstances of arrest, charges, and present position and places of detention be forwarded to this Hq. as early as possible.

H. J. BYE Colonel  
Deputy Director

EJB/tm

4370



2504

4/22  
HISZ

CA Sec  
21C

ALLIED FORCE HEADQUARTERS  
G-5 Section  
AFHQ 512

14 January 1946

G-5: 27003

SUBJECT: Alleged Arrests of Yugoslavs in Italy

TO : Headquarters, Allied Commission,  
A.P.O. 394

1. The Foreign Office has received a protest from the Yugoslav Embassy in London against the alleged unwarrantable arrest by Allied or Italian Authorities in Italy of various Yugoslav Nationals.

2. It is claimed that the following named persons were arrested on 18 August 1945 by the Italian police and handed over to Allied Authorities:

- EUGEN STIPOEVIC (GARIBOLDI BRIGADE)
  - PETER TRBOVIC
  - DUSAN TATAROVIC
  - ANTE BECELIC
  - VINKO DUFIONCIC
  - FRANKO KRANC
- Released on Report 45.*

15 JAN 1946

Stipoevic is said to be imprisoned at KUNEO and the others at ROSANO, apparently accused of robbery.

3. Another instance cited is the arrest of the delegate of the Yugoslav Red Cross, appointed to the Milan Commission for repatriation, Dr. SLAVKO MORAVEC, in Turin of 21 September 1945, charged with carrying arms.

4. It is requested that all information obtainable from your records and those of the Italian Government relative to this matter be forwarded to this Headquarters.

EG-1 SUB.COM BY COMMAND OF LIEUTENANT GENERAL MORGAN:

→

CLO  
DCLO  
Chief Counsel  
CPT

*for* *M. Hamblen Col*  
A. I. HAMBLEN  
Brigadier General, G.S.C.  
Assistant Chief of Staff, G-5  
374

1 cc Copy to: Resmin  
US Field  
G-2

CL RKS  
16-1-46

HEADQUARTERS ALLIED COMMISSION  
APO 394  
CIVIL AFFAIRS SECTION

Ref: AD/14073/7/RS.

21 January 1946.

SUBJECT: Arrest of Yugoslav Nationals.

TO: AFHQ, C-5 Section.

With reference to your C-5: 383.7-2 of 8 Oct 45.

- 1 Copies of all letters which have passed between this Headquarters and Dr. SMOGLAKA on this subject have been sent to your Headquarters.
- 2 This Headquarters letter AD/14073/7/RS of 8 Jan 46 (copy enclosed as Annexure "A" for easy reference) as in the case of previous letters, transmitted to Dr. SMOGLAKA information received from the Ministry of Grace and Justice.
- 3 Dr. SMOGLAKA has replied to this Headquarters letter of 8 Jan 46 under Pov. br. 69/46 of 14 Jan 46 and a copy of his reply is enclosed marked Annexure "B". Your attention is drawn particularly to Para 9 of his reply.
- 4 The information contained in Dr. SMOGLAKA's most recent letter, of 14 Jan 46, has been transmitted to the Minister of Grace and Justice under this Headquarters letter AD/14073/7/RS of 21 Jan 46, a copy of which is enclosed as Annexure "C" and an acknowledgement has been sent to Dr. SMOGLAKA under the same number, copy enclosed as Annexure "D".

FOR THE CHIEF COMMISSIONER:

  
M. CARR, Brigadier,  
VP CA Section.

4370

HEADQUARTERS ALLIED COMMISSION  
APO 394  
CIVIL AFFAIRS SECTION

Ref: AG/14073/7/RS.


21 January 1946.

Dear Dr. Smolaku,

With reference to your communication Br. 69/46 dated 14 January 1946, concerning Nicola MAGASIC, the information contained therein has been brought to the notice of the Minister of Grace and Justice who has been asked to give an early reply to the matters raised in your letter.

The Minister of Grace and Justice has been informed that the threat of reprisals contained in para 3 of your letter is not supported by this Commission.

Yours very truly,

  
M. GARD, Brigadier,  
Vice President,  
Civil Affairs Section.

Dr. SLOVEN J. SMOLAKA,  
Jugoslav Representative to the  
Advisory Council for Italy.

4376

HEADQUARTERS ALLIED COMMISSION  
APO 398  
CIVIL AFFAIRS SECTION

see 22A  
for reply

21 January 1946

Ref: 40/14973/7/18.

SUBJECT: Nikola MEGASIC.

TO: The Ministry of Greece and Justice.  
(for the personal attention of the Minister).

1 Reference is made to your 2601/131/7:3 dated 17 December 1945.

2 The information contained in your letter was communicated to the Yugoslav Representative to the Advisory Council for Italy and the following reply has been received:

(1) "MEGASIC Nikola (not Megasich, as Italian authorities use to write his name) was Yugoslav citizen even before the war, being resident at Baska, island Krk, and that island having been in Yugoslavia already before the war. I do not know where Megasic was born, but according to Yugoslav legislation children of Yugoslav citizens, even if born abroad, are considered as Yugoslav citizens.

(2) "MEGASIC Nikola has, against international law, been considered Italian citizen during the war and in basis of Mussolini's annexation (as well as all the population of island Krk and of Dalmatia). As such he was forcibly mobilized and sent to the 30th Prisoners Labour Unit on Sardinia. Because of his anti-fascist activity and for a bold answer to a fascist officer there, he was sentenced under the fascist regime and by a fascist court to 3 years jail. It is clear that he should be released immediately by Italian authorities.

(3) "I have been authorized by the Yugoslav Government to inform you that, if Nikola MEGASIC, Yugoslav citizen, will not be released immediately, as a measure of reprisals, the Yugoslav Government will stop any further release and repatriation of Italian prisoners actually in Yugoslavia."

3 I am to inform you that the threat of reprisals contained in para (3) of the reply of the Yugoslav Representative to the Advisory Council is not supported by this Commission.

- 2 -

I should be glad if you would inform me at an early date as to the reply which should be given to the Yugoslav Representative to the Advisory Council for Italy.

*MR*

~~M. GARR, Brigadier,  
Vice President,  
Civil Affairs Section.~~

Copy to: Chief Commissioner.  
ASAC, G-5 Section.

437

*James*

P.S. S/  
JHA  
15/1/46

17A

JUGOSLAV DELEGATION  
TO THE ADVISORY COUNCIL FOR ITALY  
Pov.Br. 69/46

Rome, 14 January 1946.

15 GEN 1946

14073/7  
Subita

Dear Brigadier Carr,

I received your letter dated 8 January 1946 AA/14073/7/PS, and I have the honour to answer you the following:

1) MAGASIC Nikola (not Magasich, as Italian authorities used to write his name) was Yugoslav citizen even before the war, being resident at Baska, island Krk, and that island having been in Yugoslavia already before the war. I do not know where Magasic was born, but according to Yugoslav legislation children of Yugoslav citizens, even if born abroad, are considered as Yugoslav citizens.

2) MAGASIC Nikola has, against international law, been considered Italian citizen during the war and in basis of Mussolini's annexion (as well as all the population of island Krk and of Dalmatia). As such he was forcibly mobilized and sent to the 328th Prisoners Labour Unit on Sardegna. Because of his antifascist activity and for a bold answer to a fascist officer there, he was sentenced under the fascist regime and by a fascist court to 8 years jail. It is clear that he should be released immediately by Italian authorities.

3) I have been authorized by the Yugoslav Government to inform you that, if Nikola MAGASIC, Yugoslav citizen, will not be released immediately, as a measure of reprisals the Yugoslav Government will stop any further release and repatriation of Italian prisoners actually in Yugoslavia.

4) I beg you to inform about the competent Italian authorities and I would greatly appreciate to have an answer from you as soon as possible.

Yours very truly

*Dr. Sloven J. Smodlaka*

Dr. SLOVEN J. SMODLAKA  
Deputy Representative  
of Yugoslavia to A.C.I.

M. CARR, Brigadier  
VP CA Section.

CLERK

TO	INITIALS	DATE
OFFICER	<i>[Signature]</i>	16/1
CLERK	<i>[Signature]</i>	17/1



COPY

17B

HEADQUARTERS ALLIED COMMISSION  
APO 394  
LEGAL SUB-COMMISSION

AP/es  
15 January 1946

AC/4132/L

SUBJECT : Handing over of Yugoslav Nationals.

TO : Yugoslav Delegation to the Advisory Council for Italy.

Reference is made to your Br. 1530 of 8 November 1945 and previous correspondence.

1. This Sub-Commission has now been advised that an order has been issued for the transfer of Feterlin Milan to a prison in Rome from where he will be handed over to the Yugoslav authorities. Further information will be supplied as soon as the above mentioned will reach Rome.

2. An investigation is being made in regards to the citizenship status of Paulovic, Bozo, Padlovic Petar, Vivoda Bogomir, Maris Amelio and Persan Martin who were born in Istria and have served in the Italian Army. The Ministry of Pardon and Justice has called the attention of the appropriate authorities to take immediate action on the matter.

3. No advice has yet been received in the cases of Sepic, Stojan, Filipovic and Duplancic Virko and the Attention of the appropriate Procuratori in these cases was again called upon by the Ministry.

S.G. HANNAPORD,  
Lt. Col.,  
Deputy Chief Legal Advisor.

4360

NOTHING

NAME

16A

MINISTRY OF JUSTICE  
GENERAL DIRECTION OF PENAL AFFAIRS, GRADES AND STATISTICS

TO : ALLIED COMMISSION  
Legal Sub-Commission  
R O M E

and, for information  
Office : II° A.P.  
Prot. N° : 131.743.1661.

LIAISON OFFICE  
Cabinet

14073/7  
CC

ROME, 31/12/1945.

Recd BS 1740 hrs 8/1

SUBJECT : MAGASIC Nicola.

<sup>NFA</sup>  
We assure you that, with ref. to your letters dated 12 and 22/10/45, concerning the a/n Subject, we replied on the 17/12/45 wherein we stated that MAGASIC was born in Firenze on the 23/11/1923, was is an Italian citizen and that he was condemned by the Cristiano Military Court of War, with sentence dated 3/11/1943, to 3 years of imprisonment for drunkenness and other. The Supreme Military Court, with sentence dated 27/3/1945 reduced his punishment by 6 years and therefore the condemned will complete his imprisonment on 27/7/1946.

TO	DATE	INITIALS
DIRECTOR	9/1	[Signature]
DEPUTY DIRECTOR	9/1	[Signature]
EXEC. OFFICER	10/1	[Signature]
POLICE		
SEC. & REG.		

Signed : for the Minister  
???

N.F.A. 15<sup>A</sup> sent on 8/46

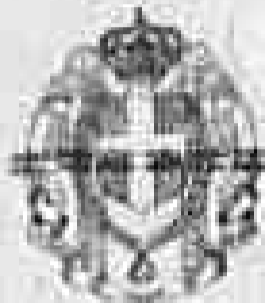
10/46  
436

R.S.



Mod 40

*Caletti*  
*Roma 21 dicembre 1945*



Ministero di Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI  
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIO

~~ALLA COMMISSIONE ALIBETA~~  
~~Sottocommissione legale~~  
~~ROMA~~

Ufficio II° A.P.  
Tel. N° 131.743.2607

Reparto del 1° dic. corr.  
Dir. Leg. N° 14073/2/5.

Oggetto MAGASIC Nicola.

e per conoscenza:  
ALL'UFFICIO DI COLLEGAMENTO  
GABINETTO

Si assicura che alle note del 12 e del 22 ottobre c. s., di codesta Sottocommissione P. S., relative al condannato indicato in oggetto, fu risposto in data 17 dicembre corr. comunicando che il MAGASIC, nato a Fiume il 22 novembre 1923, è cittadino italiano, e che egli fu condannato dal Tribunale Militare di Guerre di Cristiano, con sentenza del 9 novembre 1943, alla pena della reclusione militare per 8 anni, per il reato di ubbriachezza ed altro. Il Tribunale Supremo Militare, con sentenza del 27 marzo 1945, ridusse detta pena a 6 anni, e pertanto il condannato terminerà di scontare la pena il 27 luglio del prossimo anno.

d'ordine del MINISTRO

*Sum*

4360

MINISTRO DI GIUSTIZIA

Trandelahin

16B

MINISTRY OF GRACE AND JUSTICE  
Direction General of Penal Affairs,  
of Grace, of Statistics and of  
Judiciary Records Office

Rome, 31 December 1946

TO : ALLIED COMMISSION  
Legal Sub-Commission

FOR INFO: Liaison Office

131/779 - 2684

SUBJECT : Handover of Yugoslav citizens

Reference is made to your AG/4132/L of 11 Dec 45.

As to the persons referred to in the a/m letter, reference is made to the following letters written by this Ministry, i.e. No 131 of 17 Oct 45 No 131 of 22 Nov 45 and No 131.873 of 10 Dec 45.

With the first of these letters we have informed you of the decision to transfer to the judiciary prisons of Rome, for further handover to the Yugoslav Authorities, PETERLIN, since he is considered to be a Yugoslav citizen. Further notice shall be given as to the arrival of PETERLIN to the judiciary prisons of Rome.

As to the persons referred to in the second letter, who appear to be born in Istria and who were Italian soldiers, enquiries are being made as to their citizenship. As we have already informed you, we wrote in this regard to the General Military Procuratore to the Supreme Allied Court of Trial in order to bring to his attention the request of the Yugoslav Authorities. As no reply has been received so far, we have sent a reminder.

As to SEFIC, STOJAN FILIPOVICH and DUHLANCIC VINKO, we wish to inform you that no reply has so far been received from the General Procuratori of Turin and Cagliari and also to them a reminder has been sent.

Further informations in this connection shall be sent later.

FOR THE MINISTER

4360

Copy

Roma 31 dicembre 1945 *16e*

MINISTERO DI GRAZIA E GIUSTIZIA  
Direzione Generale degli Affari  
Penali delle Grazie della Stati-  
stica e del Casellario.

ALLA COMMISSIONE ALLEATA  
Sottocommissione Legale  
ROMA

e, per conoscenza :  
ALL'UFFICIO DI COLLEGAMENTO  
GABINETTO

Ufficio I° A.P.  
Prot. N. 131/779 - 2684

Risposta al f9 dell' 11-12-45  
Div. Sez. AC N. 4132/L

OGGETTO : Consegna di cittadini jugoslavi.

Per gli individui indicati nella nota suindicata si richiamano le lettere di questo Ministero del 17.10 u.s. n. 131.626, 22 novembre u.s. n. 131 e 10.12.945 n. 131.873.

Con la prima fu comunicato che del Peterlin, riconosciuto come suddito jugoslavo, è stata disposta la traduzione alle carceri giudiziarie di Roma per la consegna alle autorità jugoslave. Si daranno in proposito ulteriori comunicazioni circa l'arrivo del detto Peterlin alle carceri di Roma.

Per gli individui, oggetto della seconda nota, che sarebbero nati in Istria, e che erano militari italiani, è in corso di accertamento la loro cittadinanza. Come fu comunicato fu scritto in proposito al Procuratore Generale Militare presso il Tribunale Supremo Militare, facendogli nota la richiesta delle autorità jugoslave. Non è pervenuta finora risposta, ed in pari data si fanno sollecitazioni.

Infine per il Sepic, lo Stojan Filipovic e Duplancic Vinko si comunica che non è pervenuta ancora risposta dai Procuratori Generali di Torino e di Cagliari, risposta che in pari data si sollecita.

Si riservano, pertanto, ulteriori notizie.

d'ordine del MINISTRO

2364

COPY

Roma 31 dicembre 1945 16D

MINISTERO DI GRAZIA E GIUSTIZIA  
 Direzione Generale degli Affari  
 Penali delle Grazie della Stati-  
 stica e del Casellario.

ALLA COMMISSIONE ALLEATA  
 Sottocommissione Legale  
R O M A

e, per conoscenza  
 ALL'UFFICIO DI COLLEGAMENTO  
GABINETTO

Ufficio I° A.P.  
 Prot. N. 131/779 - 2684

Risposta al fo dell'11-12-945  
 Div. Sez. AC N. 4132/L

OGGETTO : Consegna di cittadini iugoslavi.

Per gli individui indicati nella nota suindicata si ri-  
 chiamano le lettere di questo Ministero del 17/10 u.s. N. 131.626,  
 22 novembre u.s. N. 131 e 10.12.945 N. 131.873.

Con la prima fu comunicato che del Peterlin, riconosciuto  
 come suddito iugoslavo, è stata disposta la traduzione alle carceri  
 giudiziarie di Roma per la consegna alle autorità iugoslave. Si daranno  
 in proposito ulteriori comunicazioni circa l'arrivo del detto Peterlin  
 alle carceri di Roma.

Per gli individui oggetto della seconda nota, che sarebbero  
 nati in Istria, e che erano militari italiani, è in corso di accerta-  
 mento la loro cittadinanza. Come fu comunicato fu scritto in proposi-  
 to al Procuratore Generale Militare presso il Tribunale Supremo Mili-  
 tare, facendogli nota la richiesta delle autorità iugoslave. Non è  
 pervenuta finora risposta ed in pari data si fanno sollecitazioni.

Infine per il Sepio, lo Stojan Filipovic, e Duplancic  
 Vinko si comunica che non è pervenuta ancora risposta dai Procuratori  
 Generali di Torino e di Cagliari, risposta che in pari data si solle-  
 cita.

Si riservano pertanto ulteriori notizie.

d'ordine del MINISTRO

4360

Duclancic Vinko was arrested on 19 August 1941 by fascist authorities, then tried and sentenced on 14 Oct. 1941 to 20 years imprisonment by a fascist Extraordinary Court, because of his antifascist activity. Escaped from the prison of Fossano after the surrender of Italy and joined the Italian Partisan Forces.

In August 1945 he was re-arrested by Italian authorities and was again put in the same prison at Fossano.

On 14 November 1945 the Yugoslav Delegation requested this Sub-Commission that necessary steps be taken upon the proper Italian authorities in order to get the prisoner released and handed over to Yugoslav authorities.

This Sub-Commission promptly contacted the Ministry ofardon and Justice on the matter. However, despite the pressure brought upon its appropriate Procuratori by the Ministry, no advice has been yet received in this case.

Sig. FOGHIATTI, secretary of the P.C.I. the present Minister, is most anxious to give full satisfaction to the Yugoslav authorities whenever he feels that they have a "bona fide" case and that his action cannot be questioned on legal grounds.

15 A

HEADQUARTERS ALLIED COMMISSION  
Civil Affairs Section  
APO 394

AG/14073/7/PS

8 January 1946

Dear Dr. Smolaka,

PB

FH

5B

With reference to your communications Br. 1341 dated 26 Sept. 45 and Br. 1410 dated 14 Oct. 45, and our letters of even number dated 13 Oct. 45 and 23 Oct. 45. The following information has been received from the Ministry of Grace and Justice.

Nikola MAGASICH (not MAGASIO) is at present imprisoned at ALCHERO Casa di Lavoro, partinia. He was sentenced by the CRISTANO Military Tribunal on 9 March 43 to 8 years imprisonment on charges of drunkenness and other crimes. The Rome Supreme Military Tribunal on 27 March 45 reduced the penalty to 6 years imprisonment. Sentence commenced on 30 July 43 and MAGASICH will be released on 27 July 46, 3 years imprisonment having been remitted under Decree No. 96 dated 5 April 44.

It is also stated by the Ministry of Grace and Justice that MAGASICH Nicola is the son of MAGASICH Giorgio and TOICH Aurora, born on 22 Nov. 13 at FIUME and is consequently considered to be an Italian subject. The Ministry is therefore not prepared to release MAGASICH until the expiration of his sentence.

Yours very truly

MC

M. CARR, Brigadier  
VF CA Section.

Dr. GLOREN J. SMOLAKA  
Yugoslav Representative to the  
Advisory Council for Italy.

4361

Copy to:- AFHQ, G-5 Section  
(Your G-5:383.7-2 of 8 Oct. refers).

( Translation M.B. )

MA

MINISTRY OF GRACE AND JUSTICE  
 General Direction of Penal Affairs

Rome, 17/12/1945

Nr. 2601/131/743  
 Reply to note AC/14073/PS  
 dated 22/10/1945

To: ALLIED COMMISSION  
 Sub Commission of PS

R C M E

SUBJECT: MAGASICH Nicola.

With reference to prior correspondence and to a/m note, we beg to point out following to your Commission:

The Attorney General by the CAGLIARI COURT OF APPEAL communicated that above named MAGASICH, presently detained at the Alghero Work House (Casa di Lavoro), was condemned by the Cristiano Military Tribunal with sentence dated 9/th/11/43 to 8 years of imprisonment because charged with drunkenness and other crimes.

The Rome Supreme Military Tribunal with sentence dated 9/3/1945 reduced said condemnation to 6 years. The convict started serving his sentence on the 30/7/1943 and shall be released on the 27/7/1946, as 3 years were remitted to him owing to Decree Nr. 96 dated 5/4/1944.

Above named, son of MAGASICH Giorfio and TOICH Aurora, was born on the 22/11/1923 at Fiume and consequently is an Italian subject, and not a Yugoslav, as it was pointed out.

For the Minister  
 s/ illegible.

mb/

TO	INITs	DATE
DIRECTOR	MB	31/12
DEPUTY DIRECTOR	MB	31/12
SEC. OFFICER		
ADJ. CLERK		3/45
INSP. & REG.		
PROSECUTORS		
ADM. OFFICER		
SECURITY		
CHIEF CLERK		

6300



Roma 17 Dicembre 1945

14.40

Ministero di Grazia e Giustizia  
DIREZIONE GENERALE DEGLI AFFARI PENALI  
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIO  
Spa COMMISSIONE ALLEATA  
Sottocommissione Legale per  
la Pubblica Sicurezza - ROMA

Ufficio II° A.P.  
Prot. N° 2501/131/743

Reg. del 22/10/1945  
L. 1477.7.P.S.

Oggetto: MAGASICH Nicola.-

e; per conoscenza:  
ALL'UFFICIO COLLEGAMENTO  
S E D E

In relazione alla precorsa corrispondenza, e da ultimo alla nota suindicata, si comunica che dalla Procura Generale presso la Corte di Appello di Cagliari è stato riferito che MAGASICH Nicola, detenuto nella casa di Lavoro di Alghero, risulta condannato, con sentenza 9/11/1943, dal Tribunale Militare di Guerra in Oristano ad 8 anni di reclusione per ubriachezza ed altri reati.-

Il Tribunale Supremo Militare di Roma con sentenza 27/3/1945 ha ridotto a 6 anni la pena predetta che, iniziata il 30/7/1943, termina il 27/1/1946, tenuto conto di 7 anni condonati per il Decreto 5/4/1944, n. 96.-

43

././.

REPUBBLICA ITALIANA



L'individuo sunnominato risulta nato  
il 22/11/1925 in Fiume da Giorgio MAGASICH  
e da TOICH Aurora, ed in conseguenza è sud-  
dito italiano, non jugoslavo, come veniva  
comunicato.-

per il MINISTRO

A handwritten signature in dark ink, appearing to be 'B. J. ...', written over a horizontal line.

HEADQUARTERS ALLIED COMMISSION  
Public Safety Sub-Commission  
APO 394

Tel : 478427

AC/14073/7/PS

11 December 1945

SUBJECT : Nicola MAGASIC.

TO : Ministry of Grace and Justice.

1. Reference letters AC/14073/7/PS on 12th and 22nd October 1945 to you respecting above named.
2. Can an answer now be given please.

EJB/ae

  
E. J. HYE, Colonel  
Deputy Director.

4351

4 DEC 1945

4 DEC 1945

PS

JUGOSLAV DELEGATION  
TO THE ADVISORY COUNCIL FOR ITALY  
Br.1616

R o m e, 1st December 1945.

~~10A~~  
~~67A~~  
~~11A~~

12A

Dear Brigadier Carr,

With reference to your letter AC/14073/7/PS dated 23 October 1945 regarding Nikola Magasic I shall appreciate very much a soon reply on same subject.

Yours very truly,

*J. Smodlaka*  
Dr. SLOVEN J. SMOGLAKA  
Deputy Representative of Yugoslavia  
Advisory Council for Italy.

TO		
FROM		
SUBJECT		
DATE		
TIME		
PLACE		
REMARKS		
INITIALS		
RECEIVED		
FILED		
INDEXED		
SEARCHED		
OTHER OFFICES		

*2978 6/12*  
*los r/ir*  
*Jan 11/12*

Brigadier M. C a r r,  
Vice President  
Civil Affairs Section  
Headquarters Allied Commission

R O M E



(Translation M.B.) ● 28 NOV 1945

MINISTRY OF GRACE AND JUSTICE  
Gen. Direction of Prisons  
N°2601.131.743

Rome 23 Nov. 1945

Repl. of 12.II.945 AC 14073/7/F.

To: ALLIED COMMISSION  
SUB COMMISSION OF P.S.  
R O M E

and for information

To:UFFICIO DI COLLEGAMENTO  
GABINETTO

SUBJECT: Magasic Nicola. (Liaison Office)

Follows note N.14073.7.P.S. dated 12th last October concerning a/m convict to be handed over to the Yugoslavian Authorities.

This Ministry, with note same number dated 6th Nov., transmitted said request to the Cagliari Tribunal- Attorney General, and asked for the juridical position and citizenship of aforesaid person.

To-day, this Ministry solicited an answer and communicated the exact surname of the convict- We shall forward further communications.

By order of the  
Minister

s/illegible

TO	
DIRECTOR	<i>Lot 30/11</i>
DEPT. CHIEF	<i>Lot 30/11</i>
ENCL.	
FILE	
CLERK	
CHIEF CLERK	<i>Lot 30/11</i>

4355

*R/OA*  
*11A*

*Tr. Pubb. Safetti 4/E*  
fm



Roma, 23 NOV 1945  
Ombre 15.1 +++++

Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI  
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIO

LA COMMISSIONE ALIFATA - Sottocommissione  
per la Pubblica Sicurezza  
ROMA

Ufficio II A.P.  
Ind. 1° **MAGASIC** 2601.131.743

Registrato il 12.11.1945  
In. AC 114073/7/5

Oggetto **MAGASIC** Niccolà

e per conoscenza:  
All'UFFICIO DI COLLEGAMENTO  
CABINETTO

In seguito alla precedente nota del 12 ottobre u.s. n. 14073.7.P.S., relativa alla consegna all'autorità jugoslave di **MAGASIC** Niccolà, questo Ministero con foglio del 6 novembre corr. numero pari, comunicò la richiesta al Procuratore Generale del "legno presso la Corte d'Appello di Cagliari, chiedendo la posizione giuridica e la cittadinanza di detto individuo.

In pari data viene sollecitata la risposta, segnalandosi l'esatto cognome del detenuto. Si riservano comunicazioni.

d'ordine del MINISTRO

*[Handwritten signature]*

STAMPATO IN ITALIA

10A

HEADQUARTERS ALLIED COMMISSION  
Civil Affairs Section  
AFO 394

AC/14073/7/PS

23 October 1945

Dear Dr. SMOGLAKA :

8A

With reference to your communication  
BR. 1423, dated 17 Oct 45 concerning Nikola MABASEVIC,  
the records of this Commission have been changed to  
provide for the corrected spelling from Mabasevic to  
MAGASIC, and the Ministry of Grace and Justice has  
been advised of this correction.

Yours very truly

M. CARR, Brig.  
VF CA Section.

MR

Dr. Sloven J. SMOGLAKA  
Yugoslav Representative to the  
Advisory Council for Italy.

Copy to :  
AFHQ, G-5 Section  
(Your G-5:383.7-2 of 8 Oct refers).

4300

9A

HEADQUARTERS ALLIED COMMISSION  
Public Safety Sub-Commission  
A70 394

22 October 1945

AG/14073/7/PS

SUBJECT : Yugoslav National - NICOLA KABASVIC  
TO : Ministry of Grace & Justice.

6A

1. Ref. our communication AG/14073/7/PS, dated 12 October 1945 on above subject.
2. We are advised that the name of the person in question is Nicola MAGABIC and not KABASVIC as previously reported.
3. Please make this correction in your records.
4. Subject is further described as being located at TRAMARIGLIO (Casa del LAVORO ALL'APERTO), ALGERO - Sassari - Sardegna.
5. It is requested that this headquarters be advised of the judicial position of this subject, and any action contemplated by your Ministry on the request that this prisoner be turned over to Yugoslav authorities.

*John W. Chapman*  
 JOHN W. CHAPMAN  
 Colonel, J.A.S.P.  
 Director.

RME/S

435

8A

JUGOSLAV DELEGATION  
TO THE ADVISORY COUNCIL FOR ITALY

Br. 1423

R o m e, October 16, 1945.

PS  
17 OCT. 1945

17 OCT. 1945

18 OCT. 1945

Dear Brigadier Carr,

8B

7A  
RM

With reference to your letter AC/14073/7/PS dated 13 October 1945, concerning Nikola Mabasevic, will you kindly find enclosed copy of the letter forwarded to Allied Force Headquarters, Supreme Allied Commander on same subject.

Magasic

Yours very truly,

TO	INIT	DATE
DIRECTOR		
DEPUTY DIRECTOR		
EXEC. DIR.	not	20-10
ADM. DIR.		
SEC. DIR.		
INSPECTION	pm	21-10
TRAINING		
SECURITY		
CHIEF CLERK		

*Dr. Sloven Smolaka*  
Dr. Sloven Smolaka,  
Jugoslav Deputy Representative  
Advisory Council for Italy.

4351

Brigadier M. Carr  
Head of the Civil Affairs Section,  
Headquarters Allied Commission  
R O M E

(198)



Advisory Council for Italy. 8 B

Br. 1410

R o m e, 14th October 1945.

17 OCT 1945

SUBJECT: NIKOLA MASARIO (not Nikola Mabasevic)

TO: The Supreme Allied Commander  
Mediterranean Theatre  
Allied Force Headquarters

8 B

C A S E R T A

1. With reference to our letter Br. 1341 dated 26 September 1945 we have to inform you that in question is not Nikola Mabasevic, but Nikola MASARIO, located at Tramaglio (Casa del lavoro all'aperto), Alghero - Sassari - Sardegna.
2. The a/n was forcibly mobilized by Italian authorities and located in the punitive working company at Sardegna. There he ~~acted~~ disobeyed the orders of his superiors, fascist officers. Because of his antifascist activity as well as of his proud reply given to a fascist officer, he was sentenced to 8 years of prison. He is actually living in very bad conditions.
3. As requested in our said letter we shall appreciate if you take necessary steps to release the a/n and to inform us about the taken measures.

*S. S. S. S.*  
 DR. SLOVEN J. SEDLAKA,  
 Deputy Representative of Jugoslavia  
 Advisory Council for Italy.

4350

1945

HEADQUARTERS ALLIED COMMISSION  
AFG 394  
CIVIL AFFAIRS SECTION

7A

Ref HQ/11073/7/28

15 Oct 45

Dear Dr. Smellata,

With reference to your communication H. 134, dated 26 Sep 45 concerning Nikola MARASVIC, this Commission has asked the Ministry of Grace and Justice for all details of the judicial position of this individual.

You will be informed in due course of the results of this investigation and of the action taken.

Yours very truly

ME

M. CAIR, Brig,  
VP CA Section

Dr. SMELLATA  
Yugoslav Representative  
to the Advisory Council for Italy  
R O M E

434

Copy to: AFHQ, G-5 Section (your G-5:383.7-2 of 8 Oct refers).

GA

HEADQUARTERS ALLIED COMMISSION  
Public Safety Sub-Commission  
APO 394

AC/11073/7/P5

12 October 1945

SUBJECT : Nikola MARASEVIC - Yugoslav National  
TO : Ministry of Grace and Justice

SA

1. A communication from the Yugoslav Delegation to the Advisory Council for Italy has been received by this Sub-Commission with reference to the imprisonment of subject, reportedly now in the prison Tramarila at Alger, Sardinia.
2. Nikola Marasevic is described as a Yugoslav National imprisoned by Fascist authorities because of his antifascist activities and the communication contains a request for him to be handed over to Yugoslav authorities.
3. It is requested that the judicial position of this prisoner be obtained by your Ministry and forwarded to this Sub-Commission, together with any action to be taken or contemplated.

*[Handwritten Signature]*

JOHN T. CHAPMAN  
Colonel, J.A.S.B.  
Director.

RMP/3

*B.F. 2 Nov 1945  
for file*

4310

6465

FO  
1007/1341

C.A. Sec.  
JA<sup>A</sup>

ALLIED FORCE HEADQUARTERS  
G-5 Section  
APO 512

G-5: 383.7-2

8 October 1945

SUBJECT: Nikola Mabasevic, Jugoslav National.

10 OCT 1945

TO : Headquarters, Allied Commission, APO 394

1. There is annexed hereto copy of letter from Acting Representative of Jugoslavia to the Advisory Council for Italy dated 26 September 1945.

2. It is requested that you ~~will~~ have an investigation made, and furnish a report to this Headquarters together with your recommendations as to the appropriate disposition to be made with respect to Mabasevic.

*for* M. J. Hamblen Col  
A. L. HAMBLEN  
Brigadier General, GSC  
Assistant Chief of Staff, G-5

Incl: as above  
ref Br.1341

43.

11705

C O P Y

JUGOSLAV DELEGATION  
TO THE ADVISORY COUNCIL FOR ITALY

Br.1341

SB  
Rome, September 26, 1945.

SUBJECT: Nikola Mabasevic, Yugoslav National.

TO : The Supreme Allied Commander,  
Mediterranean Theatre,  
Allied Force Headquarters,

C A S E R T A.

The a/n has been sentenced by Fascist authorities to prison because of his political antifascist activity.

2. Same is actually in the prison Tramarila at Alger, Sardegna.

3. Application is made herewith on behalf of the Yugoslav Government that the a/m should be handed over to Yugoslav authorities as soon as possible.

/s/ Dr. SLOVEN J. SMODLAKA  
/t/ Dr. SLOVEN J. SMODLAKA  
Acting Representative of Yugoslavia  
Advisory Council for Italy.

4340

1405

4A

HEADQUARTERS ALLIED COMMISSION  
Public Safety Sub-Commission  
APO 394

Tel : 478700

12 July 1945

AC/14073/7/PS

SUBJECT : Grahalić Milivoje

TO : Rudolf Janhuba,  
Secretary for the Yugoslav  
Representative on the Advisory  
Council for Italy.

Reference your Br 995.

1. We transmit herewith copy of Questore report on the exact location of grave of Milivoje Grahalić.
2. Delays in transmittal through Sub-Commissions have prevented an earlier response.

*JFA*  
JOHN F. CHAPMAN  
Colonel, J.A.G.D.  
Director.

FFH/G

4300

JUGOSLAV DELEGATION  
TO THE ADVISORY COUNCIL FOR ITALY  
Br. 1072.

Rome, June 28, 1945.

3A  
er

SUBJECT: Grahalic Miliyoje.  
TO: H. Q. Allied Commission, Liaison Division.

PS 16 QAL. no trace

1. Ref. our letter Br. 995 of April 12, 1945 and your Note 505/GR/EC(L) of April 17, 1945, a quick answer in the premises would be appreciated.

13B

*Rud Jambura*  
RUDOLF JAMBUA, Secretary  
for the Yugoslav Representative on the  
Advisory Council for Italy.

	DD	IND
DIRECTOR		
DEPUTY		
EXEC.		5/17-12-7
POL.		
LC.		
PR.		
ADM.		
SECURITY		
CHIEF CLERK		

5 July ✓  
?

434-

9602

308

COPY

Ref: 505/GR/EC(L)

17 April 1945

The Liaison Division of the Allied Commission presents its compliments to the Deputy Representative of Yugoslavia to the Advisory Council for Italy and has the honour to enclose a letter regarding the shooting of Grahalic.

Deputy Representative of Yugoslavia to  
the Advisory Council for Italy  
Via Quintino Sella, 56  
Rome

4345

9407



Public Safety Liaison Office

ALLIED [REDACTED] COMMISSION  
INTER-OFFICE MEMORANDUM

2A

COPY

SUBJECT: Milivoje GRABALICH  
Yugoslav National  
TO : P.S. Sub-Commission AC/HQ

FILE No. PSI/A 15- *ec.*

16th May 1945

Attached file is herewith returned together with  
copy of report received from Questore.

Sgd.

R.T. Millhouse, Lt. Col.  
A.C. Public Safety, L.O.

*to Capt. Wieman*

*showing and  
inclusions are  
to be sent young  
E. R. [unclear]*

*Who is the Repnt.*

4342

*Please initial reverse side*

PUBLIC SAFETY LIAISON OFFICE

ALLIED [REDACTED] COMMISSION *translate att*

INTER-OFFICE MEMORANDUM

SUBJECT: Milivoje GRAHALICH  
Yugoslav National  
TO : P.S. Sub-Commission AC/HQ.

*re*  
FILE No. PSL/A 15  
16th May 1945

Attached file is herewith returned together  
with copy of report received from Questore.

*R.T. Millhouse*  
R.T. Millhouse, Lt. Col.  
AC. Public Safety IO.

434

transmission me;

JB

ALLIED COMMISSION PUBLIC SAFETY S/C

Liaison Officer

Subject ; Milivoje Grahalič-Yugoslav National  
To : P.S. Subcommittee A/C-HQ.

16th May 1945

OI3299 Gab. A. I2 dated 9/5/45.

With reference to the a/m letter it is reported that from the records it appears that on the 22th November 1942 inside of Forte Bravetta have been executed capital punishment decided the day before 20th by the Special Tribunal for the State defence, in regard to Grahalič Miro and Blecich Vattorio.

4340

The bodies of those persons have been buried on the 22th in the church-yard of Verano, section I4I children, row 1°, grave 4I under the plain of burial.

The Questore

COPY

Questura di Roma

Ogg. : Esecuzione di suddito jugoslavo da parte delle  
Autorità Italiane.

013299 Gab. A.12 del 9/5/45

In risposta alla lettera suindicata si informa che dagli  
atti si rileva che in data 22 Novembre 1942 nell'interno del  
Forte Bravetta vennero eseguite le sentenze capitali,  
pronunciate il precedente giorno 20 dal Tribunale Speciale  
per la difesa dello Stato, nei confronti di Grahalic Miro  
e Blecich Vittorio.

Le salme delle persone suddette furono lo stesso giorno 22 sepolte  
nel Cimitero del Verano, campo comune, riquadro 141, bambiiji  
fila 1°, fossa 41 sotto il piano di seppellimento.

Sgd. Il Questore

433~

ALLIED [REDACTED] COMMISSION

1A

INTER-OFFICE MEMORANDUM 14073/7 New file

"Murder of Yugoslav Nationals in Rome"

SUBJECT: Yugoslav Nationals FILE No. 6/13.2/Cn

TO Public Safety Sub Commission 16 April 1945

10/6

The attached correspondence is forwarded. Please cause inquiries to be made with a view to discovering where GRAHAMIC Milivoje and the other Yugoslav Nationals are buried.

*William R. ...*  
C.A. Section

TO	DATE	INITIALS
DIRECTOR		
DEPUTY DIRECTOR		
EXEC. OFFICER		
TO		
IC. REG.		
FILES		

17/4

4338

377

1B

HEADQUARTERS ALLIED COMMISSION  
APO 394  
CIVIL AFFAIRS SECTION

Ref: 6, 13.2/CA

15 April 45.

SUBJECT: Yugoslav Nationals.

TO : Deputy Representative of  
Yugoslavia, (AOI)  
Rome

through Liaison Division.

16

Your letter No. 908 of 12th April 1945 is acknow-  
ledged. The matter is being investigated and you will be  
informed of the results.

A.E. BONHAM CARTER  
Lt. Colonel  
CSO CA Section

433

894

ALLIED [REDACTED] COMMISSION AJS/sem  
INTER-OFFICE MEMORANDUM 117  
Liaison Division

SUBJECT: Remains of a Yugoslav National -  
Milivoje GRAMALIC

FILE No. 505/GR/AC(I)

14 April 1945

TO : Civil Affairs Section

1. Reference to attached correspondence. I would suggest that the matter of the shooting of Milivoje Gramalic and discovery of the grave and further the return of the bones of the deceased to Yugoslavia is a matter for the Civil Affairs Section.

2. I would refer you in this matter to instructions issued by the Executive Commissioner on the abolition of the Political Section, No. 6501/93 of 16 March 1945, and to the duties assigned to the Liaison Division therein.

*Appelward*  
Officer-in-Charge  
Liaison Division 3368

1 Encl: Dossier on above.

ALLIED [REDACTED] COMMISSION  
 INTER-OFFICE MEMORANDUM

IE

SUBJECT:

File No.

TO

Liaison Division  
 attn: Maj Stewart.

13 April 1945

Suggest you take the matter up with P. Col. Millhouse, L.O. Questura Rome. He can at least try to locate the grave through the Questura. No action can be taken on the 2<sup>nd</sup> part of the question as it would appear to be inappropriate at the present time and should be a matter for negotiation at a much later date between the Government.

Walter Keeler  
 13/4/45  
 C.A. Rechin.



JUGOSLAV DELEGATION  
 TO THE ADVISORY COUNCIL FOR ITALY

Nr. 995...

Rome, April 12, 1945. 19

Headquarters Allied Commission,  
 Liaison Section.

1. On November 22 (according to some Italian papers it happened on November 23), 1942, in a small wood in the vicinity of Rome, GRAHALIC Milivoje, a Yugoslav national and a member of Yugoslav Partisan Forces, after having been wounded while fighting, and captured by Italian Armed Forces, was shot by regular Italian authorities, on the ground of a sentence passed by the TRIBUNALE SPECIALE in Rome.
2. The above mentioned famous Special Tribunal in Rome had unjustly qualified him as an Italian national though there was full evidence for his Yugoslav nationality and citizenship recognised even by the Italian authorities in 1928. This was done deliberately in order to justify a sentence to death.
3. It appears that at the same time and on the same place under similar circumstances some more Yugoslav nationals too were shot. It is believed that Grahalic and any others were buried on the same place.
4. At request of the shot patriot's father I have the honour to request that Allied Commission please see to it that the grave of the a/n be found out and his bones be transported to Jugoslavia.

*Dr. Sloven J. Smodlaka*

Dr. SLOVEN J. SMODLAKA  
 Deputy Representative of Jugoslavia  
 to the Advisory Council for Italy.

43

12 April  
 30

3836

JUGOSLAV DELEGATION  
THE ADVISORY COUNCIL FOR ITALY

167

Nr. 995...

Rome, April 12, 1945.

Headquarters Allied Commission,  
Liaison Section.

1. On November 22 (according to some Italian papers it happened on November 23), 1942, in a small wood in the vicinity of Rome, GRAHALIC Milivoje, a Yugoslav national and a member of Yugoslav Partisan Forces, after having been wounded while fighting, and captured by Italian Armed Forces, was shot by regular Italian authorities, on the ground of a sentence passed by the TRIBUNALE SPECIALE in Rome.
2. The above mentioned famous Special Tribunal in Rome had unjustly qualified him as an Italian national though there was full evidence for his Yugoslav nationality and citizenship recognised even by the Italian authorities in 1928. This was done deliberately in order to justify a sentence to death.
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*J. Smodlaka*  
 Dr. SIOVEN J. SMODLAKA  
 Deputy Representative of Jugoslavia  
 to the Advisory Council for Italy.

43

12 April  
30

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1240