

ACC

10000/143/854

/854

SEARCHES BY ALLIED MILITARY POLICE
JAN. - SEPT. 1945

1512

Sept 16/3
Feb 18/3
CHS 19/3
PS 22/3
PS 14/3
PS 30/5/40
CHS 11/12/40
Solomon 7/40
PS 7/40
PS 16/10/3
CHS 19/9/45 Min 18

10000 / 4 43 / 854

THIS FOLDER
CONTAINS PAPERS
FROM FEB 45
TO SEPT 45
CATALOGUE-

Final.

C. A. Section

Ref 1A

Letter to AFHQ prepared for signature at 2A.

Chapman
 Director of Public
 Safety.

2nd March 1945.

Ex. Comm

See M unks 18.

12 Mobile Bus. are authorized. It is difficult to say how many Bus. are necessary for the search but until we can get the ~~mass~~ authorized Bus mobile and equipped the question of any increase in the number hardly seems to arise. Having regard to the total strength of the Carabinieri and to existing circumstances in any of them 12 Bus. if they were fully equipped, fully mobile (including adequate supplies of POL) would be sufficient.

A.F.M.F. are fully aware of the situation as regards lack of vehicles and ^{on Sept. 7} ~~grues~~. At 13A is a copy of the latest wire sent. It will be seen that the authorized Bus. are sadly lacking in transport and automatic weapons. The present situation is that except for supplies of the 1891 market only very limited supplies

and to existing circumstances in my opinion
12 Bns. if they were fully equipped. Fully mobile
(including adequate supplies of POL) would be
sufficient.

A.F.H.Q. are fully aware of the situation as
regards lack of vehicles and spares. At 13A
is a copy of the latest wire sent. It will be
seen that the authorized Bns. are sadly lacking
in transport and automatic weapons.
The present situation is that except for supplies
of the 1091 Depot only very limited supplies
of vehicles, automatic weapons, clothing and
food are at present available through the
normal sources.

POL is also in very short supply. Tanks are
now being issued to Mobile Bns. but they are
not welcome because Arabians have to be
brought to drive them and local resources
cannot stand the drain.

The New Zealanders are being furnished very

Good 19/9.

MD

Resident P.C.A.S.

17 July

10/10/4

248/24

The Karachi returned. Estimated 10/10/4

16.V.P. Civil Affairs Section.6 Sep 45.

1. In order to increase the efficiency of the CC.RR. in the particular object of the search for illegally retained arms, the additional help of Allied Troops would seem to me advisable. Although hostilities have ceased we are still technically at war, and SACMED has power to authorise the use of Allied Troops if he be approached by the Italian Government with this request. He could not, in C.L.A.'s opinion, require the Italian Government to accept such assistance unasked.
2. Admittedly, use might be made by politicians of the employment of Allied Troops in such an activity, but it would, in my opinion, be welcomed by the peace loving population. It would also avert odium from the Italian Army.
3. In order to consider an alternative plan I should like to be informed of how many Battalions of Mobile Carabinieri are considered necessary to carry out this search efficiently. Has AFHQ been approached by us on this subject?

MSL.

Brigadier.
Executive Commissioner.17.

PS.

Will you please advise on para 3 of above min

CA 8
1 SEP 194518.

H. W. Chapman

C.A. Section -

Reference Par. 3 of Min 16. The 12 Mobile battalions authorized on the Order of Battle for 65,000 CC.RR. are sufficient to carry out the arms search efficiently. They are stationed at Bari, Naples, Florence, Bologna, Milan, Turin, Genoa, Padua, Rome, Lazio, Cagliari and Palermo. Each battalion consists of 578 men transported on 147 vehicles including 71 motor cycles.

On 7 September 45 cable at 13A was sent to AFHQ requesting the issue from Allied Sources of

- a) the necessary transport for 12 mobile battalions.
- b) Arms required properly to equip the carabinieri.

Bids have also been made to AFHQ for Arms classed as C.E.M. and suitable for Police, also the stock from the Berretta Arms factory.

John W. Chapman
JOHN W. CHAPMAN
Colonel J.A.G.D. Director

189

14

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

MEMO

/rlp.
4 September 1945.

TO : Executive Commissioner.

In my opinion the position in regard to the employment of Allied troops to support CC.RR. in the search of Italian houses in Italian Government territory for arms is as follows:-

1. The Allies have no right to require that the Italian Government or the Carabinieri accept such assistance.

**or the Question*

2. Under Italian Law the Italian Army has no right by itself to conduct a search for arms in Italian houses. The responsibility for such searches rests on the CC.RR.* If however CC.RR. consider that they need military support in the conduct of their search they may request it and it will be then granted. It is solely a matter for the discretion of the CC.RR. whether or not to request such assistance, but they must be guided by the obvious considerations of probable danger and disturbance. If such assistance is requested the military commander has no discretion to refuse.

3. The position of the Allied troops who might be called in to assist the Carabinieri would be in law ~~some~~ ^{somewhat} curious. Obviously they are not under the command of the Italian Army; still less under that of the CC.RR. Nevertheless I do not see who, except the Italian Government, would be in a position to make complaint of any action which Allied troops may take in consequence of a request from the Carabinieri. Clearly if the Italian Government has officially requested such assistance it also is debarred from making any complaint. At the same time it would be open to any Italian civilian, and a fortiori to the Italian Government, to complain that on any particular occasion the Allied troops behaved in an improper manner or had used more violence than was necessary and to claim compensation accordingly.

4. I do not see how, from the legal point of view, the regulation affecting the use of troops in aid of a civil power in U.K. or U.S. affects the position in Italy; from a political point of view I can see that if any unfortunate incidents occur questions may well be asked which will be based upon the regulations current at home.

W. E. Behrens

W. E. BEHRENS,
Colonel,
Chief Legal Advisor.

284

EC. Sec.

15

Stenwith opinion of CLA.

CH. S.
1945

Stenwith

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

13

MEMORANDUM

4 September 1945.

TO : Executive Commissioner.

1. From the public safety viewpoint any support which can be given to G.I. would be advantageous, including assistance of Allied troops. Our experience has been that the presence of Allied personnel with Carabinieri has tended to increase the morale and efficiency.

2. However, the proposal to use Allied troops in aid of the Carabinieri in absence of serious civil disturbance raises a legal question. In both the American and British armies the regulations prohibit the use of troops in aid of civil power except in cases of disturbances beyond the control of the civil authorities. I know of nothing that would authorize the use of troops in normal law enforcement such as searches for arms.

3. I also suggest the high political implications which will arise in the use of Allied troops assisting in an extensive campaign, particularly when Italian troops are available and not used.

4. While I adhere to what I have said in para. 1 above I do not approve of the use of Allied troops in the manner contemplated. As an alternative I suggest that the mobile battalion of Carabinieri (each of a strength of approximately 500) be fully equipped with automatic weapons and first class transport, together with adequate supplies of ammunition and P.O.L., even if only on a loan basis and that they do the searching and combing.

John W. Chapman

JOHN W. CHAPMAN
Colonel, U.S.A. 250
Director.

What a C.H.
view
In fact
we are still
technically at
war. Secured
can determine

A major contribution
perhaps but it
would be welcome
by the head of
the Italian Army
front would be
advised to fall
Italian Army

How many
Battalions

Why has this
not been done
before. How we advise
you in reply to AFTR
letter of 10/10/45
2/10/46

W. J. Lee

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

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2. However, the proposal to use Allied troops in aid of the Carabinieri in absence of serious civil disturbance raises a legal question. In both the American and British armies the regulations prohibit the use of troops in aid of civil power except in cases of disturbances beyond the control of the civil authorities. I know of nothing that would authorize the use of troops in normal law enforcement such as searches for arms.

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4. While I adhere to what I have said in paragraph above I do not approve of the use of Allied troops in the manner contemplated. As an alternative I suggest that the mobile battalion of Carabinieri (each of a strength of approximately 500) be fully equipt with automatic weapons and first class transport, together with adequate supplies of ammunition and P.O.L., even if only on a loan basis and that they do the searching and combing.

JOHN W. CHAPMAN
Colonel, J.A.G.P. 252
Director.

JWC/3

12CA Sec

your recommendation in M11 to take
no action unless it got pressed for a
reply, is agreed.

Office of EC
7 Jun 45

P! Please note

11 Jul 45
JWB

AB
Shoulen maj

P.A. Sec

6^A for Signature pce.Handwritten
for D.D.S. ^{ref}14 US.
Sent 565.

Public Safety

Please handle on Folio 10 and bring up to CAS again on 6 June
or before
30 May

A. Benhampton k: Col CAS.

Executive Commissioner

Folio 9A.

This is not an easy one to answer. Strictly speaking the CMP were in the wrong.

In order to make a search in Italian Government territory legal, it seems that MP's must accompany Italian Police who officially make the search. The Italian Police must do so in accordance with their own laws.

In this case the Italian Police were present but it is most doubtful whether they had the Decree which, I am advised, is necessary.

Therefore we could reply and put the blame on the Italians, but I consider that would be unwise and unjust. I am confident that the MP do not allow the Italians to do more than be present and they are really responsible.

The man whom they arrested is, I am told, a collaborator of the blackest hue - he is also a nephew of Tatamo.

I recommend that we take no action and, if forced by a reminder, we reply that "in making the arrest of the alleged collaborator with the enemy, Alexander KINGSLAND, the Military Police were acting in the interests of security and speed was a military necessity" That would, I suggest, settle it.

Not very honest perhaps but I think it is the best answer. AFHQ have always avoided this question of search. I have spoken to G2. RAC. 7 June

A. Benhampton k: Col

(Transl. SK)

27 OCT. 1945

16160/PS
PM
25 Oct., 1945
15AGENERAL COMMAND OF CC.RR.
situation, Liaison Office

N. 1100/2

TO ALLIED COMMISSION

Sub-Commission of P/S

SUBJECT: Discovering of a gang

Rome

In Rome the CC.RR. Arma and the British M.P. discovered a big gang acting at the Tuscolano freight-yard.

The gang, which has also branches out of Rome and was guided by certain CITRO Raffaele, of Salerno, absconding, well known and dangerous expounder of the Roman black market, operated robbing Italian and American goods, taking off the loads from the railway waggons transiting or stopping at that freight-yard.

Up to now were arrested 36 persons among whom 18 railway-men, 1 N.O.C. and 6 Finance guards supposed to daily watch over the freight yard.

Confiscated: 15½ q.li of Allied sugar; 8 q.li of olive oil; 1,062 meters of British cotton; an odd numbered race "Balilla" type "Coppa d'oro"; a small truck "Balilla"; 1,790,350 lire in currency and 1,040,000 lire deposited at different Banks in the Capital.

Other 13 persons, identified, are being searched.

The militaries of R.Finance Guard have been delivered to the Corp Command and the civilians to the Prisons.

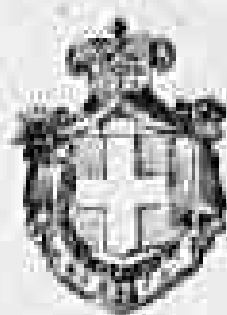
We reserve to communicate further news.

Ministry of Transport and the General Command of R. Finance Guard were noticed.

Flora initial release file

THE GENERAL COMMANDER

25 OTT. 1945



Comando Generale dell'Arma dei Carabinieri Reali

UFFICIO SERVIZIO - SITUAZIONE E COLLEGAMENTI

N. 1100/2

di prot.

Roma, li 25 ottobre 1945

Risposta al

del

n.

Allegati n.

OGGETTO:

Roma - Scoperta associazione per delinquere.

ALLA COMMISSIONE ALLEATA

- Sottocommissione per la Pubblica Sicurezza -

R O M A

In Roma, carabinieri diretti dal Comandante la Compagnia Interna e la polizia militare britannica hanno scoperte una vasta associazione per delinquere specializzata in ingenti e continui furti nello scalo ferroviario Tuscolano.

L'associazione, capeggiata dal noto e pericoloso esponente del mercato nero romano, CIPRO Raffaele, salernitano, latitante, rubava merci italiane e alleate spiombando vagoni ferroviari in transito e in sosta nello scalo e aveva ramificazioni anche fuori della Capitale.

Finora sono state arrestate 36 persone tra le quali 18 febrevieri, un sottufficiale e sei guardie di finanza costituenti il nucleo di vigilanza diurna allo scalo Tuscolano.

Sequestrati: 15 quintali e mezzo di zucchero di provenienza alleata; 8 quintali di olio d'oliva; 1.062 metri di tela britannica; un'automobile "Balilla" fuori serie da corsa tipo "Coppa d'Oro"; un furgoncino.

./...

"Bolilla"; 1.790.350 lire in danaro liquide e 1.040.000 lire depositate presso Istituti Bancari della Capitale.

Altre 13 persone coinvolte nell'attività criminosa sono state individuate e sono ricercate.

I militari della R.Guardia di Finanza sono stati consegnati al Comando del Corpo e i civili sono stati associati al carcere giudiziario.

Riserva di ulteriori notizie.

Ministero Trasporti e Comando Generale R.Guardia Finanza informati.

IL GENERALE COMANDANTE
- Brunetto Brunetti -

Brunetti

25 OCT. 1945

14A

(Transl. Sk)

14160/PS.
pl

22 Oct. 1945

CC.RR. GENERAL COMMAND
Services, Situation and Liaison Offices

N. 1087/2

SUBJECT: Naples - Denunciation of an Italian officer charged
with theft against Allies.-

TO ALLIED COMMISSION
Sub-Commissione of P.S.
R o m e

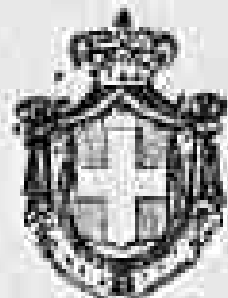
In Naples, on 10 inst., the Allied Police denounced to the Local Allied Tribunal, Infantry Captain IANNIBELLI Pietro ex- commander of the 78^a Services Coy, charging him with theft of Allies materials for an amount of 2 millions robbed from Field E. 250 of Secondigliano (Naples). He was helped by other officers, N.C.O.'s and soldiers not further identified.

The same day the Allied Police delivered to the CC.RR. Arms of Marinella (Naples) 13 soldiers to be denounced and accompanied to their Corps as responsible for infraction of the orders and having favoured the a/m theft.

TO	BY	DATE
DIRECTOR	<i>[Signature]</i>	<i>[Date]</i>
DEPUTY DIRECTOR	<i>[Signature]</i>	<i>[Date]</i>
EXEC. OFFICER	<i>[Signature]</i>	<i>[Date]</i>
POLICE	<i>[Signature]</i>	<i>[Date]</i>
LC & REG.		
PRISONS		
ADM. OFFICER		
SECURITY		
CHIEF CLERK		

THE GENERAL COMMANDER
Brunetto Brunetti

24 OTT. 1945



Comando Generale dell'Arma dei Carabinieri Reali

UFFICIO SERVIZIO - SITUAZIONE E COLLEGAMENTI

N. 1087/2 di prot.

Roma, li 22 ottobre 1945

Risposta al

del

n.

Allegati n.

OGGETTO: Napoli - Denuncia di un ufficiale italiano, responsabile di furto in danno degli alleati.

ADMA COMMISSIONE ALLEATA

- Sottocommissione per la Pubblica Sicurezza -

R O M A

In Napoli, il 10 corrente, la Polizia Alleata denunciò al locale Tribunale Alleato il Capitano di Fanteria IANNIBELLI Pietro, già comandante della 78ª Compagnia Servizi, perché responsabile di furto di materiali degli alleati, per un valore di 2 milioni circa, sottratti nel campo B.250 di Secondigliano (Napoli), col concorso di altri dipendenti ufficiali, sottufficiali e soldati, non ancora identificati.

Sotto la stessa data, la polizia alleata consegnò all'Arma di Marinella (Napoli) tredici soldati per la denuncia e l'accompagnamento al Corpo, come responsabili di violazione di consegna e favoreggiamento nel suddetto furto.

IL GENERALE COMANDANTE

- Brunetto Brunetti -

Brunetti

TO : Public Safety Sub-Commission.

1. The only right of arrest possessed by Allied personnel in Italian Government territory is that conferred by RDL No. 112 of 12 April 1944. For the purpose of such procedure, the arrest must be performed personally by the Allied personnel concerned. They have no right to order Italian police, or other Italian personnel, to perform the arrest on their behalf. An AMG warrant of arrest does not run in Italian Government territory.
2. RDL No. 112 only covers the following offences "Acts hostile to the Allied Forces; offences against the property of the Allied Forces or its members or of agents of the United Nations; seditious manifestations against Allied Forces; acts prejudicial to the war effort or in aid of the enemy".
3. The decree refers to such offences when committed in Italian Government territory, but upon its true construction it extends to such offences also when committed in AMG territory. Nevertheless if a person who has committed such offences is arrested by the Allies in Italian Government territory, he can only be tried in Italian Government territory and under Italian law. There is no right to try him under the AMG Proclamations. Still less to "extradite" or kidnap him.
4. Save as aforesaid the Allies have no right of arrest in Italian Government territory and they have no right whatever to order the Italians to make an arrest on their behalf. Of course if the acts complained of in AMG territory amount to an offence against Italian law the Allies can denounce the offender to the Italian authorities and initiate Italian criminal proceedings against him.
5. These rights depend upon the terms of restoration of territory. Whether or not the Italian Government would have agreed in Feb 44 to an "Extradition" procedure of the type envisaged if they had been asked to do so is a matter of conjecture. They were not asked to do so and there is now a lacuna in the position. If we suggested at any future date an increase in our rights I have no doubt that they would object, "and I think with justice", particularly in view of the New Deal. Moreover they would say that they had always cooperated in the past and that the need for the change was not apparent.
6. The only solution is to continue to treat the problem as a matter for cooperation. I think the procedure to be adopted in such cases is one solely for your decision. I would suggest, however, that the normal approach be made through the Questura in the first instance. If cooperation is refused there, the matter would presumably be dealt with through this HQ by contact with the Italian Government.

LEGAL SUB-COMMISSION
22 March 1945

W.E. BEHRENS, 244
Colonel,
Deputy Chief Legal Advisor.

ALLIED COMMISSION
PUBLIC SAFETY LIAISON OFFICE
R.A.A.C. QUESTURA BLDG. VIA S. VITALE

PSL/C-1.

To : Director of Public Safety S/C AC/HQ .
From : Lt.Col.R.T.Millhouse, L.O.
Subject : Enquiry.

Rome, 25th May 1945

Your reference AC/14160/PS dated 18th May 45.

1. Alexander KINGSLAND was arrested for collaboration with the Germans and the search carried out by 276 FS Section, in conjunction with the Italian authorities, of the residences in Rome in which he might have lived, were merely routine, in view of the fact that it was suspected that he might have been on a mission for the Germans.
2. For your information KINGSLAND is being taken to Genoa for further interrogation there.
3. Documents are returned herewith.

DIRECTOR		
DEPUTY DIRECTOR		
EXEC. OFFICER		
PROSEC.		
LIC. & REG.		
PRISONS		
ADM. OFFICER		
SECURITY		
CHIEF CLERK		

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

1 5 3 0

ALLIED COMMISSION
PUBLIC SAFETY LIAISON OFFICE
R.A.A.C. QUESTURA BLDG. VIA S. VITALE

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

264

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

264

Ministero degli Affari Esteri

AIDE - MEMOIRE

SUBJECT : Minister TALAMO

On the 27th of April, at about 15.30 hours, a N.C.O. of the British M.P., together with a Carabinieri of the Salario station, presented themselves at Minister TALAMO's house (Piazzale delle Arti n. 27) to carry out a search.

In the absence of the Minister, his wife objected that they lacked the necessary warrant. The N.C.O. answered that he would provide to it immediately, and returned soon after with the enclosed note, which, it is believed, he wrote himself.

The search was carried out, but no explanation was offered as regards its object.

Minister TALAMO interested in the matter the Ministry for Foreign Affairs, the latter pending further steps, gave him a certificate stating that no search could be carried out in his house without previous agreement between the Allied Commissions and the Ministry.

Subsequently, Minister TALAMO learnt that a similar search had been carried out in his brother's apartment at Via Lima 36. It appeared, however, in this case, that object of this search was Minister TALAMO's nephew, Alexander KINGSLAND, who had recently crossed the lines near Venice and had to be questioned according to the normal procedure.

The aforesaid searches appear to be all the more surprising as KINGSLAND lives in Rome, Via Peruzzi n. 24, and does not make any effort to conceal his identity or whereabouts.

Minister TALAMO, together with his brother, went to his nephew's house to see what had happened. Having found the house blocked, he assured the N.C.O. of the M.P. that, should he meet his nephew, he would not fail to tell him to return home at once. On the same evening, at about 21.50 hours, the same N.C.O. re-

In the absence of the Minister, his wife objected that they lacked the necessary warrant. The N.C.C. explained that he would provide it immediately, and returned soon after with the enclosed note, which, it is believed, he wrote himself.

The search was carried out, but he explained that the offered as a bribe for the object.

Minister THAMLO intervened in the matter the Minister for Foreign Affairs, the latter seeking further advice, gave him a certificate stating that no search could be carried out in the house without previous agreement between the Allied Commissions and the Ministry.

Subsequently, Minister THAMLO learned that a similar search had been carried out in his brother's apartment at Via Lima 63. It appeared, however, in this case, that object of this search was Minister THAMLO's nephew, Alexander THAMLAND, who had recently crossed the lines near Rome and was to be questioned according to the normal procedure.

The official sources appear to be all the more surprising as THAMLAND lives in Rome, via Tevere 11, and does not make any effort to conceal his identity or whereabouts.

Minister THAMLO, together with his brother, went to his nephew's house to see what had happened. Having found the house blocked, he assured the N.C.C. of the M.P. that, should he meet his nephew, he would not fail to tell him to return home at once. On the same evening, at about 21.30 hours, the same N.C.C. contacted himself again at Minister THAMLO's home, while armed carabinieri blocked all the exits and the telephone was disconnected.

The Minister showed to the N.C.C. the certificate, but the latter immediately replied that he did not believe it was authentic and insisted upon carrying out a further search.

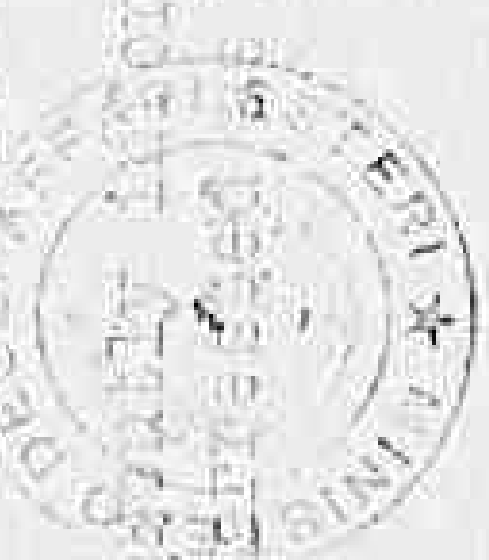
Some time after the police left the house and the telephone was again connected.

Minister THAMLO has been subsequently informed that in the evening of the 27th, his nephew was arrested, as he was returning to his home.

12 May

Rome, May 28th, 1944

5678



HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

Tel : 489081 - 365

18 May, 1945.

AO/14160/PS

SUBJECT : Enquiry.

TO : Lt. Col. Millhouse, Liaison Officer.

1. It would be appreciated if an enquiry would be conducted in connection with the attached papers :

Ministero degli Affari Esteri - Aide Memoire -
Subject : Minister TALAMO

Note No.5692 signed G. Reed C.S.M. - FSB - Int. Corps

2. Please return the original papers to this Headquarters with the results of the enquiry.

John W. Chapman
JOHN W. CHAPMAN
Colonel, J.A.C.D.
Director Public Safety
Sub-Commission.

Encls. : as above.

LJP/C.

HEADQUARTERS ALLIED COMMISSION
APO 394
Office of the Executive Commissioner

PS.

GA

14160

Tel: 735

11 May 1945.

Ref: 3604/104/EC.

ae.

SUBJECT: Irregular Searching of Minister's Property. 11 MAG 1945

TO : Civil Affairs Section.

1. Attached hereto is Aide Memoire dated 2 May 1945 from the Ministry for Foreign Affairs. It relates, as you can see, to what would appear to be an irregular searching of the house of Minister TALAMO in ROME.

2. Will you please cause this matter to be investigated and prepare a suitable reply to the Ministry in due course.

TO		
DIRECTOR		
DEPUTY DIRECTOR		
CHIEF CLERK		
CHIEF OF BUREAU		
CHIEF OF SECTION		
CHIEF OF OFFICE		
CHIEF OF STAFF		
CHIEF OF RECORDS		
CHIEF OF MAIL		
CHIEF OF TELETYPE		
CHIEF OF TELEPHONE		
CHIEF OF SECURITY		
CHIEF OF INVESTIGATION		
CHIEF OF INSPECTION		
CHIEF OF ADJUTANT		
CHIEF OF CLERICAL		
CHIEF OF LABORATORY		
CHIEF OF MEDICAL		
CHIEF OF DENTAL		
CHIEF OF VETERINARY		
CHIEF OF BOTANICAL		
CHIEF OF ZOOLOGICAL		
CHIEF OF AGRICULTURAL		
CHIEF OF FISHERIES		
CHIEF OF MINING		
CHIEF OF METALLURGY		
CHIEF OF CHEMISTRY		
CHIEF OF PHYSICS		
CHIEF OF MATHEMATICS		
CHIEF OF ASTRONOMY		
CHIEF OF METEOROLOGY		
CHIEF OF CLIMATE		
CHIEF OF SOIL		
CHIEF OF PLANT		
CHIEF OF ANIMAL		
CHIEF OF HUMAN		
CHIEF OF SOCIAL		
CHIEF OF ECONOMIC		
CHIEF OF FINANCIAL		
CHIEF OF LEGAL		
CHIEF OF POLITICAL		
CHIEF OF HISTORICAL		
CHIEF OF LITERARY		
CHIEF OF ARTS		
CHIEF OF SCIENCE		
CHIEF OF TECHNOLOGY		
CHIEF OF INDUSTRY		
CHIEF OF COMMERCE		
CHIEF OF TRANSPORT		
CHIEF OF COMMUNICATIONS		
CHIEF OF INFORMATION		
CHIEF OF PUBLIC RELATIONS		
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RESTRICTED

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

JB/cjm

7796

17 April 1945

G-5: 014.13

SUBJECT: Relationship of Allied Military Police with Civilians.

TO : Headquarters, Allied Commission, APO 394.

1. Reference your letters AC/14160/PS of 15 and 21 March relating to the incident in the ARIANO IRPINO district.

2. Inclosed for your information are copy of SCS, NATOUSA letters 420 (SSPMG) dated 2 April 1944 and 7 June 1944, respectively. PMG states that these orders are being brought up to date and will be reissued.

3. On the British side, G-1 (Br) with PM (Br) concurrence are being requested to issue a letter along similar lines to all units and formations.

4. You will be kept advised of further developments.

For the Asst. Chief of Staff, G-5:

2 Incls:
see para 2.

Julius Byles
JULIUS BYLES,
Major, FA.

TO	DATE
DIRECTOR	
DEPUTY DIRECTOR	
EXT. OFFICER	
POSTER	
HC & REG.	
PRISON	
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RESTRICTED

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

JB/cjm

G-5: 014.13

17 April 1945

SUBJECT: Relationship of Allied Military Police with Civilians.
TO : Headquarters, Allied Commission, APO 394.

1. Reference your letters AG/14160/PS of 15 and 21 March relating to the incident in the ARIANO IRPINO district.
2. Inclosed for your information are copy of SOS, NATOUSA letters 420 (SSPMG) dated 2 April 1944 and 7 June 1944, respectively. PMG states that these orders are being brought up to date and will be reissued.
3. On the British side, G-1 (Br) with FM (Br) concurrence are being requested to issue a letter along similar lines to all units and formations.
4. You will be kept advised of further developments.

For the Asst. Chief of Staff, G-5:

2 Incls:
see para 2.

JB
JULIUS BYLES,
Major, FA.

234

RESTRICTED

RESTRICTED

HEADQUARTERS SERVICES OF SUPPLY
NORTH AFRICAN THEATER OF OPERATIONS
UNITED STATES ARMY
APO 750

420 (SSPMG)

2 April 1944

SUBJECT: Possession of U.S. Government Clothing and other U.S. Property
Illegally Held by Civilians.

TO : Commanding General, Peninsular Base Section, APO 782
Commanding Officer, Atlantic Base Section, APO 759
Eastern Base Section, APO 763
Island Base Section, APO 550
Mediterranean Base Section, APO 600
Northern Base Section, APO 386
Adriatic Base Depot, APO 338

1. Occasional complaints are received by this headquarters that Military Police personnel have made searches of civilian homes and persons and removed articles of dress and other articles similar to those issued to the American forces. It is also reported that physical abuses and robbery sometimes accompany these searches. The tenor of the complaints is that the searches are arbitrary and not in accord with due process of law. While it is the duty of all to stop the illegal diversion of U.S. property and to report any knowledge of property illegally in the hands of civilians, nevertheless arbitrary confiscation is discountenanced and must be discontinued.
2. When reports are received or it is suggested that U.S. property is illegally in the hands of civilians, arrangements will be made with the local civilian police for proper search and investigation. No search or arrest of civilians without first contacting the civil police will be made (except in cases of emergency or in fresh pursuit immediately after a crime has been committed) and in the excepted cases the civil police will be immediately notified.
3. Appropriate instructions in accord with the foregoing will be issued by you to effectuate the purpose of this directive. A copy of such instructions will be forwarded to this headquarters.

By command of Major General LARKIN:

s/ E. S. Turner
E. S. TURNER
Major, A. G. D.
Asst. Adjutant General

A TRUE COPY

236

RESTRICTED

HEADQUARTERS SERVICES OF SUPPLY
NORTH AFRICAN THEATER OF OPERATIONS
UNITED STATES ARMY
APO 750

420 (SSPMG)

7 June 1944

SUBJECT: Possession of U. S. Government Clothing and Other U.S. Property
Illegally Held by Civilians.

TO : See Distribution.

Paragraph 2, letter, this Headquarters, file 420 (SSPMG), on the above subject, dated 2 April 1944, is rescinded and the following substituted therefor:

"2. When reports are received, or it is suggested that U.S. property is illegally in the hands of civilians, arrangements will be made with the local civil police for proper search and investigation. The search will be conducted by the local police accompanied by U. S. Military Police. The Military Police will not participate in the search except to indicate the places or items it is desired be searched. This is not intended to prohibit the arrest of a civilian who has been apprehended in fresh pursuit immediately after a crime against U.S. property has been committed, but in such cases the criminal will be immediately turned over to local civil authorities for prosecution."

By command of Major General LARKIN:

/s/ J. V. SHELDON

J. V. SHELDON
Major, A.G.D.
Asst. Adjutant General.

Distribution:
"P"

SOS NATOUSSA

1 - SGS
1 - G-2
1 - PMC
2 - AG
1 - AG Records.

translation MC.

CC.A. General HQ.Rome 12th April 1945
n: 102/46Subject: Abuses made by allied military in the Pomezia CC.RR. station.
To.....: A/C. Public Safety subCommission.

On the 2 instant, in Pomezia (Littoria), three military of the english police, accompanied by two P.S. italian Guards, in uniform, abusively entered in the court-yard of that CC.RR. Barracks, made a searching in all the locals, opening the seals of parcels of arms and materials, there deposited as evidences.

Afterwards, they refused to give their identity and went away with a jeep n: 5275 bound for Rome.

Commanding General
-Brunetto Brunetti-

234

Copy sent to
Lt. Col. Millhouse for
enquiry on

16 April 1945 RFW

RISERVATO PERSONALE

Comando Generale dell'Arma dei Carabinieri Reali

UFFICIO SERVIZIO - SITUAZIONE E COLLEGAMENTI

✱

N. 102/46 di prot. R.P.

Roma, li 12 aprile 1945

Risposta al

del

n.

Allegati n.

OGGETTO: Abusi commessi da militari alleati nella stazione dell'Arma di Pomezia.

ALLA COMMISSIONE ALLEATA

- Sottocommissione di P.S. -

R O M A

Il 2 corrente, in Pomezia (Littoria), tre militari della polizia inglese, accompagnati da due guardie di P.S. italiane, in uniforme, entrati abusivamente nel cortile di quella caserma dell'Arma, eseguirono una perquisizione in tutti i locali aprendo e tagliando perfino i sigilli a pacchi di armi e di materiale ivi depositati quali corpi di reato.

Eseguita l'operazione, si rifiutarono di dare le generalità e si allontanarono a bordo di una jeep n. 5275 dirigendosi alla volta di Roma.

P. IL GENERALE COMANDANTE

(Brunetto Brunetti)

Il Gen. di Div. Alfredo Ferrari

file OR

HEADQUARTERS ALLIED COMMISSION
Civil Affairs Section
APO 394

Tel : 489081 - 365

14 April, 1945.

AC/14160/FS

SUBJECT : Relationship of Allied Military Police
with Civilians.

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

1. ^{2a} Reference is made to our letters of even number dated 15 March, 21 March and 29 March 1945 on the above subject. ^{3a}
2. May it be stated how this matter now stands. If a reply cannot be given at the present time, may we please be informed when a reply can be expected. ^{for}

For the Chief Commissioner :


C. R. O'CONNEL, Brig.
VF CA Sec.

FJW/G.

Copy Executive Comm.

HEADQUARTERS ALLIED COMMISSION
Civil Affairs Section
APO 394

Tel : 489081 - 365

29 March, 1945.

AC/14160/FS

SUBJECT : Relationship of Allied Military Police with Civilians.

TO : C-5 Section Allied Force Headquarters.

1. With reference to this Commission's letters of even number dated 15 March and 21 March 1945 on the above subject.

2. May we be informed please how this matter now stands. The issue of a directive to all Allied Units stating that all dealings by the military with Italian civilians must be carried out through the appropriate Italian agency, is now a matter of urgency.

For the Chief Commissioner :

G.R. USJOHN, Brig.
VP CA Sec.

Copy to :

Executive Commissioner.

FJW/G.

File 4A

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

Tel : 478134

AC/14160/PS

22 March 1945

SUBJECT : Complaints against Allied Forces
Giuseppe CECCHETTI, Bagni di Tivoli

TO : Provost Marshal (A), R.A.A.C.

1. Transmitted herewith for your information and attention is correspondence incorrectly addressed to this Headquarters, on the removal of four tires from the garage of the above named by American Military Police on 7th March, 1945.

W. J. Chapman
JOHN W. CHAPMAN
Colonel, J.A.G.D.
Director Public Safety
Sub-Commission.

Copy to: AFHQ Pet Sec. RAAC.
(your PET/30/E/9 of 17/3, refers)

Encls: 3

Letter from G. Cecchetti
" " C.I.P.
" " Pet. Sec. RAAC.

WLW/wg.

230

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

AC/14160/PS.

21 March 1945

SUBJECT: Relationship of Allied Military
Police with Civilians.

TO: G-5 Section, Allied Force Headquarters.

1. With reference to this Commission's letter reference AC/14160/PS dated 15 March 1945, further details have now been forwarded regarding the incident in the ARIANO INFINO district.
2. In the light of the further information and an application by the local military commander, this Commission has sanctioned the setting up of an AMI Court to try an Italian civilian who is charged with murder of the Allied officer killed in this incident.
3. It appears that the Allied soldiers were making searches in connection with black-market operations and, while it is not possible to make comment on the rights and wrongs of the case prior to the trial, there is no doubt that it only adds weight to the argument of this Commission that it is essential that a directive be issued to all Allied Units stating that all dealings by the military with Italian civilians must be carried out through the appropriate Italian agency.

FOR THE CHIEF COMMISSIONER :


G. R. UNJOHN, Brig.
Vice President
Civil Affairs Section

Copy to: Executive Commissioner.

HEADQUARTERS ALLIED COMMISSION
AFC 394
CIVIL AFFAIRS SECTION

AC/1166/18

15 March 1945

SUBJECT: Relationship of Allied Military
Police with Civilians.

TO: C-5 Section, Allied Force Headquarters.

1. Enclosed is a translation of a letter dated 25 January 1945, addressed by the Italian Ministry of Pardon and Justice to this Commission, suggesting that a directive be circulated to Allied Police instructing them to seek the co-operation of Italian Police when searching civilian premises.
2. Civilian Police duty in Italy has been entrusted to the regular Italian Police which in Military Government Territory is under the supervision of AAF Public Safety Officers, and in Italian Territory comes under the authority of the Italian Government. The Italian Police have always co-operated well with the Allies and are only too anxious to afford every possible assistance.
3. Failure on the part of Allied Police to conform with established Police procedure in dealing with Italian civilians is not only undesirable but dangerous, as is evident from the incident described in the letter from the Ministry.
4. It is fundamental that in Italian Government Territory Italian procedure must be observed and only departed from in cases of great emergency. Your attention is drawn to AAF Administrative Instruction No. 42, issued on 8 August 1944, which, in paragraph (4), deals with the analogous case of arrests but not specifically with the matter of searches.
5. It is therefore requested that your Headquarters issue a directive stating that all dealings by the military with Italian civilians (including searches) should be carried out through the appropriate Italian agency and not directly except in case of emergency.

FOR THE CHIEF COMMISSIONER :


G. R. UPJOHN, Brig.
Vice President
Civil Affairs Section
AF. Allied Commission

Encl: 1. Letter dated 25 Jan 45
2. Article 333 C.I.P.

*Letter despatched
by AFSCC 16 Mar 45*

Translation:

MINISTRY OF DEFENSE & JUSTICE

Office of the Director General for Penal Matters.

Prot. No. 138 bis 1/7/45

SUBJECT: Memorandum for Coordinating
Commission with the Allies.

The Procureure Generale of the Court of Appeal Naples reported on 27 Dec 1944 to this Ministry as follows: On 17 Dec 1944 at about 22 hrs in the district of ARIANO IRPINO eight American soldiers in uniform commanded by a major appeared in the home of a certain GARDUCCI Domenico for the purpose of searching it. Angela, a daughter of GARDUCCI, in her excitement went to the neighbouring house of a certain AMADIO Giuseppe and obtaining that robbers disguised as Allies were ransacking her home implored him for help and protection. In the meantime the Americans having completed the search proceeded towards the house of AMADIO which also was to be searched. AMADIO, convinced that he was facing criminals, barricaded himself in his house together with his family members and when the Allied Major approached the entrance and was about to ring the bell he was shot dead from a window by Francesco, a son of AMADIO. Reinforcements in arms and men were requested from Foggia and simultaneously attempts were made through the carabinieri of ARIANO to persuade AMADIO to calm down and cease firing. The latter, however, did not listen to the repeated assurances. The house was then surrounded and a violent machine gun fire opened against it. The AMADIO family, forced to leave the house and to escape, were immediately caught in the lights of the motor vehicles and became a target for numerous shots which caused the death of AMADIO Giuseppe and more or less serious injuries to other five family members.

It is suggested that the Commission consider the advisability of issuing directives to the competent authorities of the Allied police to the effect that searches of houses should be effected as a rule (excepting emergency cases) at day time in accordance with the general provisions of the Italian penal procedure (Art. 333 CPP) and in the presence of agents and officers of the Italian judicial police.

The above should be done in order to avoid a repetition of the regrettable incidents such as that related above, which are due to the state of insecurity and terror of the population particularly in isolated country houses the inhabitants of which are convinced, owing to the frequent robberies, that the night searches are effected not by police agents but by bands of robbers disguised as policemen to commit with more facility offences against property or persons.

25 Jan 45

(Sgd.) SPALLANZANI.

22/

Copy.Enclosure No. 2

2c

CODICE DI PROCEDURA PENALE

Art. 333 - Time when to search private houses - One cannot begin to search a house or the closed buildings attached to it during the hours between an hour after sundown and an hour before sunrise.

However, in urgent cases the judge can give written instructions for the search to take place during the night.

HEADQUARTERS ALLIED COMMISSION
A.P.O. 394
Legal Sub-Commission

GGH/eap

AC/4145/L

24 Feb 45

SUBJECT: Searches by Allied Military Police

TO : Public Safety Sub-Commission.

With reference to conversation of today (Cols Chapman, Wilcox, Wilson and Hannaford) and the complaints of the Minister of Justice mentioned in letter Prot No 138 bis 1/9/45 (undated) attached hereto, it is suggested that the following course be adopted :-

(a) If a circular, directive or letter from AFHQ dealing with search warrants and searches by Allied Military Police is in existence, AFHQ should be requested to draw the attention of local Military Commanders to the contents of such circular, directive or letter which obviously has not been observed in the cases in point.

(b) If no directive in any shape or form exists, it might be well for your Sub-Commission to draw one up embodying the recommendations of the Minister and to request AFHQ to circulate it to all units concerned.

TO	
DIRECTOR	<i>GGH</i> 2/3 ✓
DEPUTY DIRECTOR	
EXEC. OFFICER	
POLICE	
LIC. & REG.	
PRISONS	
ADM. OFFICER	
SECURITY	
CHIEF CLERK	

G. G. Hannaford
220
G. G. HANNAFORD,
Lt. Col.
Officer i/c Italian Branch
for Chief Legal Advisor.

TRANSLATIONMINISTRY OF PARDON AND JUSTICE

Office of the Director General for Penal Matters

Prot. No. 138 bis 1/9/45

SUBJECT : Memorandum for Coordinating Commission with the Allies.

The Procuratore Generale of the Court of Appeal Naples reported on 27 Dec 1944 to this Ministry as follows: On 17 Dec 1944 at about 22 hrs in the district of Ariano Irpino eight American soldiers in uniform commanded by a major appeared in the home of a certain CARDINALE Domenico for the purpose of searching it. Angela, a daughter of CARDINALE in her excitement went to the neighbouring home of a certain ALODIO Giuseppe and claiming that robbers disguised as Allies were ransacking her home implored him for help and protection. In the meantime the Americans having completed the search proceeded towards the home of ALODIO which also was to be searched. ALODIO, convinced that he was facing criminals, barricaded himself in his house together with his family members and when the Allied major approached the entrance and was about to ring the bell he was shot dead from a musket by Francesco, a son of ALODIO. Reinforcements in arms and men were requested from Foggia and simultaneously attempts were made through the maresciallo of the carabinieri of Ariano to persuade ALODIO to calm down and cease firing. The latter, however, did not listen to the repeated assurances. The house was then surrounded and a violent machine gun fire opened against it. The ALODIO family, forced to leave the house and to escape, were immediately caught in the lights of the motor vehicles and became a target for numerous shots which caused the death of ALODIO Giuseppe and more or less serious injuries to other five family members.

It is suggested that the Commission consider the advisability of issuing directives to the competent authorities of the Allied police to the effect that searches of houses should be effected as a rule (excepting emergency cases) at day time in accordance with the general provisions of the Italian penal procedure (art. 333 CPP) and in the presence of agents and officers of the Italian judicial police.

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The above should be done in order to avoid a repetition of the regrettable incidents such as that related above, which are due to the state of insecurity and terror of the population particularly in isolated contry houses the inhabitants of which are convinced, owing to the frequent robberies, that the night searches are effected not by police agents but by bands of robbers disguised as policemen to commit with more facility offences against property or persons.

25 Jan 45

(sgd) SPALLANZANI

TRANSLATIONMINISTRY OF PARDON AND JUSTICE

Office of the Director General for Penal Matters

MEMORANDUM FOR A.C.
INCIDENTS OF BITONTO

On Dec 3, 1944, groups of soldiers belonging to the "Genova Cavalry" Regt stationed at Bitonto ~~assaulted~~ -apparently by order of the local Allied Command- made searches of houses having first blocked the streets leading to the people's section.

Subsequently intervened also Allied soldiers and then ^{Commandant} of the CC. RR. station. Small food supplies were sequestered.

In the evening when the workers returned from work and learned about the events they organized a demonstration against the barracks of the CC. RR. in which there were also Allied officers.

Pistol shots were fired from the balcony of the barracks. An isolated Allied soldier fired an automatic rifle (fucile mitragliatore).

Dead : a man and a woman, 50 years of age.
Wounded : 5 persons.

The ~~xxxx~~ searches, according to the Procuratore Generale of Bari, were not ordered or authorized by the Italian judicial authority.

To avoid incidents similar to those above it is requested that the competent Allied Authorities please instruct the subordinate local military commanders to keep the police searches within the limits set out by the prevailing provisions and specifically by DIL No. 45 of 20 Jan 1944 promulgated in agreement with the A.C.



Roma.

1955 A

Ministero di Giustizia

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

Ufficio

Prot. N. 13821-1/3125

L. 2

24 Feb 57

Risposta al fedel

Gen. Ser. 242

OGGETTO: Appunto del la Commissione di Coordinamento con gli
Allesti.

Il Procuratore Generale del Regno presso la Corte di Appello di Napoli ha, in data 27 dicembre, a.e., riferito a questo Ministero che, verso le ore 22 del 17 dicembre, nel circondario di Ariano Irpino, otto militari americani si sono divisi in comandi di un belatore, si sono presentati nell'abitazione di certo CARBONIA Iomenco alle soglie di perquisirla. Una figlia del CARBONIA, Angela, impressionata, si portava nella vicina abitazione di certo AMOLIO Giuseppe e, affermando che i rapinatori travestiti da giletti stavano svaligiando la sua casa, invocava da costui protezione ed aiuto. El frattempo gli americani, terminata la perquisizione si avviavano verso la casa dello stesso AMOLIO che doveva pure essere perquisita. Costui convinto di aver a che fare con dei malfattori, si barricava nella propria abitazione insieme ai familiari e, mentre il maggiore alleato avvicinatosi alla porta d'ingresso si accingeva a suonare, veniva fradato da un colpo di moschetto sparato dal figlio dell'AMOLIO, Francesco. Riforniti di munizioni ed armi venivano richiesti a Foggia e, nello stesso tempo, si tentava, merce l'inter-

11. Procuratore Generale del Regno presso la Corte di Appello di Napoli
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venivano ricoverati a Foggia e, nello stesso tempo, si tentava, perciò l'intre-
vento del sergente dello dei carabinieri di Ariano, di convincere gli AMOLIO
a collaborare e a cessare il fuoco. Ma costoro non presentavano alcuna fede
alle ripetute assicurazioni. La casa veniva quindi circondata e contro di
essa si apriva un violento fuoco di mitragliatrici. Gli AMOLIO, costretti
ad uscire all'aperto ed a fuggire, erano immediatamente individuati alla
luce di riflettori degli elicotteri e fatti tornare al numero della
che occupavano la parte dell'AMOLIO di Mepe ed il telefono più o me-
no grave di altri cinque persone della famiglia.

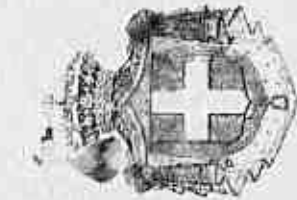
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si prospetta. Intanto è costato On. Comandante l'opportunità che
siano date disposizioni ai competenti Comandi della polizia alleate af-
fiorare le perquisizioni domiciliari vengono effettuate di regola, salvo i
casi di urgenza, durante le ore del giorno, in conformità di quanto dispo-
ne la norma generale della legge processuale penale italiana (art. 333 C.
P.E.) e con intervento di agenti ed ufficiali della polizia giudiziaria
italiana.

C'è per evitare il ripetersi di luttuosi incidenti che, come quello
esposto in narrativa, sono causati ~~con~~ Sello stato di incertezza e di
temore in cui vivono gli abitanti, specie di case isolate nella campagna,
i quali, per il frequente ripetersi di violazioni di domicilio a scopo di
rapina, sono convinti che, le perquisizioni domiciliari notturne vengono
eseguite, non da veri agenti di polizia, ma da **BANDE** di razzisti che ne
hanno assunto la veste per commettere agevolmente delitti contro il patri-
monio o le persone.

25-1-1945

Bondagiani



Mod 1348 MG.

Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI

APPUNTO PER L'A.C.

INCIDENTI DI BITONTO

Il 3.12.1944 gruppi di soldati del Genova Cavalleria al presidio a Bitonto, per ordine - pare - del locale Comando Alleato, presero le perquisizioni domiciliari, dopo aver bloccato le vie al accesso ai rioni popolari.

Successivamente intervennero anche dei soldati alleati e il Comandante la Stazione RR.CC.. Furono sequestrate piccole provviste alimentari.

La sera, gli operai, tornati dal lavoro, vennero a conoscenza dei fatti ed organizzarono una dimostrazione contro la Caserma dei RR.CC., ove trovavansi pure degli Ufficiali Alleati.

Dal balcone della caserma furono esplosi dei colpi di pistola. Un soldato alleato isolato sparò col fucile mitragliatore.

Morti: un uomo e una donna di cinquant'anni.

Feriti: cinque persone.

Le perquisizioni domiciliari, giustamente quanto ha fatto conoscere il Procuratore Generale in Bari, non furono disposte né autorizzate dall'Autorità Giudiziaria italiana.

Ad evitare gravi incidenti simili a quello sopra riferito, si prega che le competenti Autorità Alleate vogliano com...

accesso ai rifugi popolari.

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Ad evitare gravi incidenti simili a quello sopra riferito, si prega che le competenti Autorità Alleate vogliano compiacersi di impartire opportune disposizioni ai dipendenti comunali militari locali, affinché le perquisizioni di polizia giudiziaria siano mantenute nei limiti fissati dalle disposizioni in vigore e segnatamente dal D.L.I. 20.1.1944 n.45, emanato d'intesa con l'A.C.

1558