

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

10000/143/827

ACC

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

785016

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PUBLIC SAFETY, SARDEGNA
DEC. 1944 - JAN. 1945

1586

Declassified E.O. 12356 Section 3.3/NND No. 185016

AC / 14137 / PS

PUBLIC SAFETY JOURNAL

ASSISTANT ATTORNEY
GENERAL OF THE STATE
LESTER H. DAVIS, Attorney General

1587

Declassified E.O. 13563 Section 3.3/NND No. 155616

8297

00000 / 43

CONTINUED

DEC. 4th
TAN. 4th

CALIFORNIA

Minute 3.

Legal Sub Commission.

There is no Allied Naval Establishment and no Allied Military Garrison in Sardinia.

As far as the Italian Police are concerned they have power to arrest Allied personnel for crime and breaches of the peace. From a practical point of view, however, we cannot rely on the Italian Police to maintain order among Allied sailors and seamen ashore. The Italian Police, for their own safety will avoid intervention whenever possible.

If the Commanding Officers (or Masters) of the ships in the harbour can be persuaded to furnish shore patrols, then, if necessary, arrangements can be made for Italian Police to form joint patrols, a system which has worked well in Naples, Salerno and elsewhere.

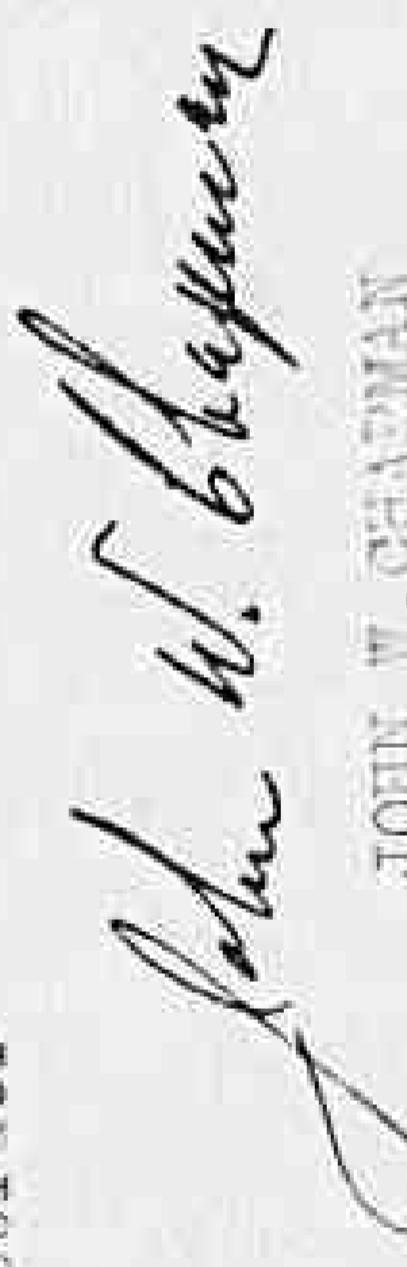
As regards Naval personnel (British and American), offenders can be handed over to Naval custody.

May an opinion please be given as to the procedure to be followed after arrest in the case of:

- a) British Merchant seamen
- b) American Merchant seamen.

The offences mainly contemplated are:

- i) Crimes committed against the civil population
- ii) Drunkenness and disorder
- iii) Desertion



JOHN W. CHAPMAN
Colonel J.A.G.D.
Director Public Safety Sub-Comm.

11th Dec. 1944

P.S. s/c.

4. A
S.J.W.

The legal position is set out on portfolio 50 in file 4092/2. This position
is subject to modification but as far as possible involves political issues of a

The offences mainly contemplated are:

- i) Crimes committed against the civil population
- ii) Drunkenness and disorder
- iii) Desertion

John W. Chapman

JOHN W. CHAPMAN
Colonel, J.A.S.C.
Director Public Safety Sub-Comm.

11th Dec. 1944

4.

P.S. S/C.

The legal position is set out our folio 50 to file copy/lc. This position is undoubtedly unsatisfactory but the situation is such that a

settled outcome.

These would seem to be no serious objection to a temporary detention of someone in a local institution - or preference a separate detention room - pending transfer to an area where a Name court (UIC) or a Court-martial (US) can be held.

It is believed that Name courts sit in Aquino & well as Manila and elsewhere.

John W. Chapman
12 Dec 44

MINUTE

1.

10 CAS - M. for signature please

5/12/44.

✓ *Franklin H. St.*
Public Safety Dept.

10 Q.S.

(1) City is not prepared to make this request to D.F.W.P.
He directs that it will be taken up with Mayor W.C.
with a view to some public being used, then to have
stand from ships who are taken at cost.

Is there any public authority enabled to meet and charge
all his medical expenses?

CAS.

7 Dec. 44

K. G.O.

by an M. politie enkele & andere en change
affair much known?

J. A. D. G. J. S.

Cat.

1 Dec. 44.

X. 606.

1592

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

5500

Minute

For C.A.S.

Yolko or a Joe signature please John W. Thompson
Colonel - USAF

23/2/44.

1593

~~SECRET~~~~SECRET~~

HEADQUARTERS
ALLIED COMMISSION
SARDINIA REGION

7354

6th January 1945

M127

SA

Reference : HQ/2151

Subject : Italian Guard - Assault Against
To : British Naval Liaison Officer,
CAGLIARI

1. I forward, herewith, the result of an enquiry into an attack on one of the Italian Army Guards in the Port of CAGLIARI, on the night of the 1st of January 1945. The evidence shows that the man, who was on duty, was the victim of a wanton and cowardly assault.

2. The assailants have been traced to a British Ship, the IMPERIE DUNDREY and the Master of this ship, Captain RIDLEY, who I have seen, informs me that his powers of punishment would be limited to the imposition of a 10/- fine.

3. Italian Military Guards in the Port of CAGLIARI are employed to protect ships and stores, and there are no Allied Military Police of any description to assist them. It is, therefore, very much in the interests of the Masters of Ships that these guards should be properly backed up and offences against them sternly dealt with.

4. I would ask you to represent the case for consideration by a Naval Court. I understand that the ship in question is likely to call at NAPLES after leaving CAGLIARI.

JACF/a.j.s.

Copy to :

TO	INITIALS	DATE
COL. CHAPMAN	CH	2/1/45
COL. YOUNG		
L.T. COL. WILCOX	WW	2/1/45
MAJ. LUCKMAN		
MAJ. WILSON	WN	2/1/45
MAJ. HANBURY		
MAJ. BALANCE		Allied Commission, (without enclosures)
CAPT. POWELL		1/27/45
CHIEF CLERK		1/27/45

J.A.C. PENDYCHICK

J.A.C. PENDYCHICK
Colonel.
Regional Commissioner.

5524



P. SAFETY

7355HEADQUARTERS
ALLIED COMMISSION
SARDINIA REGION

3rd January 1945

Reference : NO/2151

Subject : Allied Military Police

To : Headquarters, No. 3 District.

410

1. I attach a copy of a letter NO/2151 of the 14th December 1944
asking for Allied Military Police for SARDINIA.

2. Apart from the occurrences detailed in Para 3 of that letter,
considerable trouble develops from time to time as a result of the mixed
detachments of British and American Navy, Army and Airforce personnel in
Cagliari together with British and American Seamen and French Nationals
in the port, and I attach copies of Reports A and B dated 1st January
1945 from the U.S. Navy Shore Patrols which show the nature of disturbances
being encountered.

In addition, on the night of the 1st of January 1945 an Italian
Soldier on guard in the Port area was brutally assaulted by two men
identified as Seamen from a British Ship. This is particularly unfortunate
as we are dependent on the Carabinieri and Italian Army Guards for the
protection of the ships, and they have a difficult task dealing with Allied
personnel whose language they cannot speak.

Enquiries are being held by Allied Commission staff into the
various incidents reported and the Naval Authorities, at my request, stopped
all shore leave on the night of the 1st of January. We have been fortunate
in having no loss of life and I feel that the presence of even a small
detachment of Allied Military Police would act as a deterrent to trouble and
stop a dangerous situation arising out of some shooting incident. Allied
Military Police can alone also make effective preventive measures such as
the placing of undesirable localities out of bounds. Without their presence
restrictions to leave etc., become necessary which are a hardship to the men.

Q. The Island has, however, been left without any Allied Military
Police and I demand that the maintenance of discipline, Allied prestige

being encircled.

3. In addition, on the night of the 1st of January 1945 an Italian Soldier on guard in the Port area was brutally assaulted by two men identified as enemies from a British Ship. This is particularly unfortunate as we are dependent on the Carabinieri and Italian Army Guards for the protection of the shore, and they have a difficult task dealing with Allied personnel whose language they cannot speak.

4. Enquiries are being held by Allied Commission staff into the various incidents reported and the Naval authorities, at my request, stopped all shore leave on the night of the 1st of January. We have been fortunate in having no loss of life and I feel that the presence of even a small detachment of Allied Military Police would act as a deterrent to trouble and stop a dangerous situation arising out of some shooting incident. Allied Military Police can alone also make effective preventive measures such as the placing of undesirable localities out of bounds. Without their presence restrictions to leave etc., become necessary which are a hardship to the men.

5. The General has, however, been left without any Allied Military Police and I consider that the maintenance of discipline, Allied prestige and public safety make the presence of a suitable detachment and, an Adjutant Provost Officer, an urgent necessity.

JACP/JAS

J.A.C.P. PENNYCICK.
Colonel.
Regional Commissioner.

Copy to : Headquarters, Allied Commission.
thru P.M.
COL. CHAPMAN
COL. YOUNG
LT COL. W...
MAJ LUCK...
MAJ WILSON
MAJ HANCOCK
MAJ BALFOUR
CAPT P...
Clerk

1596

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

785016

C O P Y

HEADQUARTERS
ALLIED COMMISSION
SARDINIA REGION

HQ/2151

14 December 1944

TP

SUBJECT: Military Police Detachment for Sardinia

TO : Headquarters, Allied Commission (Attention of Public Safety Sub-Commission)

1. During a visit to Headquarters, Allied Commission, on 26 November 1944 by Capt C. HAYES, then PPSO Sardinia Region, the matter of securing a small detachment of Military Police for service on the Island was discussed and he was advised that application had been made by Public Safety Sub-Commission to AFHQ for a Military Police Section of eleven (11) men and two (2) NCOs.

2. Since the departure of the Allied Garrison from Sardinia, there have been no Military Police on the Island and although there are but few Allied troops here, the need for Military Police does exist.

3. Since the departure from the Island of the Allied Military Police, the following occurrences have had to be dealt with which normally would be an Allied Military Police function:

- (a) Shooting of a British Merchant Seaman in CAGLIARI.
- (b) Two incidents of robbery with violence by Italian civilians against British Military personnel.
- (c) Continued disorderly conduct at S. ANTIOCO by Allied Merchant Navy personnel.
- (d) Forceable entry of port area by Allied soldiers, the CC.RR. being powerless to intervene.
- (e) Three American and one British AWOL's who have been apprehended in CAGLIARI and who have been escorted to their units in Corsica.

4. To be more effective in dealing with both British and American military personnel, it is requested that the detachment be mixed of British and American personnel.

5. Early consideration of this matter will be appreciated.

(sd) J. A. C. PENNYGUICK,
Colonel,
Regional Commissioner.

C O P Y

ENCLOSURE "A"

U.S.S. MAINSTAY (AM261)

1 January 1945

From: Senior Shore Patrol Officer, 31 December 1944,
CAGLIARI AREA

To : Lt. Comdr. Henry B. Clark, Jr.

Subject: Shore Patrol - Report on.

1. At 1820, 31 December 1944, James E. Thompson, Lieutenant, USND, was appointed and assumed the duties of Senior Shore Patrol Officer with Headquarters in USS MAINSTAY (AM261). The Junior Shore Patrol Officer was M.D. Swerdling Lt.(jg), USS INCREDIBLE.

2. The following excerpt from the Shore Patrol Log of this date is given below:

2305 - A truck left driven by Sanches, Cox and of USS IMPROVE and carrying Shore Patrolmen Stalker, M.W., SGM2c and Ciavola, G.J., MM2c, both from the USS PINNACLE as security watch were fired upon by unknown assailant or assailants. The truck was carrying women from the dance to town. One bullet entered the right side of the cab and passed through the upper left-hand of the cab top above the driver, fire was returned. No hole was observed in the right side of the cab indicating that the bullet might have been fired through the open right window and also indicating that the bullet might have been fired from close aboard. At this time no casualty was reported by the Shore Patrolmen.

0321 - The Shore Patrol was returning to the ship when they were hailed by some Italian soldiers on Via Roma and as a result of this hailing investigated an apartment on Via Roma looking for Smith .. in the apartment were four British sailors and two British soldiers, all had proper leave papers and our mission was explained to them and they resented our presence. Lieut. Thompson withdrew his men to the jeep and were followed in a few minutes by the above British. Cohan, Cox, USS IMPROVE was assaulted while sitting in the jeep, receiving a bloody nose. A melee was prevented by Lieut. Thompson who ordered his men to leave for the base, fearing a possible shooting since all Shore Patrolmen were armed. The British sailors were from HMS Rousay.

NOTE: The entries for 1855 - 2012 - 2043 - 0009 - 0105 - 0143 - 0207 -
0316 - 0345 - 0350 - 0407 have been omitted.

C O P Y

ENCLOSURE #B#
1 January 1945.
From: The Junior Shore Patrol Officer.
To: Commander Task Group 81.12.
Subject: Shore Patrol - 31 December 1944 - Report on.

1. I was appointed junior shore patrol officer by Commanding Officer, U.S.S. INCREDIBLE (AM249). After reporting to Lieut. THOMPSON, senior patrol officer aboard the AM261 I left on duties assigned and boarded the first truck, which picked up approximately 50 enlisted men at the dock. We then proceeded to pick up some Italian women and the dance band and proceeded to the dance hall, A.H.C. building.
2. Upon arrival there I found that there were already present approximately 50 Italian men and women, four or five American soldiers and some R.A.F. enlisted men. I was approached by a sailor from the air station with a request from the English Commanding Officer to allow approximately 12 restricted R.A.F. men to attend the dance. The men arrived in an English lorry.
3. I stationed my shore patrolmen at the necessary places and instructed them in their duties. Except for local brawls everything was quiet until approximately 2130 when I discovered both English and American sailors consuming liquor in the hall. I confiscated the liquor, but not until there were at least three drunken men. These men were returned to their ships in a jeep driven by Commander RUTH.
4. Approximately at 2230 I discovered an English Chief and enlisted man outside the dance hall, both drunk and standing over an Italian girl who had fainted. Upon enquiry I found that the girl had fainted inside the dance hall and had been escorted out for fresh air by Ensign W.P. BARTLETT (AM249) and two shore patrolmen. The English sailors would not obey my commands to leave the girl alone until I used force to get them away. We revived the girl and carried her back inside. She told me that the English sailor had squeezed her wrist so tightly that she passed out. I saw thin black and blue marks on her wrist. I then procured some coffee for her and made sure that she had fully recuperated.
5. At approximately 2300 the trucks began to load up with the civilians to take them to their destinations. I assigned 2 shore patrolmen to each truck and they moved off at 2305.
6. Approximately 2315 I investigated a commotion in the balcony of the dance hall and found that some American sailors had upset a fire extinguisher, diffusing the chemicals in all directions. I managed to stop the flow of chemicals. About that time the Senior Patrol Officer cleared the balcony of all people.

men. These men were returned to their ships in a jeep and

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5. At approximately 2300 the trucks began to load up with the civilians to take them to their destinations. I assigned 2 shore patrolmen to each truck and they shoved off at 2305.

6. Approximately 2315 I investigated a complaint in the balcony of the dance hall and found that some American sailors had upset a fire extinguisher, diffusing the chemicals in all directions. I managed to stop the flow of chemicals. About that time the Senior Patrol Officer cleared the balcony of all people.

7. Approximately 2330 the R.A.F. men had a lorry drive up and take them home. In direct disobedience to my orders they piled civilians men and women into their lorry. They also ignored my traffic directions and almost ran down one of the civilians standing by for our trucks. These R.A.F. men were rude and impertinent and the only information I could get from them was that they were stationed at the air base and their commanding officer is Squad Leader JOHNSON.

8. Approximately 0015 1 January 1945 shore patrolmen CIRKIN, W.H., SPC2C (AM274), BLAVOLA, G.J., VOMZIC (AM274) and the driver of the truck SANCTY, (AM274) reported back and told me that they had been fired upon while escorting the civilians home and they had returned the fire and were pretty certain they had shot one of the assailants.

9. On the next truck load the senior patrol officer accompanied the truck and I followed in the next truck load, which contained the English and American sailors. I followed in the next truck load, which contained the English and American sailors only. I did not find any trouble.

10. Upon return to the A.P.C. building we loaded up with the balance of the sailors, but not before a few local brawls had broken out while the men were drinking their beer. I stopped the fights and discovered that a large flower pot had been smashed. We cleaned up the ANC building and checked thoroughly for any stragglers, found none. We returned to the dock areas where I was secured by the senior shore patrol officer.

Respectfully submitted,

/s/ Louis SPULDING,
Lt.(jg) USNR, Jr. Patrol Officer.

1600

CONFIDENTIAL

617

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

60/14157/F6

30 Dec 44

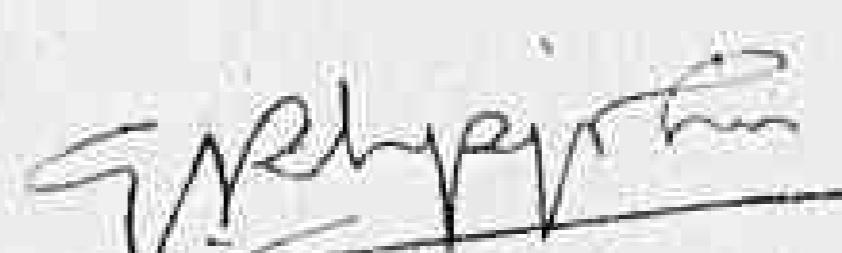
SUBJECT : Military Police for Sardegna

TO : R.C. Sardegna Region

With reference to your HQ/2151 of 14 Dec.

- 1 Your difficulties are appreciated but AFHQ (in their CP/4390/G-1 Br of 19 Dec) have informed G list, that the present shortage of MP personnel prevents the allocation of police to the Island.
- 2 If it is possible to arrange Naval patrols it may ease your difficulties. Mixed patrols of Corabinieri and Allied police have been found useful here, joint patrols with Naval personnel may be found as useful in your case.
- 3 Italian Police have of course powers to arrest Allied personnel found committing crimes or breaches of the peace, but that action should be avoided if an alternative exists and mixed patrols are useful in such circumstances.
- 4 Allied personnel arrested by the Italian police must be handed over at the very earliest possible moment to Allied custody. In the case of sailors, into custody of the Naval authority who will be responsible for despatching them to ports where their cases can be tried. Soldiers should be despatched as soon as possible to the mainland to be dealt with.

BY COMMAND OF THE OFFICE COMMISSIONER :


G.R. W. JOHN BRIG.
VZ C/A Section
DADS AC

5310

21 DEC 1943

CA SEE

5A

SUBJECT : Allied Garrison Comd. - SARDINIA

6135

ALLIED FORCE HEADQUARTERS

CG/320/G-1(Br)

19 Dec 43.

~~HO No. 3 District.~~

1. The following is an extract from a recent report from Allied Garrison Commander SARDINIA, who is also Regional Commissioner SHROPSHIRE, Allied Commission :

"In regard to police I have drawn the attention of No. 3 District and Allied Commission Headquarters to the lack of Military police. As an example, we now have 4 deserters from allied units on our hands.

One of these men has broken out of the military stockade at CAGLIOSTA. I don't like having allied personnel guarded by Italian personnel but we have no military police and no stockade and no personnel to act as guards for these men. The Navy have no shore police establishment and the RAF profess to be unable to deal with deserters. They are, therefore, virtually at large."

2. The present shortage of CMP personnel prevents the allocation of Military Police to this Island and the Garrison Commander should be informed that it is much regretted that this form of assistance cannot be given.

3. It is suggested that the only action possible is to ensure that when deserters are arrested in SARDINIA they are evacuated as speedily as possible to the Mainland.

B/P/jml.

B/P *Jml*
Major General, G-1(Br): 5513

Copy to : AG

G-3 (reference H.Q./160 dated 9 Dec 43.)

(37)

HEADQUARTERS
ALLIED COMMISSION
Sardinia Region

HQ/2151

14 December 1944

SUBJECT: Military Police Detachment for Sardinia.
Headquarters, Allied Commission, Attention of
TO : Public Safety Sub-Commission, Allied Commission.

1. During a visit to Headquarters, Allied Commission, on 26 November 1944 by Capt C. HAYES, then RPSO Sardinia Region, the matter of securing a small detachment of Military Police for service on the island was discussed and he was advised that application had been made by Public Safety Sub-Commission to AFHQ for a military Police section of eleven (11) men and two (2) NCO's.
2. Since the departure of the Allied Garrison from Sardinia, there have been no military Police on the island and although there are but few Allied troops here, the need for Military Police does exist.
3. Since departure from the island of the Allied military Police, the following occurrences have had to be dealt with which normally would be an Allied military Police function:
- (a) Shooting of a British merchant seaman in Cagliari.
 - (b) Two incidents of robbery with violence by Italian civilians against British military personnel.
 - (c) Continued disorderly conduct at S. Anticoco by Allied Merchant Navy personnel.
 - (d) Forceable entry of port area by Allied

Sub-Commission to AFHQ for a Military Police section of eleven (11) men and two (2) NCO's.

2. Since the departure of the Allied Garrison from Sardinia, there have been no Military Police on the island and although there are but few Allied troops here, the need for Military Police does exist.

3. Since departure from the island of the Allied Military Police, the following occurrences have had to be dealt with which normally would be an allied military Police function:

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 - (b) Two incidents of robbery with violence by Italian civilians against British Military personnel.
 - (c) Continued disorderly conduct at S. Antioco by Allied Merchant Navy personnel.
 - (d) Forceable entry of port areas by Allied soldiers, the CO.RR. being powerless to intervene.
 - (e) Three American and one British AWOL's who have been apprehended in Cagliari and who have been escorted to their units in Sardinia.
4. To be more effective in dealing with both British and American military personnel, it is requested that the detachment be mixed of British and American personnel.
5. Early consideration of this matter will be appreciated.

Joe J.A.C. Pennywick
J.A.C. PENNYWICK,
Colonel,
Regional Commissioner
JACP/wld.

RESTRICTEDAPPENDIX TO LETTER ACC/4042/LDATED 4 April 1944**MERCHANT SEAMEN****1. Ambit of Discussion.**

(a) The meeting was concerned solely with offences committed on shore in Sicily or Italy by persons who were the master or members of the crew of merchant ships.

(b) The meeting did not consider the case of persons who were the master or members of the crew of U.S. merchant ships who, it was understood, could be tried by U.S. Courts Martial.

(c) Furthermore, the meeting did not consider special cases e.g. of a seaman committing a crime of sabotage or other war crime which would deserve special consideration but only ordinary civil crimes e.g. drunkenness, rape, wounding, murder, etc.

2. Extension of Legislation.

In view of the very few serious cases that had arisen either in Italy or Sicily it was agreed that no case could be made for inviting the appropriate Government Department to ask Parliament to extend any existing legislation or regulations on the subject and the meeting proceeded to consider the best machinery to be adopted within the present legislative framework.

3. Trial by Naval Courts under Defence Reg. 47 A&B.

(a) Procedure under this regulation will always be carried out where it is applicable and in this connection it should be noted:

(i) Persons who may be tried hereunder extend to all British and British protected personnel including Dominion personnel who are serving on a U.K. ship.

(ii) Persons serving on a Dominion ship may not be tried hereunder even if they are U.K. personnel.

(iii) This regulation is equally applicable in occupied or unoccupied territory.

4. Dominion Regulations.

In view of the very few serious cases that had arisen either in Italy or Sicily it was agreed that no case could be made for inviting the appropriate Government Department to ask Parliament to extend any existing legislation or regulations on the subject and the meeting proceeded to consider the best machinery to be adopted within the present legislative framework.

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(ii) Persons serving on a Dominion ship may not be tried hereunder even if they are U.K. personnel.

(iii) This regulation is equally applicable in occupied or unoccupied territory.

4. Dominion Regulations.

The Dominions have no regulations corresponding to 47 A&B. Present policy of the Foreign Office in against making any extension to 47 A&B in this respect even if it were legally possible.

5. Trial in other cases of British Merchant Seamen.

In the following cases:

(i) Where British or British protected personnel (including Dominion personnel) serving on a U.K. ship are involved in crimes too serious to be tried under 47 A&B.

(ii) Where British or British protected personnel (including Dominion personnel) serving on a U.K. ship other than a U.K. ship are involved in any crimes, the procedure set out below will be adopted:

(a) Investigation by a Naval Court followed by a trial in Malta, Gibraltar or the U.K. See Secs 687(1)(G) & 689 of Merchant shipping Act, 1893.

RESTRICTED

(b) The procedure in (a) above involves procuring the attendance of witnesses at the place of trial and if in any case this proves impossible the following procedure will be followed.

(1) In Occupied Territory.

If the crime is committed in occupied territory, the authority concerned will ask the Chief Legal Officer HQ ACC to convene an Allied Military Court for trial of the accused. HQ ACC will ask the Military Governor to authorize the detention of the accused if found guilty in an Army prison in occupied territory and if such authority is forthcoming the trial will proceed and the accused if found guilty will serve his sentence in an Army prison in occupied territory until the termination of occupation. If occupation ceases before the accused has finished serving his sentence and it proves impracticable to continue his imprisonment in an Army camp, instructions will be sought from AFHQ as to his release or continued detention in an Italian jail. This is an admittedly cumbersome procedure and only to be resorted to if trial under (a) above is out of the question. If the aforesaid consent of the Military Governor is not forthcoming, the procedure will be as in the next sub-paragraph.

(2) In Unoccupied Territory.

Where the crime is committed in unoccupied territory (e.g. Bari, Brindisi), as it is politically undesirable at the present time to imprison the personnel mentioned at the beginning of this para to an Italian jail, then if trial under sub-para (a) is out of the question it will be necessary to ask AFHQ for special instructions if and when any such case arises, as there appears no other method of trying the case except in the Italian Courts.

6. Trial of Foreign Merchant Seamen.

Where the accused merchant seaman is a national of one of the United Nations or a neutral nation, he will be tried in the appropriate Italian Court, and in either event, if found guilty he will be imprisoned in an Italian jail. It was agreed that there was no objection to this on political grounds.

785016

Where the crime is committed in unoccupied territory (e.g. Pari, Brindisi), as it is politically undesirable at the present time to imprison the personnel mentioned at the beginning of this para to an I alien jail, then if trial under sub-para (a) is out of the question it will be necessary to ask AFHQ for special instructions if and when any such case arises, as there appears no other method of trying the case except in the Italian Courts.

6. Trial of Foreign Merchant Seamen.

Where the accused merchant seaman is a national of one of the United Nations or a neutral nation, he will be tried in the appropriate Italian Court or if none are functioning in the locality, in an Allied Military Court, and in either event, if found guilty he will be imprisoned in an Italian jail. It was agreed that there was no objection to this on political grounds.

R E S T R I C T E D

2A

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394.

11 April, 1944

REFERENCE : ACC/4042/L.
SUBJECT : British Merchant Seamen.
TO : Executive Commissioner.

1. Referring to the conversation between Colonel UPJOHN and Colonel Shipp yesterday on the "Madagascar Agreement" I have looked up the matter in our files and according to Colonel Rowe, then D.C.L.O., who had been in Madagascar the arrangement reached in Madagascar was merely that Merchant Seamen should be tried in A.M.G. Courts.
2. In this country we have assumed such jurisdiction and the sole difficulty that arises, which was also the difficulty in Madagascar, is with regard to the imprisonment of offenders.
3. It appears, therefore, that the arrangements made at the conference on the 17th March 1944 - see my ACC/4042/I dated 4 April 1944 are far more complete and go far further to meet the problem than was the case under the "Madagascar Agreement" and I shall be glad if the Executive Commissioner may be informed of this fact.

GERALD R. UPJOHN,
Colonel,
Chief Legal Officer.

GRU/wow.

COPY 16/12/44

551-

HEADQUARTERS ALLIED COMMISSION
Civil Affairs Section
ACO 394.

PA

Tel. 489081 - 365.

Ref. AC/1137/PS.

4 Dec 1944

SUBJECT : Military Police in Sardinia.

TO : A.D.R.Q. Provost Marshal,

1. When Allied Naval and Merchant Marine personnel go ashore at Cagliari, Sardinia, difficulty is experienced by the local Italian Police. No serious incidents have occurred, but the Allied Commission Police Officer at Cagliari has asked that a Military Police Section be posted there. A strength of 1 Sergeant, 2 Corporals and 13 O/S, would be suitable.
2. No Military Police are available in Cagliari at the present time. It should be mentioned that the Headquarters of Allied Garrison, Sardinia, closed on the 15th November, 1944, and command of the remaining Allied troops was vested in Colonel Senyavick, Regional Commissioner, A.C.

For the Chief Commissioner.

G. R. UPTON, Esq.
VP CA Sec.
DOCS. AC.

Copy to: Regional Commissioner,
Sardinia.

WJW/ea.

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HEADQUARTERS ALLIED COMMISSION
Civil Affairs Section
APO 394.

Tel. 489081 - 365.

Ref. AC/14137 PS.

4 Dec 1944

SUBJECT : Military Police in Sardinia.

TO : A.F.H.Q., Provost Marshal. ✓

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For the Chief Commissioner,

G.R. UPJOHN Brig.
VP CA Sec.
DCOS AC.

Copy to: Regional Commissioner,
Sardinia.

FJW/ea.

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