

ACC 10000 | 143 | 2582 149.01 / FA ASCHIERI FRANCO

Apr. 1944

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HEADQUARTERS ACC
Security Branch
C.M.F.

7 April 1944
WRH/tf

SA/31.6/44.11

Subject: Enemy Agents (ASCHIARI Franco - An Italian).

To: Headquarters, Fifth Army.

1. On the 3rd April 1944 the above named appeared before a General Allied Military Court, sitting at Santa Maria, on a charge of Espionage at SAN VIACIO on 20th January 1944 at 0330 hours, and was sentenced to be shot to death.

2. The Court was:-

Lt. Col. Carter, U. S. Army (President)
Major W. F. Waugh, U. S. Army
Major Elder, British.

3. The Prosecution was conducted by:-

Lt. Col. Willis, British.

4. The Defense was conducted by:-

Capt. H. Jones, British.

5. A plea of Not Guilty was entered by the Court on the accused behalf, but after hearing the evidence for the Prosecution and the Defence, returned a verdict of Guilty, and sentenced the accused as stated. The hearing lasted one day.

6. The case will be reviewed, and confirmation or otherwise, of sentence is awaited.


W. R. HARE,
Security Branch, A.C.C.

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HEADQUARTERS FIFTH ARMY
Office of the A.G. of G. 5-2.
A.P.O.; 30.404, U.S. Army.

57th. March, 1944.

SUBJECT: Enemy Agents. (ACHILLE FRANCO, an Italian)

TO: A.G. of G., 5-2 (U.S.) Fifth Army.

1. On the 20th. January, 1944 at 1130 hrs, a soldier of 4th A.D. (French) handed over Subject to MAJ Henry, Commissaire de la Brigade de Surete aux Armes du Corps Expeditionnaire Francaise, stating that he had been instructed to do so by an Officer in the front line, as Subject was suspected of being an Enemy Agent.
2. Efforts have been made to trace the soldier who handed the Subject over and the Officer under whose instructions the soldier acted, but with no success.
3. The subject had told a story when stopped in the front line that he had crossed the line to escape compulsory labour under the Germans. He repeated this story to Commissaire Henry MAJ when first interrogated.
4. The Subject later made a confession admitting he was an Enemy Agent.
5. This witness (Henry MAJ) will speak of the original story told by the Subject when the latter stated he had crossed the line to escape compulsory German labour. The witness took notes of what the Subject said ⁴⁸47 the

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they

time, and will refer to them at any subsequent Court proceedings. A copy of these notes is attached. Also attached is a copy of the evidence that the witness, Henry MAS, will give. It will be seen from this, that when searched, the following property was found in the possession of the Subject:-

One pocket book containing 3000 lire.

One diary containing what purported to be an account of Subject's trip from Rome to the front line.

One identity card in the name of ROMANINI Franco.

One small suitcase containing a change of clothing and sixteen small packages of white powder.

When asked about the white powder in the first place, subject said it was a stomach powder. Later the same day Subject made his confession, a copy of which is attached. This is a lengthy document giving a detailed account of his workings with the German Intelligence Service in Berlin and Rome. Dealing with such matters as his radio training, and his instructions as to what information the Germans desired from the Allied lines. He also states that part of his instructions were to surrender to the first Allied Official he met, and by proper channels endeavour to join the Italian Army under Badoglio. Before submitting himself for the medical examination he had been instructed how to take the powders found in his suitcase, which would

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would

so ease his heart by accelerating it's action that he would be returned medically unfit, and given a certificate to this effect. This would have allowed Subject to move freely in the Allied lines and obtain the information the Germans desire. At the same time Subject admitted he had four thousand lire, ⁱⁿ one thousand lire bills, concealed in the soles of his shoes. The witness had the soles of Subject's shoes removed and found the money as stated.

7. There appears ample evidence in this case to substantiate a charge of espionage against Subject for the following reasons:-

- a. Subject told a false story to the witness Henry SAS in the first place as to his reason for having crossed the lines.
- b. Subject told a false story about the powder found in his possession.
- c. Subject failed to reveal the presence of the four thousand lire concealed in the soles of his shoes.
- d. Subject's confession appears to be quite frank, and he does not make any suggestion that he did not intend to carry out the mission assigned to him by the Germans.

8. It is regretted that the powder found on the Subject

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Subject

cannot be produced, but there is none available now.

Further, itx was handled by so many people that it would be a cumbersome thing to prove the chain of evidence.

3. In view of the ~~xxxxxxxx~~ Subject's two statements on the matter, I suggest the Court be asked to accept the powder as part of his equipment, as stated in his confession.

[Signature]
W. J. Here.

Capt. (Security, A.C.C.)

TOP SECRETCORPS EXPEDITIONNAIRE FRANCAIS
SECURITE MILITAIRETRANSLATION

The year nineteen hundred and forty-four and the twenty fifth of the month of March,

I, MAS, Henry, Commissaire de la Brigade de Sûreté aux Armées du Corps Expéditionnaire Français, representing Monsieur le Procureur de la République, state that:

On 20 January 1944 at 1230 hours a soldier of the 4th RTH reported to our office and handed over an individual named ASCHIERI Franco. This soldier, whose name we have not been able to secure told us in the presence of ASCHIERI Franco that this latter had reported to the French forward positions, north-east of SALEVIADIC that morning at 0330 hours, stating that he had fled from ROUS in order to avoid German compulsory labor.

At 1430 hours after having fed Aschieri, we searched him. We found on him: 1) a pocketbook containing the sum of three thousand, two hundred and twenty five (3225) lire and various photographs, 2) a diary in which was written an account of his trip from Rome to the front lines, 3). An identity card in the name of ASCHIERI Franco. We also found in the small suitcase which he carried in his hand, a change of clothing (trousers, shirt, underwear, gloves) and sixteen small packages containing ~~medication~~ (Translator's note: white powder). Aschieri told us at that moment that this powder was to take care of his stomach ailment.

We then proceeded to the first interrogation, a statement of which is attached. Once this interrogation was concluded we asked ASCHIERI to think the matter over, and told him that in a few moments we were going to ask him additional questions for the statements that he had made seemed unlikely to be true.

At 2030 hours we asked ASCHIERI a few definite questions about his relationship with the German Consulate in Rome. Once the absurd character of his statements with reference to his visit to the German headquarters had been brought to his attention, ASCHIERI retracted his first statements and gave us the truth concerning his trip to the Allied lines. At that moment he gave us the statement which was dictated by him, partly in French, and partly in Italian through the medium of the adjutant TEDESCO Augustin, interpreter for the Italian language, at the Deuxieme Bureau of the 2nd D.I.M., and which is recorded in our statement of 20 January 1944, No. 187/S.A.

During the course of this last statement, ASCHIERI told us that he had hidden the sum of four thousand lire, that is 4 one thousand lire bills, in the heel of each shoe. We immediately removed the soles of his shoes and found the four one thousand lire bills.

Le Commissaire.

/s/ Henry Mas

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ASCHIERI FRANCO

ASCHIERI, Franco, born 26 April 1926 in Rome, son of Pietro and
de Contar Rosina, student, residing in Rome at No. 11 via Fabrizio Malesi.

"My grammar school education was at the Ginnasio Virgilio until the
age of 10, then at the Gerardo High School until 1943.

"I was enrolled in the "Sallista" in 1933 and graduated to the "Avanti-
guardista" in 1940. I then continued my studies, hoping some day to prac-
tice the profession of architect as had my father.

"At the beginning of November 1943 on a street not far from the German
Embassy, I was picked up at the entrance to the courtyard along with a large
number of my friends. I was led to the German Consulate where I was handed
a work card, and I was asked to report three times a week to the Consulate
to have my card stamped. I reported 8 times until 10 December 1943. Each
time I contacted a German officer who stamped my card and asked me no other
questions. Around 10 December I decided to return no longer to the Consul-
ate.

"On 24 December 1943 I was telephoned at my home, and asked to report
the next morning at 0900 hours at the Consulate with a change of clothing.
The next day I reported at the appointed time and found a number of other
young men who were to be sent to work in Germany along with me. After the
formalities of registration we were loaded onto a truck at about 1300 hours.

"There were about 25 young men on the truck. We crossed the city sing-
ing and took the Via Cassilina. At about 20 kilometers from Rome on the way
to Cassino the truck stopped near a house on the left hand side of the road.
We were ushered into this house where we were fed a meal consisting of soup
and a piece of bread. After having eaten we were led into a large room
where there were some camp beds. Since it was night, we all went to bed.

"There were no soldiers guarding us. A non-commissioned officer and
the driver of the truck who had brought us slept in a room next to ours.
In the middle of the night I decided along with a few of my friends to es-
cape. Mine of my friends agreed with me.

"I lighted a candle, dressed, took my suitcase and went out. The Ger-
man soldiers were still sleeping in the neighboring room. Here are the
names of my nine friends, or rather the names of five whom I remember:

1. GIUSEPPE Paolo
2. ANTONIOGI Carlo
3. DELLA ROVERE
4. Julia L.
5. Antonio L.

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"We went across the fields and reached the road to Gvindoli. There in the early hours of the morning we succeeded in being picked up by a German truck which took us to the vicinity of Gvindoli. At that time we all decided to separate in order to avoid being picked up.

"I went south towards the mountains without traveling through any villages or meeting any German soldiers. Occasionally I met a German patrol but always hid in order to avoid being picked up. At last I arrived at Roccasecca. From there I wanted to cross the lines but I was scared and went back into the mountains. I walked practically without stop and without meeting any Germans until I reached the French forward positions, where I presented myself to an officer who led me to you.

"I presumed that I was near the front lines because there was firing around me and therefore went forward knowing that the Americans must be before me."

COPY CERTIFIED AS CONFORMING TO THE ORIGINAL

DE COMMISSAIRE:

/s/ Harry Mao

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HEADQUARTERS FIFTH ARMY
Office of the A.C. of S., G-2
A.P.O. #464, U. S. Army

STATEMENT OF THOMAS SAMUEL GREEN, JR., 2nd LT., MI. G-2053924 - TRANSLATOR

On 20 March 1944 I was handed by Commissaire Mas, French Army, the documents marked A, B, and C.

In the case of the translation of the document marked C, I made the following omissions:

A. From paragraph 4, page 10, of the original French document, beginning with "3.1. Je me rappelle a present le nom du lieutenant allemand" through paragraph 4, page 13, concluding with, "je ne les ai plus revus depuis." The translation of this section is attached as Annex I.

B. From paragraph 2, page 15 of the original French document, beginning with, "Pouvez-vous nous situer sur un plan l'emplacement du Commandement "S.S." a Bolzano?" through paragraph 8, page 16, concluding with "a mon avis, d'une combinaison differente." The translation of this section is attached as Annex II.

I hereby certify that I have translated from the French to the English the documents referred to to the best of my ability.

Thomas S. Green, Jr.
THOMAS S. GREEN, JR.
2nd Lieut., M. I.

This statement made in my presence and signature witnessed by me on
28 March 1944.

W. R. Hare
W. R. HARE,
Capt., Security AGC.

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2° D.I.M.
BRIGADE DE SURETE
AUX ARMES

TOP SECRETTRANSLATIONINTERROGATION REPORT

The year of Nineteen Hundred and Forty Four and the Twentieth of the month of January at 2100 hours.

We, Mes Henry, Lieutenant Commissaire Chef de la Brigade de Surete Aux Armes de la 2° DIM, Officier de Police Judiciaire, representing Monsieur le Commissaire du Gouvernement,

Assisted by the Second Lieutenants, Inspecteurs de notre brigade, and Warrant Officer Tedeschi Augustin, Italian interpreter,

Interviewed Aschieri Franco, alias Donati Mario, Italian, born 26 April 1926 at Rome, father Pietro, mother Contar Romana, single, student, residing in Rome at 11 Via Nicolas Fabrizio, who, upon interrogation, stated;

"I attended elementary school in Rome until the age of 10, then attended the gymnasium "Virgilio" in that city and in 1940 went to the "De Merode" high school in Rome. I finished my studies at the end of November.

My father is an architectural engineer and his office is located in our home. My mother is not employed and I am an only son.

I was enrolled in 1933 in the "Ballila" and in 1940 in the "Avanguardista". From the 19 to 21 July I worked in a university aid group which removed debris in bombarded areas. On about 10 August 1943 one of my friends named Zangolini Giorgio, member of the Fascio of Monteverde, introduced me to Della Rovera Benito. This introduction took place under the following circumstances:

I had known Zangolini for a long time and he was aware of my earnest desire to serve. Since Della Rovera had asked the latter to introduce to him reliable young men, Zangolini gave him my name. During our first interview, Della Rovera, after having taken me aside and spoken to me for a few minutes about the misfortunes of Italy, stated that there was only one country on which we could now rely - Germany. He asked me if I would like to serve this country by securing information for it, telling me particularly about the use of radio stations in Bari. However, for this type of work a training period of 20 days in Berlin was necessary. I told him that I had absolutely no training in radio or telegraph operation, but he told me that it did not matter. Consequently I accepted immediately. He told me that I might leave in two or three days thereafter and that the trip would be paid for. He also asked me to recruit some other young men whom I might know and to introduce them to him. That evening I introduced to him an individual named Antonucci Giorgio whom I had known during the month of June at Monteverde (a section of Rome) inasmuch as we had been neighbors at the time.

Antonucci, who is not anti-Fascist, and is, a friend of an individual named Schanzer, Polish and anti-Fascist, accepted immediately. That same evening I telephoned a fellow student of mine, Simbeni, Paolo, residing at 15 Albania Square, whom I had known for many years and who had agreed to enlist

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with me, and made arrangements to meet him the next day, telling him that I had an interesting proposition to make.

The next day I saw Simbeni at Monteverde and presented the project to him. He accepted and asked me to introduce him to Della Rovera, an introduction which took place the same day, that is, about 15 August.

A departure for Berlin was arranged for a few days later. Della Rovera was acting according to instructions which he received from the "Milice Portuaire" in Rome and told me that he had been instructed to recruit ten people but that, although he had not filled the quota, the departure would take place anyway.

On 16 August he gave us Rome-Bolzano railroad tickets and told us that the departure had been arranged for the next morning. We were to meet at the Garibaldi bridge at 1730 hours. In order to justify my departure and so that my parents would not be aware of the real purpose of my trip, Antonucci visited my home on the evening of the 16th and requested permission for me to spend a twenty day vacation with him in a villa belonging to his family in the Haut-Adige. My father agreed to this.

Since Simbeni did not arrive at the appointed time we were obliged to postpone our departure until the train which left at 1100 hours. We telephoned Simbeni to find out what were his plans. He arrived on time at the next appointment and we boarded the 11 o'clock train for Rome. We arrived at Bologna at 1600 hours. During that trip we split into two groups in order not to attract attention. I was with Simbeni during this trip. We stayed at two different hotels in Bologna: At the Bologna Hotel and at another hotel the name of which I do not remember. No one gave us the addresses of these hotels. We left Bologna the next morning and arrived at Bolzano during the afternoon. Della Rovera had an appointment at the railroad station with an individual whose identification I cannot give you. He did not give us any reason for this meeting and we did not attend it. Della Rovera informed us that two rooms had been reserved for us at the "Post" Hotel. We introduced ourselves to the manager of this hotel and said to him: "We come from Riva". This was the password which, as Della Rovera told us on our trip, was to be used in the future. The manager of the hotel then gave us the keys to our rooms without taking our names. The "Post" Hotel is undoubtedly German. The two managers of this hotel, twin brothers I presume, because of their unusual similarity, speak German fluently and Italian with a foreign accent. They are both quite heavy, with olive complexions and brown hair. One of them wore a bandage over one eye. This hotel is frequented by German officers dressed in the "S.S." uniform and in other uniforms.

After our arrival at the hotel we ate in the restaurant which was a part of the hotel. Later on, when in our rooms, we were joined by a German lieutenant dressed in civilian clothes, quite young, blonde, who spoke Italian very poorly and whom we had noticed in the restaurant. I do not know his name. He advised us that, contrary to what had been promised to us in Rome, we were not to continue our trip by plane, but by automobile.

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We remained for two days at Bolsano. On 23 August the aforementioned Lieutenant came to our room at noon and advised us that we were to leave Bolsano by automobile one hour later. We arranged to meet him at the railroad station at 1330 hours. We were not obliged to pay our hotel bill.

After having rejoined the lieutenant at 1330 hours we all went together to the Headquarters of the U.S. at an address unknown to me. We were introduced to an Italian named Giacomuzzi Florian, who was to serve as an interpreter during our stay in Berlin. He was to carry a pass for the group which he was to present at all control points along the road. We left the Headquarters of the U.S. in a truck driven by a German soldier and headed for Berlin.

We arrived at Berlin on 24 August at noon. I no longer remember the name of the railroad station in which we arrived. Giacomuzzi lead us to a villa situated near the station where we were introduced, upon presentation of our pass, to a man named Muller and a woman named Betz. Muller does not speak Italian, in contrast to Madame Betz who has a diploma in modern languages and speaks it fluently. Half an hour later the five of us were taken to the Hotel Roxel, Mier Fursterdam No. 24 by Madame Betz. Three rooms had been reserved for us and our guide gave us each 100 marks, telling us that we would receive 20 marks a day during our training. During the trip she had questioned us concerning our familiarity with radio. Antonucci and I informed her that we knew nothing about it and she answered that under these conditions we would not take the training but would return to Rome; in addition she told Della Rovere and Giobani that their training would last nine months rather than twenty days. They were already familiar with radio operation, the one from a course in a military school in Rome and the other during certain educational training concerning which I am not familiar.

The day after the arrival at the Hotel Roxel, Muller, came to see us with an U.S. officer and gave us each an identification card in German which stated in substance: "_____, Italian, in Berlin without a pass, is working for the U.S. which can be contacted by telephoning _____. I neither remember the heading nor the signature on this pass. Moreover, I had never had occasion to use it.

Giobani and Della Rovere began their training two days later while we visited Berlin with Antonucci and Giacomuzzi. The training took place every day from 0900 to 1200 hours and from 1300 to 1600 hours at the Lemitz Institute located in the suburbs in Berlin. I cannot give you the exact address of this Institute. They regularly took the S-Bahn at the Zoo-Garten railroad station, Surfursterdam. The courses they attended were in French for both of them spoke this language fluently. According to what they told me, they were the only Italians attending. There were also one or two English, numerous Germans, some French, Dutch, Belgians and Arabs. The course consisted of radio sending and receiving as well as instruction on the maintenance and repair of the radios. They gave me no further details.

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On 1 September Giacomuzzi, Antonucci and I were sent back to Rome. We were to report on the arrival in Rome to a German lieutenant whose name I no longer remember and who could be reached at Milice Portuaire. Della Roversa gave me a letter for an individual named Filippi. Milice Portuaire, as well as one addressed to his father in Rome in which he told him that he was in good health and located at Monfalcone. I should state that he had actually failed to advise his family of his departure.

We travelled by train to Innsbruck and by S.S. automobile from Innsbruck to Brenner, then by military truck from Brenner to Bolzano. At our departure from Berlin we returned to Muller the passas which he had given us, and on our trip Giacomuzzi used the pass which had been given to us before our departure from Bolzano to Berlin. We spent one night at Bolzano at the Post Hotel where we obtained a room free of charge and without difficulty as before. The next day I continued my trip by train with Antonucci, Giacomuzzi having remained at Bolzano. After spending one night at the Bologna Hotel, Bologna, we arrived in Rome on the 3rd or 4th of September.

The next day we reported to the Milice Portuaire and I gave Della Roversa's letter to Filippi. We told him about our trip and our visit in Berlin. In addition we asked to see the German lieutenant to whom Muller had directed us. Filippi told us that he was not in Rome at the time but that upon his return he (Filippi) would introduce him to us. I learnt at home that Simbeni's father wished to see me. He was quite concerned about his son and even spoke of going to the police. For, before our departure, Simbeni had likewise given as a pretext that he was going to vacation with one of his friends and had written to his parents while we were in Bolzano several predated post cards which would be mailed at a later date. During our meeting Simbeni's father told me that if his son whom he had believed to be at Haut-Adige did not return he would alert the police. I likewise went to the home of Della Roversa where I turned over the letter to his father. He told me that his financial situation was very precarious and that he wanted to see his son upon his return from Monfalcone, where he believed him to be.

The next day I told Filippi about these difficulties. He seemed quite disturbed and told me that he did not wish the police get mixed up in this at any price. He considered telephoning to Berlin that same day to arrange for their return. I, therefore, went with Antonucci to see Simbeni's father who told us that he had received word from his son. The S.S. at Bolzano were sending regularly the letters which Simbeni had prepared.

On 20 September 1943 Della Roversa and Simbeni returned. Upon their arrival upon the railroad station they telephoned me and asked me to meet them at Villa Belarra, Via Niccolò Fabrizzi. They asked me for the reason for their recall; I told them what I knew and together we went to the Milice Portuaire to see Filippi. Filippi explained to them as I had the reason for their recall and scolded them by saying: "You are kids - you do not know how to work. The police was practically alerted."

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On 25 September 1943 Filippi took me to the German Embassy for he did not know what to do with us, in view of the fact that the armistice had disorganized the Italian Army and that the German lieutenant to whom I was to report upon my return from Berlin was dead. We were introduced to Major Kappler Chief of the S.D. (Sicherheitsdienst) attached to the German Embassy. He, once advised of our intentions and of our trip to Berlin, decided to take us into his service. But he refused Simbini whom he considered too young (16 years old) and too restricted by his family to participate in this work.

On 27 September we returned to Kappler who handed us each a statement worded as follows: "_____ is at the disposal of the Commanding Officer of the S.D." This statement carried the letter heading of the German Embassy, Security Police, Rome, and the signature of Kappler as well as a stamp on the left hand corner. I returned this statement to Major Kappler before my departure. It gave me the right to circulate after curfew, to be exempt from conscription for work and to enter the Embassy freely.

Kappler told Della Fovera that he was to continue his training at the Embassy and that Antonucci and I were to report to him from time to time. I was to carry out espionage and consequently I was to go on a mission in enemy occupied territory, either to secure information by crossing the lines, to be dropped by parachute in enemy territory, or to collect information for a friend operating a radio in enemy territory. I think I was destined to work as a team with Della Fovera.

Simbini joined the militia and took an officer's training course.

At the beginning of October Kappler informed me that I was to take a radio telegraph course with Antonucci at the Embassy. This course was given by Bohn for a week. It took place twice a day, for one hour in the morning and for one hour in the afternoon and consisted of training in reception and sending. I succeeded in sending and receiving thirty words a minute. Della Fovera took a more advanced course with Bohn which consisted of an hour's lesson every morning.

During the first two weeks of October I met D'Esposito Ugo under the following circumstances: Della Fovera came in to see me at my home where I was practicing on a sending device hooked up to a battery but which did not transmit. He introduced him to me as his cousin and told me that he was a sailor who had volunteered for the "human torpedoes". Human torpedoes are torpedoes which carry two men who clamp the nose of the torpedo to a ship and escape by swimming before the ship blows up. They had been used on two occasions by the Italians - at Gibraltar and Alexandria. It was at about this time that D'Esposito joined the S.D. Since he knew the Morse code and radio operation, it was not necessary for him to follow any course.

It is likewise in the first part of October that I met Fiandro Eugenio at the Embassy where he had come with Della Fovera. He was introduced to me as a friend of Della Fovera and a trained radio operator. Two days later I met his brother, Fiandro Carmello, also at the Embassy and introduced to me by Della Fovera.

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On 15 October Antonucci and Pietro Eugenio were sent to Sabotelle with a transmitting set carried in a suitcase whose dimensions were approximately 70cm x 45cm x 25cm. Their mission was to provide Berlin with information as soon the locality was occupied by the Allies, the first serving as an informer and the second as a radio transmitter. But the locality proved to be poorly selected because of the scarcity of inhabitants and the house was too exposed. Therefore, they were recalled to Rome on 22 or 23 October.

Near the end of the month of October likewise met Bionconi, chief of the sabotage service attached to the Embassy, according to Della Rovere. (Antonucci later told me that his real name was Magroni). I met him often there and one day we spoke together.

I was paid regularly 3000 lire a month as were my friends. I often went to the Embassy at least two or three times a week to ask one of the officers if there was anything news.

Around the 20th of November my friends D'Sapozito and Antonucci were assigned to Fuggi. The reason and the cover for this assignment was the location in this locality of a provincial corporation council for Grosinone, whose director had just been removed. D'Sapozito was named director and Antonucci secretary general. They took with them one radio transmitting set in a suitcase 70cm x 45cm x 25cm and occupied for their work the Elisabetta boarding house on the main street. They occupied seven rooms on the main floor for their office and two rooms on the second floor. They received at that time 10,000 lire. I do not know how much they received per month but I do not think they were paid by the Embassy.

On about 15 December 1943 Kappler told me at the Embassy that since the Allies were not advancing I would have time to take the radio course and that I was to leave alone for Berlin on the 18th. The next day I saw the Major again who told me that my departure had been delayed because of the Christmas holidays.

On the 23rd I went to Fuggi to visit my friends. I saw the radio set which was located in a closet in D'Sapozito's room. I learnt that they were in contact with Berlin and that they communicated twice daily at prearranged hours. I do not know the name of the person with whom they were in contact for during our conversations they always referred to their correspondent as "Berlin". The next day I returned to Rome in a municipal vehicle which had been placed in the disposition of the director of the Federal Council.

I did not return to the Embassy until 31 December 1943 for it was closed during the holidays. There I saw Meyer (or Mayer) he told me that I was not to leave for Berlin for he had a very important mission for me in the occupied zone. This mission was to consist of a trip to Naples and to Bari in order to secure political information: To determine whether the English, Americans or Bolsheviks were in command; to observe the reaction of the population toward the occupying troops; to establish whether the Fascist were regrouping themselves etc... Then he asked me if I would accept and to give him my reply on the following day. He also explained to me the danger involved.

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The next day, 1 January 1944, I told Meyer that I would accept it. He then gave me my precise mission:

1. To go into the occupied zone in order to secure information on the political situation; whether the English, Americans, or Bolsheviks were in command.
2. To secure information on the behaviour of the occupying forces towards the occupying forces.
3. To go to Naples and Bari and to call on the individuals whose addresses would be given to me before departure.
4. To secure samples of each monetary bill issued by the occupying forces, to determine whether the Badoglio government had printed new bills and in the event that it had to bring back some samples.
5. To procure a sample of a food and of a clothing ration card.
6. To procure a sample of a movement pass issued to civilians.

He told me that I was to leave during January. On the 5th I went to the Embassy and he told me that I was to leave on the 11th, asking me if I was ready. On the 10th I learnt that the departure had been delayed. On the 13th I telephoned Meyer and he told me to drop by and see him the next day at 1100 hours. On the 14th I reported. In Meyer's office I met three saboteurs who were to come with me and Bianconi. One of these saboteurs was named Yanka, another was an officer who had fought in Russia, and all three of them had blown up a bridge in The Hague, Holland, in 1940.

An officer whom I did not know gave us 20 small packages containing some chemical product for the heart and explained to us that we were to request to be incorporated in a military unit in the Badoglio government, but before taking the medical examination to adopt the following strategy:

1. The evening before to consume at three intervals six packages of this powder before going to bed.
2. The day of the medical examination to take three more packages a few moments before appearing before the medical officer.

The object of this was to accelerate the heart beats noticeably to such an extent that our physical condition would be considered inadequate for military services. Under these conditions we would be issued certificates stating that we were unfit to serve in a combatant unit of Badoglio's army, that we had been discharged and thus our objective would have been obtained for we could then possess original documents listing our name and our descriptions. These would serve as military identification cards and would permit us to visit certain sectors which formerly would have been prohibited to us.

Meyer gave us each 10,000 lire. He promised me 20,000 additional lire in order to carry out my mission but this sum was never handed to me. He told us to exchange those bills, for the numbers were successive. He also asked us to hide part of this money and I concealed 4000 lire, placing two 1000 lire bills inside the heel of each shoe.

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He also gave me a sheet of paper on which were the addresses of the following people whom I was to see: 1) Signorina Rosalinda Tangari, proprietor of the Parker Hotel in Naples, Riviera De Chiaia No. 61; and 2) Lembo Pino, Parco Santo Spirito (a small villa near the railroad station) in Bari. The password for the first person was "I come from Major Mamuzi"; and for the second "We met at Desale".

Meyer also told me on that day that my mission was to last two or three weeks. On my return in order to cross the German lines I was to give the following sentence "I am Alberto" and the password "Rome". He added that the entire front had been advised of this password, that I would be awaited and that an automobile would be placed at my disposal to take me to Rome. Meyer then told me to return next day at 0900 hours and to prepare a suitcase with a change of clothing. He also stated that the clothing of an English agent who had been arrested would be handed over for me to wear when crossing the lines.

On the 14th during the afternoon I met Antonucci in town and told him that I was to cross the lines on a mission. Then I met D'Agostino and Della Rovere to whom I stated where I was going. I also advised my mother. She was not opposed to my departure and told me that she was sure that I would succeed because I always had been fortunate. As for my father, my aunt, and my grandmother I told them I was leaving for labor service. Meyer promised to arrange to have a letter sent from Milan to my father giving news of me.

On the 15th the three saboteurs and I met at the Embassy. We placed in an automobile for eight our belongings and three packages of dynamite. There were in addition Meyer, Moss, a German captain whom I did not know and the chauffeur.

We left at 1000 hours and arrived at Ovindoli around 1500 hours. We were there introduced to a 2nd Lieutenant named Fiedler. Meyer told me before leaving that my mission was political but that if Fiedler asked me to undertake a particular piece of work I do so insofar as possible. He also made the following comment: Not to be afraid of the Italian police which was not functioning, and that since the English police was poorly organized my mission involved no danger.

On the 16th the three saboteurs left toward Celano with their packages of dynamite. They were dressed in old clothes, Monna wearing a greyish vest and a grey coat; the officer a brown coat; the third a greyish coat.

In the evening Fiedler called me to his office, questioned me on my mission, and pointed out to me on the map the location of the English at the foot of the Maelin mountains and the front line of his sector between Palana and Capoli. He suggested that I cross in this sector.

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After having shown me the various British and American divisional insignias he gave me the following mission:

1. To observe the legends of vehicles and to remember the insignias and the numbers placed within squares or discs.
2. To observe, while passing along the shore, whether there were any landing troops.
3. To determine the location of command posts and to remember their characteristics.
4. To observe the insignias and numbers worn by the soldiers on their sleeves.

At Ovindoli I saw every day two French prisoners of war, one a Parisian, age 30 who told me that he had been a student at industrial school; the other, Alsatian, age 27, who said that he was a butcher. He had a finger joint missing on each hand. The three of us discussed the situation in southern Italy. There were also several Italian civilians in Ovindoli at my arrival. They lived as I did in the Monte-Vellina Hotel where also was located the German Headquarters. Among them were two Sicilians who had arrived a month and a half previously by crossing the front at Cassino. The other civilians were a young man by the name of Raphaela, son of the owner of the hotel, and one other.

During the night of Monday and Tuesday the 2nd lieutenant woke me up about midnight and told me that I was to leave Monday morning at 0500 hours for the front. At 0530 hours two German soldiers drove two Sicilians and myself to a village which we reached at 1100 hours. I learnt there that I was at Rocca Secca. After a half hour wait I was introduced to Lieut. Weiss to whom a note of introduction from 2nd lieutenant Wiedler had been handed by the driver. It was first decided that I was to cross the lines with the two civilians. I spoke with them and found out that they were aged 17 and 18. Their mission was to cross the lines on the evening of the following day, 19 January, to penetrate the English lines about 40 kilometers in depth and to return the next day after having observed certain things.

At 1330 hours I was called for and entered a vehicle in which were already a German sergeant and chauffeur. I was driven thus to Atina then in a sidecar to an observation post where I saw a General with a beard. I then returned to Atina where I remained till 2100 hours. At that time I was taken by automobile and then by truck to a small village on a hillside which I reached at 2230 hours. I was then led from command post to command post until I reached the forward German lines at about 0300 hours. Fifteen minutes later I reported to the French forward position.

Q. - You stated first of all that the course which you were to follow in Berlin was to last twenty days and that no previous knowledge of radio operation was necessary. Later, you stated that upon your arrival in Berlin you were informed that the course would last nine months, and that, in view of your lack of experience in radio operation you could not take it. There seems to be some inconsistency in this for a training period of nine months seems adequate to train a beginner. Explain this.

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A.- Antonucci and I were not permitted to take the course primarily for the following reason: The course had already begun when we reached Berlin. Della Rovera and Gambini who already were quite familiar with radio operation, could catch up, while my friend and I, being beginners, would have no opportunity what so ever. This is the only reason why we were eliminated.

Q.- How were you remunerated?

A.- As I stated before, I received while in Rome 3000 lire a month. This money was given to me personally the beginning of each month by Lieutenant Prides, or by Lieutenant Meyer, both of whom were working for Major Kappler. Each time that we incurred additional expenses or moved, we were reimbursed. In the event of a distant and difficult mission we were given a sum of money in advance.

Q.- You stated previously that upon their return from Berlin Della Rovera and Gambini arranged to meet you at Villa Sciorra, Via Niccolò Fabrizzi. What Villa is this?

A.- It is not an uninhabited villa, but rather a public garden.

Q.- What is the exact function of the Milice Partenaire?

A.- This unit, the Headquarters of which are located at Rome on an extension of the Via Rumenia, is a branch of the MVN. Its particular function is Port Security, as that of the Milice Stradale is a road control. This Milice had a counter-espionage section. Filippi and Fontani belonged to this section.

Q.- According to your previous statements you were to get in touch with Hanslinger Tanageri in Naples and with Lebbe Nino in Bari. For what purpose were you to contact these people and, in general, what did you learn about them from Lieutenant Meyer?

A.- Lieutenant Meyer, when speaking to me about these people, stated that they were very reliable agents without giving me other details of their activity. I was to report to these people in order to secure political information which I had been assigned to collect, for these individuals, living in Naples and Bari, were quite familiar with the situations in these cities. In addition they could according to Meyer be of some assistance, and, in general, advise me. I learnt nothing more about them.

It is true that Lieutenant Meyer gave me the names of these two individuals and the two passwords on a piece of paper. He urged me to memorize the names, addresses and passwords and then to destroy the paper. This I did.

Since last November Radio-Rome rebroadcasts about once a week information secured from a clandestine Anti-Allied Radio station called Radio-Matti which presumably is located at Bari. During this rebroadcast the Rome station cites atrocities (loot, pillage, etc...) which the British, Americans, and Germans commit in southern Italy. The press also speaks of this station which is presumably handled by Italian ex-service men. I do not know whether this station actually exists. I presume rather that it is an invention of the German ~~26~~

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propaganda machine which is attempting to discredit the Allies, and to camouflage its propaganda with a semblance of truth.

Q.- In the note book found on you, you had recorded impressions of a trip which corresponded with the initial false story you gave concerning the circumstances surrounding your crossing the lines. For what purpose did you make these notes?

A.- I prepared this notebook at Ovindoli a few days before my departure for the lines. I intended to use it as an alibi for my false statements. I undertook this on my own initiative.

Q.- Were you only in contact with the S.O. branch of the service for which you were working? What is your personal impression of the nature of the information which this unit wished to secure and concerning its method of operation?

A.- During my service I was only in contact with S.O. officers. From the time I entered the S.O. I only had relationship with the S.O., except from the time I left Ovindoli when military personnel took charge of me but only to get me across the lines. My impression as to the information they wished to secure can only be based upon the mission assigned to me, which, moreover, was my first. The S.O. is an organization which is primarily political and, in my opinion, their activities in the occupied zone is only political in nature. With reference to its method of operation I know very little. When I went to the Embassy I spoke to no one, and moreover the instructions are not to talk. Individuals who are members of this organization are not suppose to know each other. I am sure that I did not know all the agents and those that I did know had been friends before I was recruited or had become so subsequently because of our frequent meetings at the Embassy. I was able to guess at their functions before having been advised because of the information that I secured.

Statement made, witnessed and signed by:

DEFENDANT

Signed: Aschieri

INTERPRETER

Signed: Tedeschi

LE COMMISSAIRE

Signed: Mas

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We arrived at Innsbruck the same evening. Giacomazzi went to the S.S. Headquarters and returned in a car accompanied by an officer of the organization who, after having taken us to his office, led us to the station, bought tickets for us, and boarded us on the 1745 train.

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TOP SECRETANNEX I

I now remember the name of the German lieutenant with whom we were in contact at the Post Hotel in Bolzano. His name is Stupernick, he is a member of the S.S. and answers the following description: Age 25, height 1.76 m., thin, blonde curly hair, blue eyes, thin oval face, regular nose, and does not speak Italian. I also remember the name of the German lieutenant whom we were to see on our return to Berlin, and who was killed the day after the armistice. His name is Paul.

Q - Can you give us other details on the identity, the description, and the role played by the various individuals with whom you were in contact during your work?

A - Della Rovere is the son of Attilio Della Rovere, former director of the Banco de Napoli in Naples, and a refugee in Rome following the bombardments in August 1943, now residing at Via Daniele Bartoli. Also known by the name of Rovi Carlo, pseudonym which he used during his employ at the Milice Partisane, and Dievenaille Roberto, an anagram of the name Benito Della Rovere, an alias which he is now using. Description: 1.82 m., age 18, thin, black curly hair combed straight back, brown eyes, wears eyeglasses without rim, regular oval face, cavity on his upper incisive, jovial manner, and speaks fluently French, English and Arabic.

As I told you previously he is an active recruiter of the German Intelligence Service. At my departure from Rome he was taking a radio course at the German Embassy. I presume that he will remain there in the event of a German retreat.

Antonucci Giorgio son of an engineer who fought in Greece with the Julius Division residing at number 24 Rosolino Pilo in Rome, uses the pseudonym of Marchi Roberto, and answers the following description: 1.82 m., age 18, very thin, long curly hair, blue eyes, long thin face, hollow cheeks, light complexion, thin and slightly hooked nose. He is now secretary of the General Council Provincial of the Corporation of Frosinone at Fuggi. Works under this cover and this name. I know that his date of birth on his identity card is false.

Simbini Paolo, son of an employee of a bank, residing at 15 Albanis Square at Rome, mother living separately from her husband at Via Cealla. He enlisted in the battalion "M" of the militia at the end of September 1943 and is taking an officer's training course. He has not changed his name and is not employed by the German Intelligence Service.

Giacomuzzi Florian was born at Bolzano in 1925 and is a German citizen through choice. I do not know the address of this individual who is probably employed as an agent by the Headquarters of the S.S. at Bolzano. This is his description: 1.70 m., medium build, slightly wavy brown hair, brown eyes, light complexion, forehead continually wrinkled, while walking leans his head to one side and drop one shoulder lower than the other, stiff stride, and speaks fluently Italian and German. Giacomuzzi served as our interpreter during our stay in Berlin. I do not know whether he had previously performed this type of work or whether he was destined to do it in the future. As far as I know, he wanted to enlist in the S.S..

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Muller - I had only occasion to see him once or twice and for very short periods of time. I do not know his identity and do not recollect his appearance in enough detail to give you his description. The position of Muller corresponds to what I mentioned above.

Madame Betz - I know nothing about her identification. She answers to the following descriptions: 1.65 m., age about 21, wavy light brown hair, combed back with a part on the side, regular features, blue eyes, wears pearl ear rings, slim and well proportioned, and always wears a light colored rain coat. Upon my departure from Berlin she gave me to understand that we would surely have occasion to see each other again in Italy. I asked her where she intended to go and she answered Bari without giving me other details on the reason for her move.

Filippi - As far as I know is Italian and a lieutenant in the Milice Portuaire. From his work that I knew about he is quite an important agent of the Italian Intelligence Service working actually for the German Intelligence Service. It is in fact he who introduced us at the German Embassy, Via Conte Rosso, to Major Kappler. Della Rovere has known him for some time. Filippi works in liaison with Lieutenant Fontani, also of the Milice Portuaire. Description of Filippi: 1.85 m., age 35, very broad shoulders, stocky, wavy brown hair, brown eyes, full long face, square chin, olive complexion, protruding lower teeth, and always in civilian clothes. Description of Fontani: 1.70 m., age 35 to 40, medium build, black curly hair, dark brown eyes, nose slightly curved, full cheeks, always dressed in civilian clothes, and speaks a little French.

Major Kappler - as far as I know is the Chief of the "Sicherheitsdienst" at the German Embassy at Rome. His staff includes Lieutenant Mayer or Meyer, the "Sturmfuhrer" Nass, Lieutenant Fripke, a radio - telegraph operator named Behn, who has an assistant named Ring. I cannot give you further details on the identity of these people.

The office of Major Kappler is located in a well-built wooden barrack located in the interior of the court yard of the German Embassy. A sign, on which is written "Sicherheitspolizei" is hung at the entrance. Above the door is inscribed "II B". The radio office of Rohm is located in an identical neighboring barrack on which is inscribed "I A" as far as I remember.

Bianconi was introduced to me by Lieutenant Nass at the office of the "Sicherheitspolizei". He is the Head of the sabotage Section which as far as I know is directly under the orders of Major Kappler. Bianconi is in charge training sabotage teams. He uses according to Antonucci, the pseudonyme of Ragnani. I have no other details concerning him. His description is as follows: About 1.65 m., age 40 to 45, medium built, black hair, slight indentation on his forehead, brown eyes, black beard and moustache, and heavy glasses in a black tortoise frame.

D'Asposito Ego, Italian, born in Alexandria, Egypt where his parents presumably are now, cousin of Della Rovere has served in the Royal Navy, international certificate in radio telegraphy, and uses the pseudonyme of ~~201~~ Roberto. D'Asposito is now at Fiume with Antonucci, under cover as ~~201~~ Director of the Provincial Council of Corporations. His description is as follows:

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1.65 m., age about 20, medium build, light brown wavy hair, brown eyes, pointed chin, full face, light complexion, medium and regular nose, wears glasses, not out of necessity but solely as a affection in view of his position as Director, quick moving, speaks French, English, Arabic fluently.

Piandro Carmelo and Piandro Eugenio, both born in Alexandria, Egypt where their parents are now reported to be. Both have international certificates as radio telegraphists. At the time, they were living in Rome in a school assigned to young people whose families were out of the country and located, I think, in the district of Monte Mario. Eugenio was a journalist in Rome. Both are supposed to have remained there in the event of a German retreat and would be equipped with radio transmitting sets. They are to work separately and are now supposed to be occupying separate apartments with this in view. The apartment of Carmelo is located at Via Fratelli Bandiera. Eugenio was requested by Major Kappler to select a pseudonym and picked Doria Sano in my presence. I do not know his brother's. The following are their descriptions: Eugenio: 1.62 m., age 18, thin, black hair, dark brown eyes, regular features, dark complexion, and speaks French, English and Arabic fluently. Carmelo: 1.65 m., age 20, quite stocky, curly hair combed straight back, brown eyes, regular nose, light complexion, coarse features, appearance of a peasant, speaks French, English and Arabic fluently.

Monza, a member of the sabotage team, which accompanied me to Ovindoli answers the following description: 1.70 m., age 20 to 22, quite stocky, wavy brown hair, blue eyes, full face, small close clipped moustache. His friends whose names I do not know answer the following descriptions: The first who fought in the Russian front, a lieutenant in the Milice, I think, 1.70 m., age 23 to 25, medium build, wavy black hair, full oval face, light complexion, small close clipped moustache, brown eyes. The second: 1.70 m., age 20 to 25, medium build, curly blonde hair, blue eyes, close shaven face. These individuals left Ovindoli on the morning of the 16th to go to Celano. I have not seen them since.

~~TOP SECRET~~ANNEX II

Q. Could you spot for us on a map the location of the headquarters of the SS at Bolzano?

A. It is not possible for me to make a sketch indicating the location of the headquarters of the SS in relation to the railroad station or the Post Hotel, for I only went there twice and was always driven.

Q. What were the packages of dynamite like which the saboteurs brought from Rome?

A. The packages of dynamite were parallelo-piped in shape with the following approximate dimensions: 30cm. x 20cm. x 20cm. The covering was a barred paper kind with white string forming squares about 1 centimeter on each side. This barred paper was held together by a string. The packages weighed about three or four kilograms, had no markings or tags on them, and appeared not to have been prepared recently.

Q. Discuss the two French prisoners whom you saw at Ovindoli.

A. When I arrived at Ovindoli they were already there. I saw them at the noon meal which I ate with them. I don't know whether they were guarded, nevertheless, two German soldiers ate with us, one of them bringing in the soup, then the other, unarmed as the first, brought in the two prisoners. At the end of the meal the two soldiers and the two prisoners left together. I did not on any occasion see these Frenchmen work. They did not even bring in their soap and they were clean, their heads well-washed.

I spoke to them in French and found out that they had fought in Sicily and had landed at Naples. They also told me that the Naples population fettered the French soldiers. One of them, an Alsatian, carried on a conversation in German with the two German soldiers. He told me that he was a member of General Giraud's army. I do not know the regiment to which they belonged or the date on which they were captured. Here are their descriptions: the Alsatian: height about 1.75 metres, thin, light brown hair, brown eyes, thin nose, long face, particular identification - the joint of a finger missing on each hand, the Parisian: about 1.80 metres, rather stocky, blond hair, light blue eyes, regular nose, round face, reddish complexion.

Q. Discuss the Hotel Monte-Verlino where you stayed at Ovindoli.

A. This hotel had been requisitioned in its entirety by the German military authorities. There was not much activity there, and in addition to 2nd Lt. Fiedler, I only saw two other officers during my stay and they appeared to be transients. There were three floors, on the first a kitchen, a dining-room, and a parlor, in which we ate. There was also a room with several military coats and a store-room. On the second floor we located the officers and I heard the noise of typewriters. It is here that was located the office of Fiedler, whose name was written on a sign above the door. On the third floor there were undoubtedly a dozen rooms for I counted six doors in the wing which I occupied.

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During the visit which I paid to D'Esposito and Antonucci at Figgì, they showed me a code. This code consists of two or three mica discs, one larger than the other two, with a sort of tongue which serves as a handle to hold the unit. There are numbers along the edge of these discs and they are held together in the center by an axle. Thus assembled it is possible to transpose by making certain letters on one disc correspond with those of the other or others. I do not know how to use this code. My friend simply showed it to me and gave me the vague explanation which I have given you. Each team of agents which is equipped with a transmitting set also has a code unit identical with this one, but surely in my opinion with a different combination.

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Alfred Military Court -
P. Maria. Italy

3 - 12 - 44

President: Lt Col Carter USA.

Major Wagh. W. F. US Army.

Major Elder

Interpreter: Cpl Anthony A. CIOFFA: US Army.

Serial No. 37401025. S. Army G-2.

(English - Italian)

Interpreter: Lt Paul French.

(English - French)

Prosecutor: Lt Col Willes Brit:

Defence: Capt Havel Jones Brit:

Witness: Aschiero Italian.

Charge read by President through Interpreter.

Defence enters plea of "not guilty".

Court opened by Lt Col Willes for prosecution.

"Witness Henry MAS. Lt French Army, French Military

I saw the accused, Aschiero, when I first

interrogated him towards 13.30 on 20 January 1944.

I first met the accused (May I look at my

note, manuscript, which was taken at the time)

On the 20 January 1944 towards noon or

were sitting at the table, a waiter from
the Ritz brought in the accused and spoke,
and understands French. I have not been
able to find the French version of the
this French version of the, and to me a
the presence of the accused that he (accused)
had presented himself toward a clerk in the
morning to the French customs saying he
had run away from the Germans to escape
compulsory labor. He accused had presented
himself, ^{was} BIRAGIO. He was immediately taken
to our cell kitchen and given a meal. After
the meal toward 2 or 2:30 in the afternoon
we began by searching him, we found a
wallet in which there was a certain amount
of money, photographs of ladies, there was about
3225 lire. There was also an identity card
a name of accused (Identity Card Ex 1) there
was a diary containing an account of the
of his trip. (Diary Ex 2). He also had a

hand Luitens in which there was a change of clothing,
 I don't remember exactly, but there was gloves,
 shirts etc. all dirty clean, and a change of
 trousers, and also cigarettes & so forth, and
 some packages containing a powder, which
 he owned and was for his machine.
~~There was~~ I don't remember exactly, how
 many packages of powder there were, but
 I believe 10 or 20. Later he made a
 statement (only) which I wrote down at
 the time. ~~(statement signed) I was.~~

born on 26 April 1926 in Rome, son
 of Pietro & of Contessa Corrado, living
 at Via Sabotz, number 11. I am a
 student. My grammar school education was at
 the Gynnasium Virgilio at Rome. Hereafter at
 the ~~the~~ Herodi High School until 1940. I
 was enrolled in the Ballista in 1942 and became
 an Assault guardist in 1940 (remained in 'B' 15

After he had finished making this first statement I told him I took a note of all the inconsistencies of his statement, and as he accused us a slave boy, it was not difficult to induce him to tell the truth. I told him accused of the inconsistencies, and was

1. He said he was picked up in the street by the Germans, whom I know have all young men in Germany registered

2. I could not ^{not} admit the explanation of reporting him a week to German consulate since I know the working of the German.

3. I could not accept that he had been summoned for work by a telephone call.

4. I could not understand why they were taken only as Kapos for come to a home with every possible comfort and no guard.

3

- 5 His statement was a different detail of his trip across the mountains than that entered in his diary.
- 6 The diary itself has some inconsistencies since he accused our traveling companion occupied territory it would be asking to carry a diary with insults against Germans with them.
- 7 I also noticed that two weeks after his departure and after a week in the mountains, left his clothing he wore including boots were quite clean and the clothes in his suitcase were untouched.

It was the time for our meal to be arranged for he accused to be fed in our kitchen. After the meal he made a statement. ~~(He made a statement to the interrogator)~~
~~(He made a statement to the interrogator)~~
 The accused made the second statement, it was taken down in long hand & at the dictation of accused and typed immediately after. After it had been typed the accused said, with the assistance of an interpreter,

the typed statement, and signed it.
 The first part of the statement was a
 continuous narrative and the second
 part Question & answer. Sedochi

was present when this statement was made.
 This statement was made freely, no threat
 was made for him to make this statement,
 no promise of reward was made, no physical
 violence was offered. (See Major Elder
 Quana there, among other forms of coercion
 used, whatever.)

A No. When Ocher, who evidently
 that the first statement could not
 be accepted he wanted to tell the
 truth, and he did.
~~By the way, he was to put in statement:~~
~~It was not a statement but a confession.~~
 Objection to statement on grounds that
 it was not voluntary, & that it was
 obtained by force, threat of force, offer
 of reward. (Court ordered trial without a trial)
 by defence
~~Did you tell the boy it would~~

4

~~not be difficult~~

Q I told him I took a note of
all (etc as in evidence)

A Yes.

Q Did you mean by that that
something was necessary in order
to induce him to tell the truth.

A I say these words, I simply felt
that by putting the witness against
the evidence. In view of the third
spirit. he would confess, see that
he was wrong and had better tell
the truth.

Q Did he feel that some inducement
was necessary.

A Yes.

What do you mean by inducement?

Q I understood he was telling me.

and I took the notion of having
him put his finger on his ~~finger~~
own inconsistencies.

Q You mentioned some Medical
Powders in your evidence. Did
He accused take one of those
powders in your presence.

A Yes.

Q Was he made to take one.

A No. When he said that this
was a remedy for his Stomach
and he accused took one just
to prove it to D. M. Q.

Q Did you think at the time they
were Stomach Powder.

A No.

Q Where are the powder.

A They were given to a service to
be analysed.

5

Q Did you or did anybody else threaten he accused with death if he did not confess
NO

Q Did you or anybody else promise he would be free if he made a statement

no

Q Was he accused stopped in your presence

no

Q Did you show ^{to} ~~anybody else~~ a letter from General ~~Blum~~ ^{Blum}

no

Q The letter stated that people coming from other side would be killed

Q This Proclamation ^{Nº 2} was shown to him after he made the statement

Q Did you at any time caution
a man he accused that he need
not say anything if he did not
want to

A No

Q Did you accuse him of being a
spy before taking a statement
from him

A No

Prisoner called in trial with a trial.

I heard the last witness answer
question I put to him. I was taken
to the house ^{to be} and ^{to be} sitting
sitting at a table. Afterwards they took
me to the kitchen to eat. At about 2:30
in the afternoon they began to interrogate
me. The interpreter, by name of Lederach,
asked me to relate how he crossed the
line. They asked me to pay attention to
what I said, and they showed me
a paper signed by Gen. Alexander
in which was stated that whoever did

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not tell the truth would be punished
by death. They showed us the police at
the beginning of the first interrogation.

Then they interrogated me which interrogation
lasted until supper time. (I am not sure of
the exact time, but I think about 8 PM)

The interrogation started at 8 PM and was
continued continuously until supper time.

During the interrogation, I was given
the powder, the lake, and I took the
powder. The effect came to me as the
effect of water, which was the powder,
~~found in my hand.~~ Upon this, I asked

the what it was, and he told me it was
the powder. I had no more afterwards.

They took me to supper and after supper began
another interrogation. I did not see the powder
placed in the glass. I did not have any powder
with me when I was arrested. I had none
like the powder before. The effect of taking
the powder was a heavy depression -
very fainting - nothing else except generally
sick, approximately an hour afterwards.

How did
I get
the
Aug.

I never took these powder before
I did not know where they came from.
After the first interrogation they told me
they did not believe a word I had
said. The Officer told (Mr) I see that
you were ^{lying} to me in your statement.
I heard you asking
the question of the last witness (Mr)
as to threats, force etc. They said
that these things were false that I
was a spy, then another Officer said
I was to be undressed and he asked
a soldier to get a stick or whip of
some kind, and that I was to be
beaten. They told me this in order
to frighten me, against the wall there
was a machine gun and I was told
that if I did not talk I would
be shot. While the officer was
threatening me, the interpreter said

I continued to demand
I would be set free. An officer began
to beat me, an officer with eye glasses.
All the while I was feeling ill whilst
he was slapping me, and therefore
I told my story - began to talk
X by Mrs.

Q Are you asking us to
believe you did not know
what those powders were

A I know I do not know where
those powders came from

Q How did those powders get
into your suitcase

A Because they were given to
me and I brought them with
me from home

Q. Why did you tell the French
Officers they were for a Stomach
cancer -
- asked twice -

Q. What else could I say.

Q. If you did not know what
the powders were for why did
you tell a lie.

A. I knew if those powders were
harmful to the heart or any
part of the body - as I been
told so.

Q. Who told you so.

A. The German.

Q. Did you get those powders
from the German.

or A. Yes.

2

Q. Why did the Germans give
you those powders.

A. No reply

Q. Why did you tell the French
it was for a German aircraft?
No reply

Q. Why did you tell the Court
you did not know where
the powders came from.

A. I said that I never had taken
the powders before.

Q. What sort of document was
this you were shown signed
by Gen Alexander.

A. (I left Court for Proc 2)

Q. Did you know that the penalty
for being caught as a spy might
be death?

A. I know anyone doing Military
Espionage would be sentenced
to death.

Q. The document which was
handed to you was it written
in French, Italian, English
or what?

A. I do not remember very well
it was like Italian or French.

Pro. Tell me I am going to show
you he is an English.

Q. Was the document he was shown
something like that?

A. No. It appeared to have been

9

write on a separate sheet under
the Logo.

Q. Why do you blame this powder
for making you feel sick, why
couldn't it have been the meat
you ate?

A. I do not know it couldn't
have been the powder, it
couldn't have been the meat. As
soon as I felt ill I immediately
thought it was on account of
the powder I had taken.

Q. When you were handed the
powder in the glass what was
said to you?

A. They told me they were powder
for the stomach.

Q That is what you said the
powders were

A ~~That~~ When they brought me the
glass I looked what it was &
they told it was powder for the
Stomach. I had previously
said they were powder for the
Stomach when I was captured

Q When you were being questioned
where was the machine gun

A It was leaning against the
wall

Q How did you know it was
a machine gun

A It might have been a submachine
machine pistol

Q When did you first think of
mentioning this machine pistol

A I do not know. When they

10

Council asked how the French treated me

Q. When you were being interviewed, how many French officials were there

A. There were six, I think. He there was the interpreter

X by Com. J. Pres.

Q. Did you examine the machine gun was it wood or metal

A. It looked like a weapon found in our hand of army - it was a wood stock

Q. ^{Magazine} Was it loaded, did any one point at you

A. No

Q. Did you say they required you to remove your clothing

A. A Frenchman told me I was to undress myself but I acted as tho'

I did not hear

Q. Did you undress A. No

Q were you searched

A They asked me to take out everything out of my pocket which I did

Q You say they were going to arrest you and asked for a ticket to frighten you

A Yes

Q Did you think it was to frighten you ~~to~~

A I understood this to be so because they did not beat me

Q Pre

Why were you carrying the powder in your valise

A I was to take these powder in case I were to be drafted into the Army here.

Q Myr Elder

Did you protest about taking these powder

A No Sir

U

Q Did you know they were the
powders for your belongings?

A They told me so.

Q When they asked you to undress &
sent for a stick to beat you with,
you did not undress.

A No I pretended not to hear.

Q You were at very badly frightened

A No.

Q Did anyone pick up things
leaning against the wall?

A Yes the Officer wearing the eyeglasses
picked it up and placed it
against the wall.

Q Did you believe they were going
to shoot you?

A Yes

12

Q ~~Every body says~~ Where did this happen is a room.

A Yes in this office.

Q How large is the room.

A A small place about half size of this

Q How long was the room.

A About 6 x 3 feet.

Q How many people were in the room at that time.

A At that moment there were not more than three or four.

Q Are you sure the man with glasses picked up the gun and said I will shoot you.

A He did not say I will shoot you, he said "now you will be shot."

Q Did you think they were going to shoot you outside or inside the room.

A Outside.

Q Did any person move you outside

A At that moment when he said that
he pushed me to another car & stopped
me.

Q Did he have the gun with him when
he stopped you.

A Yes he picked up the gun and
then we will shoot, replaced the
gun and took me in another car.

Q Did he say why ~~was~~ he was
going to shoot you.

A He told me I was a spy but I
said I was not.

Q You said - you direct translation
that the interpreter said if you told
the truth they would let you go.

Who was present when that was said

13

Q The Officer with the glasses was there & then was going in and out.

Who recalled

A I was in charge of the investigation and as far as I can remember I was present during the whole of the interrogation. To the best of my knowledge no person threatened he accused with a machine gun or any firearm.

Q By Defense

Were you in the same room from 2:00 to 6:00 when interrogation ceased?

A Yes

Q Were people coming & going

A Yes

Q Did nature cold during that long interval

A I do not remember

Court adjourned.

The Court ruled statement admissible & was a voluntary statement.

Has recalled.

As the result of what accused told me
I searched him and in the heel of each
shoe I found 2000 Lira (was Lira in all)
I think they are the shoes he was wearing
at the time. The accused made a statement
I produce the statement which is signed
by him myself & by the interpreter. (Ex P 3)
This statement is in Hindi and a
interpreter was present when it was taken
and when the accused read it at the end
(The prosecution - the with permission of defence -
put in English translation - which was
accepted & read by Major Waugh).

X by Defence

Q Once prisoner ~~for~~ started to talk
was he fresh

A Yes

Q Did ~~you~~ ~~he~~ give you useful
information

A Yes

Pro. That concludes my case.

14

Evidence of accused.

Before the Committee I wanted to enroll
in the Italian Army as a volunteer in order
to help the cause of Italy. At home my
parents would not allow me to do so.
I was only 18 years of age I received from Comant
I wanted to help the cause of Italy and when
I was given the opportunity of being a radio
operator I accepted in the cause of Italy
thinking it was only a military service. I
really wanted to do something to help Italy.
I was supposed to operate in South Italy.
This was before the Committee. When I was
asked to go on the mission it was after
the Committee. I could not refuse because
I was already mixed up with the German
and had I done so they would have shot
me or taken me to Germany. I thought
it was a political mission and not
spying. I have seen the charge.

and know I am charged with acting
as a spy in the district named on
date shown. I am not at San Diego
for purpose of spying. I was only passing
thru there on my way to Naples. I was
a very innocent that I saw Mr. Fiedler
who was to give me an additional mission.
I was to perform the mission of I passed
thru Serbia where he was located, but
as I did not pass thru that location I
was not asked to do it.

X by Prosecution:

My station was Berlin, but before
~~the war~~ 1914 Austria by Brit. but
after war Italian citizen. The statement
I made is true (Ex 3). I was
to carry out the Political Mission of at Naples
to see how Italian & were treated, relationship
between Allied Forces & Italians.

15

This information was for the General
and I was going to take it back
But my mission was discovered before
I could carry it out

The address by defence or prosecution

Guilty without retiring.

Speech by defence in mitigation of sentence.
Working by prosecution

The sentence of the Court is that
you D. E. shall be shot to death

X

Did you think it was allowed
Were you prepared to carry out
Sullivan's mission had you received it?