

785016

ACC 10000/145/303 20902 EXPORT OF WORKS OF ART

DEC. 1943. FEB. 1945

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0207

6 and 7 Plume conversation with Lt. Col. Cripps

- (1) Agreed matter requires pressing, if at no higher ground than that notes of art will turn up in the British or American market
- (2) Agreed that the simpler & more comprehensive order proposed by Lt. Col. Cripps is put up to avoid administrative complexities.

Dorland Quinn 5/3/44

9

(1) Concrete cases —

- a) A British officer proposing to export surreptitiously notes of art which under Italian legislation had to remain in Italy (Lt. Col. Cripps can confirm)
- b) A letter intercepted requesting cash for large purchases in this country (information from 57 area)

Both the above are naturally confidential information

- (2) Para 1. is nonsense. The only limitation in any way effective is that American parcels cannot be insured above 200 dollars value; and it is notorious that notes of art passing "beneath-the-counter" & in many cases looted or stolen do not fetch anything like true value.
- (3) There are no orders of any sort which we can quote in answer to Axis radio-propaganda that we are despoiling Italy. Much of the Axis notion of art-treasures is done by superficially legal purchase.
- (4) The machinery has been set up for a very full post-war enquiry into displaced art-treasures. At the very lowest level we require to be covered by some order on the subject. Dorland.

(3)

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25 & 25a.

- ① Primary purpose of G.O. proposed is to enable SHAEF to pass some such order as SHAEF order forbidding troops to buy & sell. The sales clause is essential for this. The order covers any brief period after occupation, so I can't see it imposes any hardship really on indigent Italian families.

Dorland Quinn Lt. Col. 18/2/45

Extract from:-Law No. 52. Article II.

3. Except as hereinafter provided, or when licensed or otherwise authorized or directed by Military Government, no person shall import, acquire or receive, deal in, sell, lease, transfer, export, hypothecate or otherwise dispose of, destroy or surrender possession, custody or control of any property:-

(c) Owned or controlled by any institution dedicated to public worship, charity, education, the arts and sciences.

(d) Which is a work of art or cultural material of value or importance, regardless of the ownership or control thereof.



This, with attached extract
from Military Gov. Gazette -
Germany sent to this office
by Lt. Col. Wadley's D.O. of
8 Mar 45 (filed 20998).

20902

BEST COPY POSSIBLE
FILMED AS FOUND
IN COLLECTION

785016

EXTRACT FROM
MILITARY GOVERNMENT GAZETTE - GERMANY.
SIXTH ARMY GROUP AREA OF CONTROL.

LAW NO. 52

BLOCKING AND CONTROL OF PROPERTY

ARTICLE 1

Categories of Property

1. All property within the occupied territory owned or controlled, directly or indirectly, in whole or in part, by any of the following is hereby declared to be subject to seizure of possession or title, direction, management, supervision or otherwise being taken into control by Military Government.

(a) The German Reich, or any of the Länder, Gaue, or Provinces, or other similar political subdivision, or any agency or instrumentality thereof, including all utilities, undertakings, public corporations or monopolies under the control of any of the above;

(b) Governments, nationals or residents of other nations, including those of territories occupied by them, at war with any of the United Nations at any time since 1 September 1939;

(c) The M.S.D.A.P., all offices, departments, agencies and organizations forming part of, attached to, or controlled by it, its officials and such of its leading members or supporters specified by Military Government;

(d) All persons held under detention or any type of custody by Military Government;

(e) All organizations, clubs or other associations prohibited or dissolved by Military Government;

(f) Absent owners, including United Nations governments and nationals thereof;

(g) All other persons specified by Military Government by inclusion in lists or otherwise.

2. Property which has been the subject of duress, wrongful acts of confiscation, dispossession or spoliation from territories outside GERMANY, whether pursuant to legislation or by procedures purporting to follow forms of law or otherwise is hereby declared to be equally subject to seizure of possession or title, direction, management, supervision or otherwise being taken into control by Military Government.

ARTICLE II



- (c) The U.S.D.A.P., all offices, departments, agencies and organizations forming part of, attached to, or controlled by it, its officials and such of its leading members or supporters specified by Military Government;
- (d) All persons held under detention or any type of custody by Military Government;
- (e) All organizations, clubs or other associations prohibited or dissolved by Military Government;
- (f) Absent owners, including United Nations governments and nationals thereof;
- (g) All other persons specified by Military Government by inclusion in lists or otherwise.

2. Property which has been the subject of duress, wrongful acts of confiscation, dispossession or spoliation from territories outside GERMANY, whether pursuant to legislation or by procedures purporting to follow forms of law or otherwise is hereby declared to be equally subject to seizure of possession or title, direction, management, supervision or otherwise being taken into control by Military Government.

ARTICLE II

Prohibited Transactions

3. Except as hereinafter provided, or when licensed or otherwise authorized or directed by Military Government, no person shall import, acquire or receive, deal in, sell, lease, transfer, export, hypothecate or otherwise dispose of, destroy or surrender possession, custody or control of any property:
- (a) Enumerated in Article I hereof;
- (b) Owned or controlled by any Kreis, municipality, or other similar political subdivision;
- (c) Owned or controlled by any institution dedicated to public worship, charity, education, the arts and sciences;
- (d) Which is a work of art or cultural material of value or importance, regardless of the ownership or control thereof.

2 Feb 45.

20902

Revised by D.D. it

--- Gordon

5 Jan 48 (File 20362)

Draft 13 September 1944.

RESTRICTED.

MILITARY GOVERNMENT - AUSTRIA

ORDINANCE NO. 551

BLOCKING AND CONTROL OF PROPERTY

ARTICLE I

Categories of Property

1. All property in Austria owned or controlled directly or indirectly, in whole, or in part, by any of the following is subject to seizure of possession or title, direction, management, or other control by the Military Government:

(a) The German Reich, or any of the Gaue or Regions, or any agency or instrumentality thereof including all utilities, undertakings, public corporations or monopolies under the control of any of the above;

(b) Governments, nationals or residents of nations still at war with any of the United Nations, or nationals, residents or governments of territories occupied by such nations;

(c) Other enemy states or governments, or any agency or instrumentality thereof;

(d) The NSDAP, its formations and affiliated and supervised organizations, or any agency thereof, or their officials or members;

(e) All persons held under detention or any type of custody by the Military Government; all organizations, clubs or other associations prohibited or dissolved by the Military Government;

(f) Property of absent owners, including property of United Nations Governments and nationals thereof;

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ment, or other control by the Military Government:

- (a) The German Reich, or any of the Gaue or Regions, or any agency or instrumentality thereof including all utilities, undertakings, public corporations or monopolies under the control of any of the above;
- (b) Governments, nationals or residents of nations still at war with any of the United Nations, or nationals, residents or governments of territories occupied by such nations;
- (c) Other enemy states or governments, or any agency or instrumentality thereof;
- (d) The NSDAP, its formations and affiliated and supervised organizations, or any agency thereof, or their officials or members;
- (e) All persons held under detention or any type of custody by the Military Government; all organizations, clubs or other associations prohibited or dissolved by the Military Government;
- (f) Property of absent owners, including property of United Nations Governments and nationals thereof;
- (g) All persons specified by the Military Government by publications, lists or otherwise;

2. Property, which has been the subject of duress or wrongful acts of confiscation, dispossession or spoliation from territories outside Austria, is equally subject to direction, management, or other control by the Military Government.

ARTICLE II

Prohibited Transactions.

3. Except as hereinafter provided or when licensed or otherwise authorized or directed by the Military Government, no person shall acquire or receive, sell, lease, transfer, export, hypothecate or otherwise dispose of or willfully destroy, damage or conceal or surrender custody, possession or control of any property enumerated in Article I hereof; or any property

RESTRICTED.

-2-

Ordinance No. 551 - draft 13 September 1944 (cont)

owned or controlled by any region or municipality, or by any institution dedicated to public worship, charity, education, or the arts and sciences; or any work of art or other cultural materials of value or importance, regardless of the ownership or control thereof.

ARTICLE III

Responsibilities for Property

4. All custodians, curators, officials, or other persons having possession, custody or control of property enumerated in Articles I and II hereof are required:

(a) To hold the same, subject to the direction of the Military Government, and pending directions, not to deliver or otherwise dispose of the same; to preserve, maintain and safeguard the same and not cause or permit any action which will impair the value or utility of such property; to maintain accurate records and accounts with respect thereto and the income thereof.

(b) When and as directed by the Military Government:

(1) To file reports, furnishing such data as may be required with respect to such property, and all receipts and expenditures in connection therewith;

(2) To transfer and deliver custody, possession or control of such property and all books, records and accounts relating thereto, and

(3) To account for such property and all income and products thereof.

5. No person shall do, cause or permit to be done or fail to do any act which results in damage to or concealment of any of the properties covered by this Ordinance.

ARTICLE IV.

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Government, and pending directions, not to deliver or otherwise dispose of the same; to preserve, maintain and safeguard the same and not cause or permit any action which will impair the value or utility of such property; to maintain accurate records and accounts with respect thereof and the income thereof.

(b) When and as directed by the Military Government:

- (1) To file reports, furnishing such data as may be required with respect to such property, and all receipts and expenditures in connection therewith;
- (2) To transfer and deliver custody, possession or control of such property and all books, records and accounts relating thereto, and
- (3) To account for such property and all income and products thereof.

5. No person shall do, cause or permit to be done or fail to do any act which results in damage to or concealment of any of the properties covered by this Ordinance.

ARTICLE IV.

Operation of Government Property and Business Enterprises.

6. Unless otherwise directed and subject to such further limitation as may be imposed by Military Government:

- (a) Property described in Article I hereof shall be used for its normal purposes.
- (b) Any business enterprise subject to control under this Ordinance may engage in all transactions ordinarily incidental to the normal conduct of its business activities within Austria, provided that any such business enterprise shall not engage in any transaction which directly or indirectly substantially diminishes or imperils the assets of such enterprise or otherwise prejudicially

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Ordinance No. 551 - Draft 13 September 1944 (Contd)RESTRICTED.

affects its financial position and provided that this does not authorize any transaction which is otherwise prohibited.

ARTICLE VVoid Transfers

7. Any prohibited transaction effected without a duly issued license or authorization from the Military Government or any transfer or contract made whether before or after the date of this Ordinance with the intent to defeat or evade the powers or objects of Military Government or the restitution of any property to its rightful owner is null and void.

ARTICLE VISuspension of Laws

8. All laws, decrees and regulations inconsistent with the provisions of this Ordinance are hereby suspended or modified to conform to such provisions. All laws, decrees and regulations providing for the seizure, confiscation, or forced purchase of property enumerated in Articles I and II, otherwise than by the Military Government, are hereby suspended.

ARTICLE VIIDefinitions

9. For the purposes of this Ordinance:-

- (a) "Persons" shall mean and include any natural person and any entity under public or private law having legal capacity to acquire, occupy, control or dispose of property or interests therein;
- (b) "Enemy states and governments" shall mean and include all states and governments which were at war with any of the United Nations on 1 September 1939 or at any subsequent date;

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8. All laws, decrees and regulations inconsistent with the provisions of this Ordinance are hereby suspended or modified to conform to such provisions. All laws, decrees and regulations providing for the seizure, confiscation, or forced purchase of property enumerated in Articles I and II, otherwise than by the Military Government, are hereby suspended.

ARTICLE VII

Definitions

9. For the purposes of this Ordinance:-

(a) "Persons" shall mean and include any natural person and any entity under public or private law having legal capacity to acquire, occupy, control or dispose of property or interests therein;

(b) "Enemy states and governments" shall mean and include all states and governments which were at war with any of the United Nations on 1 September 1939 or at any subsequent date;

(c) "Property" shall mean and include all movable and immovable property and all legal, equitable or economic rights and interests in or claims to such property.

(d) A "national" of a state or government shall mean and include a subject or citizen and any corporation, partnership or other juridical person existing under the laws of, or having any office in the territory of, such state or government.

(e) "Austria" shall mean and include all Austrian territory occupied under the Military Government.

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(Ordinance No. 551 - Draft 13 September 1944(Contd.)) RESTRICTED.

ARTICLE VIII

Penalties

10. Any person violating any of the provisions of this Ordinance shall, upon conviction by a Military Government Court, be liable to any lawful punishment including death as the Court may determine.

ARTICLE IX.

Effective Date

11. This Ordinance shall become effective on the date of its first promulgation.

4663

Dated: _____, 194 .

MILITARY GOVERNOR.

785016

Dated: _____, 194 .

MILITARY COMMISSION.

785016

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4074/21/L.

ELP/pa.
3 Mar 45.

SUBJECT : Exportation and transfer of Works of Art.
TO : Monuments and Fine Arts Sub-Commission.

1. In my letter to you AC/4074/L of 17 February 1945 reference was made to an order applicable to German occupied territory.

2. I am attaching a copy of this order. It does not appear to be any value in solving the problem with which you are concerned.

A C
MONUMENTS FINE ARTS & ARCHIVES
SUPPLEMENT ON

4 MAR 1945

Incl. FILE No

20902

E. L. Palmieri
E. L. PALMIERI,
Major,
Acting Chief Counsel,
for Chief Legal Advisor.

EXTRACT FROM
MILITARY GOVERNMENT GAZETTE - GERMANY.
SIXTH ARMY GROUP AREA OF CONTROL.

LAW NO. 52

BLOCKING AND CONTROL OF PROPERTY

ARTICLE 1

Categories of Property

1. All property within the occupied territory owned or controlled, directly or indirectly, in whole or in part, by any of the following is hereby declared to be subject to seizure of possession or title, direction, management, supervision or otherwise being taken into control by Military Government.

(a) The German Reich, or any of the Länder, Gaue, or Provinces, or other similar political subdivision, or any agency or instrumentality thereof, including all utilities, undertakings, public corporations or monopolies under the control of any of the above;

(b) Governments, nationals or residents of other nations, including those of territories occupied by them, at war with any of the United Nations at any time since 1 September 1939;

(c) The N.S.D.A.P., all offices, departments, agencies and organizations forming part of, attached to, or controlled by it, its officials and much of its leading members or supporters specified by Military Government;

(d) All persons held under detention or any type of custody by **Germany** Government;

(e) All organizations, clubs or other associations prohibited or dissolved by Military Government;

(f) Absent owners, including United Nations governments and nationals thereof;

(g) All other persons specified by Military Government by inclusion in lists or otherwise.

2. Property which has been the subject of direct, wrongful acts of confiscation, dispossession or spoliation from territories outside GERMANY, whether pursuant to legislation or by procedures purporting to follow forms of law or otherwise is hereby declared to be equally subject to seizure of possession or title, direction, management, supervision or otherwise being taken into control by Military Government.

ARTICLE II

Prohibited Transactions

3. Except as hereinafter provided

*Exempt from law
by order (Amendment)
(League 5-0)*

- (c) The U.S.D.A.P., all offices, departments, agencies and organizations forming part of, attached to, or controlled by it, its officials and such of its leading members or supporters specified by Military Government;
- (d) All persons held under detention or any type of custody by Military Government;
- (e) All organizations, clubs or other associations prohibited or dissolved by Military Government;
- (f) Absent owners, including United Nations governments and nationals thereof;
- (g) All other persons specified by Military Government by inclusion in lists or otherwise.
2. Property which has been the subject of duress, wrongful acts of confiscation, dispossession or spoliation from territories outside GERMANY, whether pursuant to legislation or by procedures purporting to follow forms of law or otherwise is hereby declared to be equally subject to seizure of possession or title, direction, management, supervision or otherwise being taken into control by Military Government.

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Prohibited Transactions

3. Except as hereinafter provided, or when licenses or otherwise authorized or directed by Military Government, no person shall import, acquire or receive, deal in, sell, lease, transfer, export, hypothecate or otherwise dispose of, destroy or surrender possession, custody or control of any property:
- (a) Enumerated in Article I hereof;
- (b) Owned or controlled by any Kreis, municipality, or other similar political subdivision;
- (c) Owned or controlled by any institution dedicated to public worship, charity, education, the arts and sciences;
- (d) Which is a work of art or cultural material of value or importance, regardless of the ownership or control thereof.

*This is a "D.O." prepared by my request by Ettore 93 and Luciano in an effort to
by some control*



NAPOLI. 23-Febrero-1945

R. SOPRINTENDENZA ALLE GALLERIE
E ALLE OPERE D'ARTE DELLA CAMPANIA

R. PINACOTECA

Al Colonnello

J.B. Ward Perkins R. A.

Prot. N. 2 - Ris. Allegati

Sub-commission Monuments & Fine Arts
HEAD-QUARTERS ALLIED COMMISSION

Risposta a N. del

A P O 394
=====

Oggetto: Relazione sul commercio clandestino delle opere d'arte,
in Napoli.

Questo Ufficio si è da vario tempo preoccupato di seguire e controllare, nella misura del possibile, il commercio antiquariale d'arte, che le presenti contingenze hanno febbrilmente intensificato in questa città, soprattutto nella forma clandestina.

Quello che ci spinge è il sospetto - sempre più giustificato dalle condizioni delle zone via via liberate - della provenienza furtiva delle opere d'arte, magari dalle stesse raccolte dello Stato.

Ora, quanto alle pubbliche vendite, tale controllo è facile, sia per la Galleria Forti che per quella S. Luca - le due qui aperte nel 1944 e che bandiscono aste regolari - sia per le antiche case d'antiquariato, come Bugli, De Gregorio, Fuscone etc, e qualcuna sorta di recente: dove io e i miei funzionari non manchiamo di compiere ogni tanto qualche visita e di renderci conto delle più importanti trattazioni in corso.

Ben diverso è il caso delle innumerevoli iniziative private, che si tengono nascoste anche per sfuggire alle tasse. Qualche fidato informatore ci avverte dei casi più sospetti: come quello recentissimo d'un blocco di circa 130 quadri provenienti da Firenze.

Il Nucleo di Polizia Tributaria, che sempre s'è tenuto in contatto con questo Ufficio per simili indagini, ha proceduto al fermo di quei dipinti, che tuttavia si sono rivelati tutti brutte cose contemporanee, di basso commercio.

In altre occasioni l'Ufficio ha soddisfatto la richiesta fatta dalla Polizia del Comando Alleato o da altri organi di governo. Così, alcuni giorni fa, nel caso di una tavola ad olio, acquistata dall'ingegnere Gennuso e che, riproducendo il soggetto (gli "Avari") e le forme d'un noto dipinto di Marinus van Roemerswaelen, appartenente alla R.Pinacoteca di Bologna; e recando sul rovescio il bollo di ceramica di quella Direzione e la firma a penna: A. Guadagnini; destava sospetto che potesse essere lo stesso originale, rubato.

Ma l'esame, da me compiuto, ha mostrato subito che si tratta d'una copia del tardo Ottocento, di misure alquanto diverse; e in cui la presenza del bollo e della firma può spiegarsi con il controllo che per legge le Direzioni delle Gallerie dello Stato esercitano sull'attività dei copisti.

Quanto, tuttavia, continua a sfuggire al nostro buon volere, per mancanza d'informazioni e di mezzi d'indagine? E quanto s'aggraveranno le condizioni presenti? E' questo che sempre più ci preoccupa, anche in previsione di quello che avverrà quando sia liberata l'Italia Superiore.

E' dunque da invocare caldamente che le Autorità se ne occupino fin d'ora e dispongano in tempo utile tutte le providenze opportune.

Con cordiali ossequi

L'ISPETTORE CENTRALE INC.

(Prof. Sergio Ortolani)

Sergio Ortolani

785016

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4074/21/2

/rlp.
17 February 1945.

SUBJECT : Exportation and Transfer of Works of Art.
TO : Monuments and Fine Arts S/C.

1. There is attached hereto a draft of a proposed General Order and on a separate sheet, an additional clause dealing with the prohibition against sale, hypothecation, etc.

2. The draft is intended as a basis for discussion and it is hoped that we can explore the matter fully on Col. De Wald's return.

3. I feel that the additional clause forbidding sales, etc. presents almost insurmountable problems of enforcement. The wisdom of inserting it is, therefore, highly doubtful.

4. In point of fact, I understand that many Italian families are forced by present economic conditions, to sell possessions coming within the intendment of this order. Would it not be more appropriate to try to prevent the inter-provincial movement and exportation of works of art rather than to try to forbid all dealings therein?

5. If a copy of the Allied Military Government order issued for occupied German territory is obtainable, I shall refer it to you for consideration.

E.L.P.

E. L. PALMIERI,
Major,
Acting Chief Counsel,
for Chief Legal Advisor.

2 Incls:
Incl 1 - Draft of proposed GO.
Incl 2 - Additional clause.



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ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

GENERAL ORDER No. _____

Whereas it is contrary to the welfare of the community that works of art and cultural material be exported from Italy or transferred from place to place.

I, ELLERY W. STONE, REAR ADMIRAL, USNR, for and on behalf of the Supreme Allied Commander and Military Governor, hereby order as follows:

4658

ART. I

No work of art or cultural material more than one hundred years old may be exported from Italy, or moved from one province to another. Works of art and cultural material shall include such objects as antiques of all sorts, paintings, engravings, sculptures, vases, metal works, textiles, jewelry, coins, furnishings, written or printed books, documents and letters.

ART. II

In such cases in which the safety or protection of the work of art or cultural material may require it, the Monuments

4658

ART. I

No work of art or cultural material more than one hundred years old may be exported from Italy, or moved from one province to another. Works of art and cultural material shall include such ~~objects as~~ antiques of all sorts, paintings, engravings, sculptures, vases, metal works, textiles, jewelry, coins, furnishings, written or printed books, documents and letters.

ART. II

In such cases in which the safety or protection of the work of art or cultural material may require it, the Monuments and Fine Arts Officer attached to Regional Headquarters is empowered to issue written authorization permitting its transfer from one province to another.

ART. III

Any person who violates the provisions of this order shall upon conviction by an Allied Military Court be liable

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to imprisonment or fine, or both, as the Court may determine, and any property in respect of which such an offence has been committed may be ordered to be forfeited.

ART. IV

This order shall become operative in each Province or part thereof within Military Government Territory on the date of its first publication therein.

For the Supreme Allied Commander
and Military Governor

ELLERY W. STONE
Rear Admiral, USNR,
Chief Civil Affairs Officer.

4657

ADDITIONAL ARTICLE

can be included as follows :

For the Supreme Allied Commander
and Military Governor

ELLERY W. STONE
Rear Admiral, USNR,
Chief Civil Affairs Officer.

4657

ADDITIONAL ARTICLE

can be included as follows :

No work of Art or cultural material over 100 years old and valued in 1939 at more than five thousand lire can be purchased, sold, loaned, mortgaged or transferred by way of gift or otherwise, unless a written authorization is issued by the Monuments and Fine Arts Officer attached to Regional Headquarters .

785016

R E S T R I C T E D

SUPREME HEADQUARTERS
ALLIED EXPEDITIONARY FORCE

AG 014.1-1 (Germany) CAP-AGM

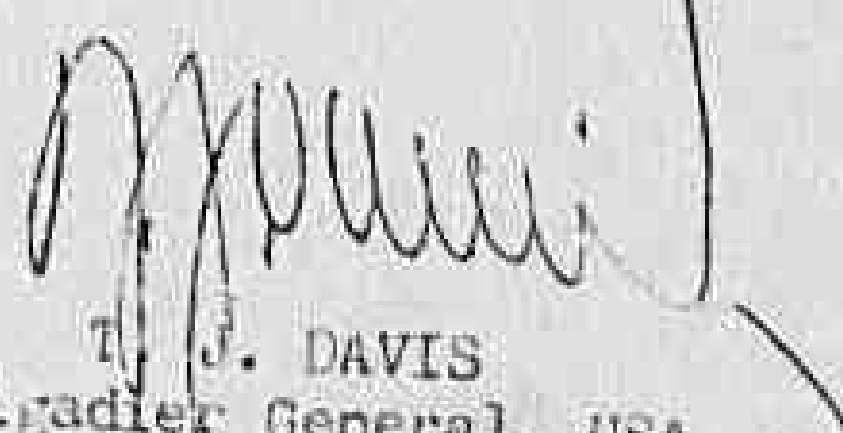
AFD 757 (Main)
21 November 1944

SUBJECT: Prohibition of Sale and Export of Works of Art in Germany
TO : All Concerned

Law 52, Article II, paragraph 3 (d) of Proclamations, Laws and Ordinances, published in connection with the Military Government of Germany, forbids the sale, transfer and export of works of art and other cultural material. Its purpose is to make possible the restoration to their rightful owners of loot taken from other countries. In furtherance of this purpose, personnel of the Allied Expeditionary Forces in occupied German territory will not purchase or otherwise traffic in such objects.

By command of General EISENHOWER:

4636


T. J. DAVIS
Brigadier General, USA
Adjutant General

DISTRIBUTION:

"D"

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R E S T R I C T E D

HEADQUARTERS ALLIED COMMISSION
APO 394

23 JAN 1945

23 January 1945

EXECUTIVE MEMORANDUM
NUMBER 83 (Revised)

CUSTOMS DUTIES

1. General

Executive Memorandum number 83 dated 24 November 1944, is hereby cancelled and the following instructions are substituted therefor.

2. Objects of Directive

The objects are to restore the Customs, Guardia di Finanza and Capitaneria di Porto (Harbour-Master) controls at ports already handed back to the Italian Government and at other ports to the extent to which the Naval and Military authorities will permit it locally; to facilitate the prevention of smuggling and theft of cargoes; to prepare for the resumption of commercial traffic; to ensure uniformity of procedure and, so far as possible, to relieve AC/AG Officers of any work which the appropriate Italian officials are qualified and able to perform without prejudice to security.

3. Control

(A) Control of Ports and Ships

- (1) The Capitaneria di Porto will exercise his normal control of ports, except those controlled by Allied Naval or Military authorities. At ports handed back to the Italian Government where there is an Italian Navy Port Officer in charge, he will function under the supervision of that officer.

The Capitaneria di Porto will also exercise his normal control of ships except:

- (a) Ships of war
- (b) Ships owned or chartered by the Allies, and
- (c) Ships controlled and/or operated by the Mediterranean Shipping Board (MSB), including ships under the War Shipping Administration (WSA), Ministry of War Transport (MWT) and Principal Sea Transport Officer (PSTO).

- (2) Harbour and port dues, maritime dues, and similar charges payable to the ship and its personnel, will be levied forthwith,

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current and at other ports to the extent to which the Naval and Military authorities will permit it locally; to facilitate the prevention of smuggling and theft of cargoes; to prepare for the resumption of commercial traffic; to ensure uniformity of procedure and, so far as possible, to relieve AG/MS Officers of any work which the appropriate Italian officials are qualified and able to perform without prejudice to security.

3. Control

4655

(A) Control of Ports and Ships

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The Capitaneria di Porto will also exercise his normal control of ships except:

(a) Ships of war

- (b) Ships owned or chartered by the Allies, and
- (c) Ships controlled and/or operated by the Mediterranean Shipping Board (MSB), including ships under the War Shipping Administration (WSA), Ministry of War Transport (MWT) and Principal Sea Transport Officer (PSTO).

(2) Harbour and port dues, mooring dues, and similar charges applicable to the ship and its personnel, will be levied forthwith, except on the ships excluded from control by sub-paragraphs 1(a), 1(b) and 1(c) above.

(B) Control of Cargoes

(1) The Customs are responsible, inter alia, for the assessment and collection of import and export duties, licence and certain other fees and the collection of harbour, etc., dues (Harbour dues are assessed by the Capitaneria di Porto). The Capitaneria di Porto are responsible for the revenue control of vessels and their cargoes, and for the revenue protection of the assessment and land levies.

(2) Cargoes on all ships and coast-wise vessels except the ships excluded from control by sub-paragraphs 1(a), 1(b) and 1(c) above, will be subject to Customs control unless an Allied Officer certifies that the ship contains cargo which, for security reasons, must not be so controlled.

RECEIVED THE AIR COUNCIL
24 JAN 1945

24 JAN 1945

FILE NO 20907

- 2 -

- (3) Customs officers and Guardia di Finanza will be allowed to control such cargoes at the ship's side, whenever this can be permitted without prejudice to security. Otherwise they will be allowed to bring cargoes under their control at the earliest practicable stage thereafter, e.g. at dock exits or warehouses.

(C) Action by AG/AVG Officers

- (1) Regional Finance Officers will consult the Naval and Military port authorities at ports not yet handed over to the Italian Government with a view to obtaining their co-operation and authority for the admission of Customs and AGV officials to port areas. It should be stressed that these officials are regarded as of high integrity and that, as they are expert in the detection and prevention of smuggling and pilfering their functioning in port areas would check the prevalent theft of Allied goods and property.
- (2) If these authorities refuse to permit the Customs and Guardia di Finanza to operate within any restricted area, arrangements should be made for the revenue control of the perimeter of the area for the purpose of detecting and preventing smuggling and theft by civilians.

Duties on Goods Imported

- (A) No duties, taxes, license or fees of any kind are chargeable on goods imported for the use of the Allied Forces; Allied Nationals employed by them and Allied Forces' welfare organizations or on goods imported under Allied auspices for distribution free of charge for civilian relief purposes and not for sale. Officers dealing with the latter should give a written certificate to the Customs that the goods are for free distribution for civilian relief.
- (B) (1) The Italian Government have agreed to exempt temporarily from all Customs duties, license and licence fees, all goods imported by the Allied Nations for commercial or civilian use except alcohol; tobacco; medical, oil lighters and lighter flints; cigarette papers and tubes; matches and petroleum.
- (2) Tobacco, mechanical lighters and lighter flints, cigarette papers and tubes must be handed over to the State Monopoly Administration for distribution.
- Matches must be handed over to the sole authorized distributors, the Consorzio Industrie Fiammiferi (CIFE).
- Petroleum distribution for non-military use is the responsibility of the Consorzio Industrie Fiammiferi (CIFE).

plans to operate within any restricted area, arrangements should be made for the revenue control of the perimeter of the area for the purpose of detecting and preventing smuggling and theft by civilians.

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- (2) Tobacco, mechanical lighters and lighter flints, cigarette papers and tubes must be handed over to the State Monopoly Administration for distribution.
- Matches must be handed over to the sole authorized distributors, the Consorzio Industrie Fiammiferi (C.I.F.).
- Petroleum distribution for non-military use is the responsibility of the Comitato Italiano Petroli (C.I.P.).
- For all these goods special arrangements exist whereby the duty is collected by the State Monopoly, C.I.F. and C.I.P. respectively.
- Alcohol must not be released for civilian or commercial use unless all the import duties have been paid.
- It is emphasized that the exceptions in this subparagraph relate to goods imported for commercial or civilian use. The same procedure, however, should be applied to similar goods imported for the use of the Allied Forces should they be diverted to commercial or civilian use.
- (C) Imported goods not covered by the exemptions in paras 4(A) and 4(B) continue to be subject to all the duties, taxes, imposts, fees and rights prescribed by the existing Italian laws, which must be paid at the time and in the manner prescribed therein.

- 3 -

5. Liaison with Customs Officers

Close liaison will be maintained by E. & S.D. Officers with the Senior Customs Official at each port. The Minister of Finance has agreed that the services of the Customs and Guardia di Finanza may be used, whenever required by AC/AMG, on checking, tallying and guard duties. E. & S.D. Officers will therefore avail themselves of the services of these trained personnel for such work whenever practicable.

6. Duties on Goods Exported

The Statutory export duties and licence fees will be charged on all goods exported except on goods certified in writing by the Allied Officer responsible for shipment as being shipped, under Allied auspices, to Allied Government Departments.

7. Reports

4653

Finance Officers will request the Customs Inspector in charge of the Compartment to furnish a brief monthly statement on the progress of Customs work for attachment to the Regional Finance Officers monthly report to this Headquarters. The Inspector should be asked to refer in his statement to any matters of doubt or difficulty which may have arisen in the previous month.

M. S. L. L.

Brigadier,
Chief of Staff.

Distribution "A"
Plus 300 copies for Finance Sub-Commission.

785016

Un News Service, Basic News, 5 December 1944

6 DIC 1944

ENEMY PROPAGANDA TRENDS

22

GERMAN

Jewish Art-Dealers in the Wake of American Army: The well-known 'Axis Sally' complained in a recent broadcast that Jewish military interpreters in American uniform, had made their appearance in villages in the Aachen area, forcing the inhabitants to sell them art treasures at ridiculously low prices. "This is regarded by the local population as a particularly characteristic feature of Allied occupation."

Copies to:

20902

4653

785016

W. H. B. 3 3 DEC 1944
21

HEADQUARTERS ALLIED COMMISSION
APO 394

13062/F

3 December 1944

EXECUTIVE MEMORANDUM)
NUMBER 83 : Amendment No. 1

C U S T O M S D U T I E S

4652

Delete all detail existing para 1 and substitute:

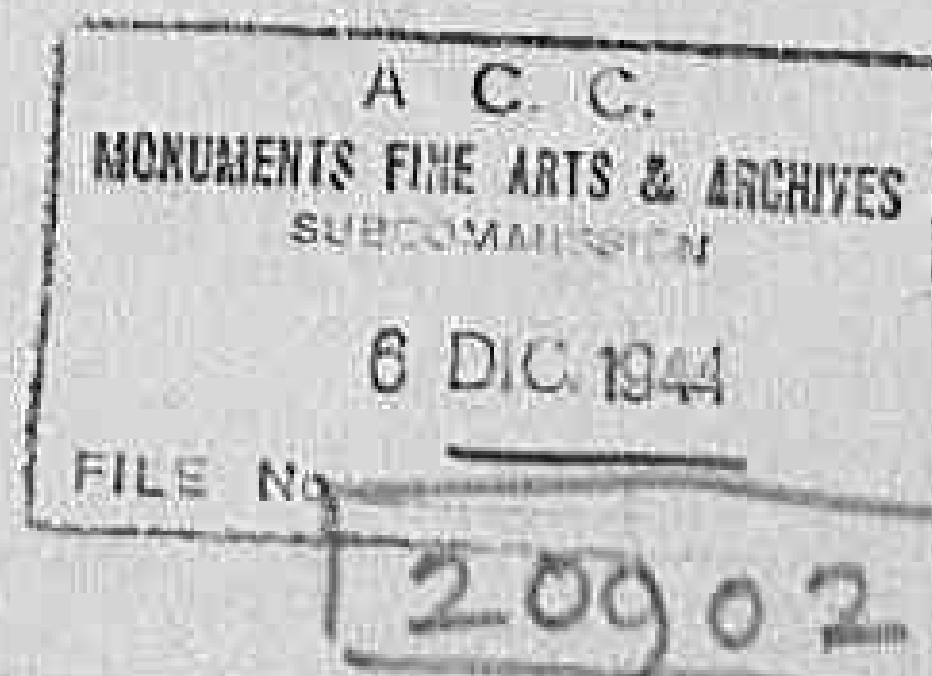
"1.

General

Section 4 "Customs" of Executive Memorandum No. 10
(Revised) dated 4 Sept. 1944 is hereby cancelled and
the following instructions are substituted therefor."

M. S. Lusk
Brigadier,
Chief of Staff.

Distribution "A".
Plus 200 copies for Finance Sub-Commission.



HEADQUARTERS ALLIED COMMISSION
APO 394

24 November 1944

EXECUTIVE MEMORANDUM)

NUMBER 83

CUSTOMS DUTIES

4651

1. General

Section 5 "Customs" of Executive Memorandum No. 10 dated 12 February, 1944 is hereby cancelled and the following instructions are substituted therefor.

2. Object of Directive

The object is to ensure the immediate resumption of Customs, Guardia di Finanza and Capitaneria di Porto control for the levying of duties, etc., and the prevention of smuggling and the theft of cargo.

3. Control

(A) Control of Ports and Ships

(1) The Capitaneria di Porto will exercise full control of ports, except those controlled by Naval or Military Authorities, and of ships, and coast-wise vessels, other than ships of war, which expression includes:-

- (a) Ships owned by Allies or under their charter, (donise, bare-boat, time or voyage charter) and
- (b) Ships controlled and/or operated by the Mediterranean Shipping Board (MSB), including ships of the War Ship Administration and Ministry of War Transport.

(2) Harbour and port dues, maritime dues and similar charge applicable to the ship and its personnel, will be levied forthwith, except on Allied ships of war as defined at (1) above.

(B) Control of Cargoes

2. Object of Directive

The object is to ensure the immediate resumption of Customs, Guardia di Finanza and Capitaneria di Porto control for the levying of duties, etc., and the prevention of smuggling and the theft of cargo.

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- (a) Ships owned by Allies or under their charter, (domestic, bare-bout, time or voyage charter) and
- (b) Ships controlled and/or operated by the Mediterranean Shipping Board (MSB), including ships of the War Ship Administration and Ministry of War Transport.

(2) Harbour and port dues, maritime dues and similar charge applicable to the ship and its personnel, will be levied fortuitously, except on Allied ships of war as defined at (1) above.

(B) Control of Cargoes

(1) The customs are responsible, inter alia, for the assessment and collection of import and export duties and licence fees and the collection of harbour, etc., dues (as assessed by the Capitaneria di Porto, a separate body). The Guardia di Finanza are responsible for the revenue control of vessels and their cargoes, and for the revenue protection of the sea-coast and land boundaries. It is essential that they should resume all their functions fortuitously.

(2) Cargoes on all ships, including coast-wise vessels, but excluding ships of war, will be subject to Customs control unless an Allied Naval or Military Officer certifies that the ship contains cargo which, for security reasons, must not be so subject.

(3) Customs Officers and Guardia di Finanza will be allowed to control such cargoes at the ship's side, whenever this can be permitted without prejudice to security. Otherwise they will be allowed to bring cargoes under their control at the earliest practicable stage thereafter, e.g. at lock exits or warehouses, and permitted the fullest freedom of action in the control of commercial traffic and smuggling, consistent with Military security.

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- 2 -

(C) Action by AC/AMT-Officers

- (1) To enable these controls to be carried out, Regional Finance Officers will consult the Naval and Military port authorities at every port with a view to obtaining their co-operation and authority for admission of Customs, etc., officials to port areas. It should be stressed that these officials are regarded as of high integrity and that, as they are expert in the detection and prevention of smuggling and pilfering their functioning in port areas would check the prevalent theft of Allied goods and property.
- (2) If these authorities refuse to permit the Customs and Guardia di Finanza to operate within any restricted area, arrangements should be made for the revenue control of the perimeter of the area for the purpose of detecting and preventing smuggling and theft by civilians.
- (3) Local AS/AMT officers will also arrange for the Customs to be advised on or before the arrival of a vessel, of its category and whether it is subject to Customs control.

4. Duties on Goods Imported

- (A) No duties, taxes, imports or fees will, in any event, be charged on goods destined for the use of the Allied Forces, (excluding the Italian Forces) or civilian Allied Nationals employed by them, including all Allied Forces' welfare organizations. Goods certified as imported under Allied auspices for distribution free of charge for civilian relief purposes and not for sale, will be similarly treated.
- (B) Further, the Italian Government have agreed to exempt temporarily from all Customs duties, charges and licence fees all goods for which a certificate is given by the responsible Allied Official that they have been imported by the Allied Nations for civilian use. This exemption does not include alcohol, tobacco, mechanical lighters and lighter pens, cigarette papers and tubes released direct into commerce or civilian use without passing through State Monopoly channels. When such goods are about to be released for such purposes, the Customs Officials must be given timely warning so that they may take immediate steps to secure the duties.
- (C) Imported goods not covered by the exemptions in paras 4 (A) and 4 (B) remain chargeable to all the Customs duties, charges, and licence fees prescribed by the existing Italian laws, which must be paid at the time and in the manner prescribed therein.

4.

Duties on Goods Imported

(A) No duties, taxes, imposts or fees will, in any event, be charged on goods destined for the use of the Allied Forces, (excluding the Italian Forces) or civilian Allied National organizations, (including the Italian Forces) or civilian Allied National organizations. Goods certified as imported under Allied auspices for distribution free of charge for civilian relief purposes and not for sale, will be similarly treated.

(B) Further, the Italian Government has agreed to exempt temporarily from all Customs duties, charges and licence fees all goods for which a certificate is given by the responsible Allied Official that they have been imported by the Allied Nations for civilian use. This exemption does not include alcohol, tobacco, mechanical lighters and lighter refills, cigarette papers and tubes released direct into commerce or civilian use without passing through State Monopoly channels. When such goods are about to be released for such purposes, the Customs Officials must be given timely warning so that they may take immediate steps to secure the duties.

(C) Imported goods not covered by the exemptions in paras 4 (A) and 4 (B) remain chargeable to all the Customs duties, charges, and licence fees prescribed by the existing Italian laws, which must be paid at the time and in the manner prescribed therein.

5.

Liaison with Customs Officers

(A) Close liaison will be maintained with the Senior Customs Official at each port. The Minister of Finance has agreed that the services of the Customs and Guardia di Finanza may be used, whenever required by AG/AM, on checking, tallying and guard duties. E & S D Officers will therefore avail themselves of the services of these trained personnel as a precaution against deckside pilfering and as a check on illicit traffic, which is prevalent.

(B) The import and export certificates referred to in paragraphs 4 and 6 hereto will be given to the customs by the AG/AM Officer in charge of the cargoes.

6.

Duties on Goods Exported

The Statutory export duties and licence fees will be charged on all goods exported except goods certified in writing by the Allied authority responsible for shipment as being shipped, under Allied auspices, to Allied Government Departments.

7. Special Treatment of Certain Imported Goods(A) Petroleum

AFHQ Petroleum Section have fixed duty-inclusive retail prices to be charged by the Comitato Italiano Petroli (CIP), the authorized distributors for commercial sales, who are required to remit the duty to the Customs.

(B) Matches

The Consorzio Industriale Pignifori (CIP) are the only authorized distributors of matches for civilian use. The prices have been fixed by this HQ. CIP are responsible for remitting the duty to the Customs.

(C) Coal

460-

It is anticipated that the State Railways will shortly resume their former monopoly of distribution, but only in respect of coal for commercial or civilian use. Should there be any dutiable importations the State Railways will be responsible to the Customs for the duty.

8. Reports

All Officers concerned will report to this HQ (Finance Sub-Commission) any matters of doubt or difficulty, any problems of general interest and all instances of serious neglect or inefficiency on the part of any Customs Official.

Monthly reports by the Finance Officers should incorporate a concise statement on the progress and the state of Customs work.

9. Commercial Air and Frontier Traffic

These instructions will be applied to commercial air and frontier traffic when they are resumed.

10. In Italian Government territory the aim will be to relieve AC of all work which can properly be undertaken by the Customs and Guardia di Finanza.

Brigadier,
Chief of Staff.

Distribution "A"

Plus 200 copies for Finance Sub-Commission.

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18
AFHQ, FSB, RADIO MONITORING REPORT No 143 - 22 November 1944 -

MISCELLANEOUS

Sales of Italian Art Treasures

New York: Auction sales of Italian art treasures are becoming more frequent. It is now learned that Filippo Lippi's Madonna and Child has been bought for 30,000 dollars. (Radio Leipzig in Italian 1845)

4649

Copy to:

209 02

17

AFHQ, PWB, R.M. REPORT - No. 140 - 18 November 1944

Jews Active in Naples

+ + + + +

Jews living in Naples, who numbered only a few hundreds before the war, are now more than four thousand. The number of pawnbrokers has greatly increased and Jews are doing profitable business by buying for low prices invaluable works of art.

(Fascist Radio 2300)

4648

Copy to:

20902

2 2 2 2

16

MINISTERO AFFARI ESTERI

B. October 20th, 1943

(MEMORANDUM for Mr. Gacciola)

The Fascist radio and press have repeatedly asserted that the Allied Governments are allowing American and English art dealers to disperse Sicily of its art treasures. According to the Fascist the same, aided and abetted by Allied Military Authorities, are in a position of securing works of art for many sums of money thus depriving the island of its proudest possessions.

Recently on October 19th Rome Radio has stated that American agents of Jewish art dealers have already shipped to the U.S.A. the famous portal of the Palazzo Senatorial and the treasure of the church of S. Rosalia that includes various heavy golden ornaments, precious canopied and a number of other jewels of great value.

It would be important if the BBC would take up the matter in order to allow unambiguous that repeated and specific assertions of the kind may have aroused in the rest of Italy and elsewhere.

/s/ B6402110

N. BAXXER

785016

abetted by Allied Military Authorities, are in a position of securing works of art for bulky sums of money thus depriving the island of its proudest possessions.

Recently on October 19th Rome Radio has stated that American agents of Jewish art dealers have already shipped to the U.S.A. the famous portal of the Palermo Cathedral and the treasure of the church of S. Rosalia that includes various heavy golden crowns, precious ornaments and a number of other jewels of great value.

It would be important if the BBC would take up the matter in order to allay suspicions that repeated and specific assertions of the kind may have aroused in the rest of Italy and elsewhere.

/s/ Radoglio

~~EX-10~~

20902

RISORGIMENTO LIBERALE**Venerdì 18 Agosto 1944****Le opere d'arte italiane
vendute dai tedeschi in Svizzera****Un passo diplomatico a Berna**

Viene confermata la notizia che i tedeschi vendono in Svizzera opere d'arte sottratte da musei o da gallerie private italiane. Non c'è bisogno di insistere per dimostrare la gravità della cosa e il colpo che potrebbe ricevere il patrimonio artistico italiano già depauperato da tante precedenti invasioni e depredazioni. Se alle opere d'arte che vanno distrutte o disperse per azioni di guerra (è dell'altro giorno la notizia della «Nascita di Venere» scoperta in un castello e possiamo aggiungere che le statue michelangioliche delle tombe medicee di Firenze sono state anch'esse ritrovate in una campagna), aggiungiamo, quelle che i tedeschi rubano e cercano di vendere sul mercato internazionale, la minaccia è così grave che bisogna tentare ogni passo e ogni misura per fronteggiarla.

Ci risulta che il Governo italiano ha incaricato il proprio ministro plenipotenziario a Berna di segnalare al Governo svizzero l'illegalità di ogni vendita compiuta da agenti tedeschi. Crediamo che da parte nostra, assodata la reale entità delle sottrazioni e delle vendite, occorra agire energicamente con una comunicazione ufficiale diffidando gli eventuali compratori delle opere d'arte asportate dal nemico. Un ammonimento simile è stato già rivolto tempo fa dagli alleati per quanto riguarda i territori occupati dai tedeschi.

Purtroppo non esiste alcuna convenzione internazionale che tuteli gli Stati di fronte alla vendita di opere d'arte rubate: un progetto, allo studio diversi anni fa per iniziativa di un organo della Società delle Nazioni, non fu mai convertito in un accordo internazionale. Perciò qualunque iniziativa giudiziaria per recuperare quadri, statue, ed oggetti artistici dovrà fondarsi unicamente sul diritto comune, sulla legislazione esistente nel Paese dove la vendita illegale è avvenuta.

4646

20902

25324/1224

AFHQ, DWD, ISIS, Unit. No 8 - APO 942

R. H. Report No. 218 - 14 June 1944

TRANSMISSION IN MESSAGE JUN 13The American Soldier in Quest of Souvenirs

ALGERIA: Objects of art are much in demand by United States soldiers on furlough in town, according to Randolph Churchill just returned from Tito's Headquarters.

The secretary of the former Governor of Gibraltar reported that the purchase of objects of art, which was forbidden to German soldiers, was now being indulged in extensively by Allied soldiers, everyone of whom wanted to take home some souvenir.

American soldiers are much disliked by their comrades from other countries, because of the high pay they enjoy, which enables them to purchase much more than their more modestly paid British and French comrades.

4645

Copies to:

Logor

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HEADQUARTERS
ALLIED CONTROL COMMISSION
PUBLIC RELATIONS BRANCH

PMB 26/43 10

1 June, 1944

ACC VENETIAN BUREAU NO 11
10 June to 7 June

2. Report from Rome

Rome monuments are untouched. Museums and galleries are closed and under guard but there are no reports of German looting, although there appears to have been some black market dealing in pictures from private collections by both Germans and local Fascists. Certain important modern archives were removed or destroyed by the Germans and Fascist and a considerable amount of material of historic import concerning the Fascist revolution was looted by the anti-Fascist elements.

5. Fine Arts

Italian Fine Arts officials in Rome report that the Germans purchased a certain number of state-notified paintings from private collectors while in Rome. This is contrary to Italian law but the protests of the Superintendent of Galleries were overruled by the Minister of Education and the late Count diams. They also report that certain Fascists sold state-notified art-objects in their possession to local dealers before fleeing from Rome, no doubt with a view to clandestine sale. These reports are being investigated by Fine Arts Officers in Rome. The Axis radio meanwhile continues to accuse Allied troops of similar practices. Transocean in English on June 33 purports to quote a statement by the secretary of the former Governor of Gibraltar that the purchase of objects of art (which was forbidden to German soldiers) was now being indulged in extensively by Allied troops.

Fine Arts also reports the discovery of four volumes of 18th century musical MSS in the Villa Farnese at Capranza. The Marchese Farnese being unaccountably absent the volumes were sent to the Conservatorio at Naples. The MSS include contemporary copies of the first act of an opera by Cimarosa and and of Pergolesi's Stabat Mater. The Marchese may claim his property by applying at the Conservatorio any time within a year.

/s/ Thomas G. Bergin

/s/ THOMAS G. BERGIN
Major AUS

Deputy Director of Public Relations

20902

The following items were identified:

1. Progress (and) of motion taken by Italian authorities to establish existing law on film and Export of Information. It. Museum reports that action by I.I.C. Committee submission prohibiting the export of films of art in Italian. The film authorities agreed to take prompt action.
2. Collection of information of subjects referred to Central European Security. Specific classified and exchange of information agreed. A good deal in library in. It. Museum agreed the film subject.
3. Photographic record. The Italian authorities are greatly concerned with the responsibility of asking any record of damage and restoration. The submission in in English agreement and has undertaken to complete case over the prohibition of obtaining film and paper. It. Museum will convey himself on his return.
4. Classification to dependencies with a view to completion of inventory of war-damage & loss to communities or collections. Primarily an Italian matter; but the sub-commission is interested.
5. Report by Director and Agency Director on information on cultural damage in areas recently under Italian rule.

J. B. WOOD RENTING
Major, R. A.
Agency Director.

Copies to:
V.P.; Admin. Sec't
File 8043



MINISTERO
DELLA EDUCAZIONE NAZIONALE

GABINETTO

Prot. N. 3688 Gab. 1-b1.

Risposta al foglio N.
del

Salerno, 20 Maggio 1944

OGGETTO: Riempere e conservazione
delle opere d'arte. =

4641

AL SIGNOR COLONNELLO SMITH
PRESSO LA COMMISSIONE ALLEATA DI CONTROLLO

S A L E R N O

~~~~~

Mi prego portare a conoscenza della S.V. Ill.ma che in data odierna ha interessate telegraficamente i Prefetti del Regno ad iniziare coi RR. Sopraintendenti, una sollecita azione di recupero delle opere d'arte e, comunque, d'interesse artistico, trafugate a danno dello Stato, di Enti e di privati, nonchè ad impedire il commercio clandestino e l'esportazione delle medesime. =

Per il più efficace espletamento di questo compito che tende a conservare allo Stato il suo prezioso patrimonio artistico, mi sarebbe vivamente gradito se la S.V. Ill.ma volesse compiacersi di disporre perchè i competenti organi Alleati affinché in quest'opera gli agenti italiani. =

Gradirei, inoltre, in modo particolare che la stessa opera di recupero e conservazione fosse svolta dall'Entità Alleata, d'intesa con le competenti Prefetture e Sopraintendenze e con l'ausilio della polizia italiana.



AL SIGNOR COLONNELLO SMITH  
PRESSO LA COMMISSIONE ALLEATA DI CONTROLLO

S A L E R N O

\*\*\*\*\*

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Per il più efficace espletamento di queste compito che ten- da a conservare allo Stato il suo prezioso patrimonio artistico, mi sarebbe vi- valente gradito se la S.V. Ill.ma volesse compiacersi di disporre perchè i com- potenti organi Alleati affinché in quest'opera gli agenti italiani. =

Gradirei, inoltre, in modo particolare che la stessa opera di recupero e conservazione fosse svolta dall'Autorità Alleata, d'intesa con le competenti Prefetture e Soprintendenze e con l'ausilio della polizia italiana, nei territori attualmente sotto la sua amministrazione. =

La prego, infine, di farmi conoscere le Sue determinazioni e se, nel caso che esse siano positive, le possa darne annuncio alla stampa. =

PI/ra

I L M I N I S T R O

*Quaranta*

20402



785016

10  
C 188, 16.3.44, reports from Milan:  
Some time ago the (Badoglio) Government sold a considerable number of  
unique art treasures from Sicilian Galleries to a group of Brazilian  
art dealers.

News Digest 1398 18 Mar 5.43

4610

20902



785016

HEADQUARTERS  
ALLIED CONTROL COMMISSION  
R.C. & M.G. Section  
APO 394

*Handwritten:* 1722  
I will take to see  
the plan  
of

Ref/340/46/CA.

15 April 1944.

SUBJECT: Export of Works of Art, Rare Objects, etc.

TO : V.P. Admin. Section.

4600

Reference your letter dated 15 March 1944.

1. This question has been fully discussed with the Army authorities who are not prepared to amend their regulations which they consider already cover the points raised by you.
2. Contents of dutiable parcels are controlled by Customs' officials in the U.K. and U.S., and the size and value of duty free parcels prohibit exploitation, except as gifts.
3. No cases are known of works of art having been exported as gifts from Sicily, or Italy, but if concrete evidence ~~of any such instance~~ can be produced, vide para.1 of your letter, further steps can be taken.
4. Para.3 (b) (ii) and (iii) apply to personal effects only.

*Handwritten signature:* M. S. LUSH  
M. S. LUSH,  
Brigadier,  
Executive Commissioner.



785016

HEADQUARTERS  
ARMED CONTROL COMMISSION  
APO 394

Subcommission for Monuments Fine Arts and Archives

PRC/vr

20902/AFMA

10 April 1944

Subject: Attached Draft of Proposed order re Report and  
Discovery of Valuable Objects.

To : Capt. Frederick L. Peyton Civil Affairs Branch, AGO.

Attached herewith is draft of proposed order re Report and Discovery  
of valuable Objects requested by you this Morning.

By order of the Director:

4638

PERRY B. COFF.  
Lieut., USAR  
Subcomm. for AFMA



DRAFT

1944

SUBJECT: Export or Discovery of Valuable Objects.

TO: All Commanders.

4637

Italy is a country rich in objects of such artistic, cultural, archaeological, historic, or scientific value that they may be regarded as national treasures even though in private possession. The Italian Government has protected the national interest in such objects by legislation regulating their export, sale, export, or discovery. Under stress of present conditions such objects are likely to be offered for sale either secretly and after due compliance by the owner with Italian regulations, or without such compliance, or as a consequence of theft or unreported discovery.

It is the responsibility of officers and men of the Allied Forces operating in Italy to respect the national interest in such objects, which constitute one of the country's prize possessions and assets. They should avoid any act that might lead



Italy is a country rich in objects of such artistic, cultural, archaeological, historic, or scientific value that they may be regarded as national treasures even though in private possession. The Italian Government has protected the national interest in such objects by legislation regulating their ownership, sale, export, or discovery. Under stress of present conditions such objects are likely to be offered for sale either honestly and after due compliance by the owner with Italian regulations, or without such compliance, or as a consequence of theft or unreported discovery.

It is the responsibility of officers and men of the Allied forces operating in Italy to respect the national interest in such objects, which constitute one of the country's prize possessions and assets. They should avoid any act that might lend aid to the propaganda already being disseminated by the Axis and that the Allied Governments are paying Italy off her artistic and cultural treasures. They should also guard against becoming parties, deliberately or unwittingly, to the illegal sale or export of such objects.

It is the duty of commanders to remind all troops under their charge that the purchase or export of such objects exposes the Allied Governments to adverse propaganda and renders the civilian seller or handler liable to penalties under Italian law, and to warn the troops that such export by members of the Allied forces is forbidden.



785016

2030-7  
REAR HEADQUARTERS  
ALLIED CONTROL COMMISSION  
APO 394

SUBJECT : Export of Works of Art, Rare Objects, Etc. 5 March 1944  
TO : Executive Commissioner, ACC. APO 394

1. The attached draft of a letter to the CG, A.C.M.F. is forwarded for your approval and dispatch.

175  
STANSGATE,  
Vice President,  
Administrative Section.

4636

1-Incl.  
Draft Ltr.



DRAFT

7A

TO : CG. ACMF

SUBJECT : Export of Works of Art, Rare Objects, etc.

1. It has come to the notice of this HQ that certain articles, which may be considered to be of National importance from a cultural point of view, have been exported from this country through service postal channels.

2. It is considered that this means of export constitutes a potential method of avoiding the Italian regulations in this matter, which prohibit the export of such articles without a license. It is furthermore considered to be undesirable that any large scale export of this nature should take place during hostilities.

3. The existing regulations provide for limitations as under :

- (a) Duty Free Parcels (i) American up to value \$ 50-  
(ii) British " " " £ 1-10-0  
(subject to 5 lbs weight restriction).
- (b) Dutiable Parcels (i) NO limitation as to value either American or British.  
(ii) Sizes British not more than 22 lbs weight.  
(iii) American not more than 100 inches in girth and 70 lbs in weight.

4. It will be seen from 3 above that there is ample scope for objects to be exported which have very high value. Furthermore, advantage might be taken of soldiers by unscrupulous civilians to pass such articles through Army Postal service.

5. It is therefore recommended that an order be issued restricting the value of parcels sent by members of all Allied Forces to £ 10 or its equivalent. The present order with regard to declaration of value and contents as apply to duty free parcels to be made effective to all types.

For the Commanding General :

DRAFT



785016

HEADQUARTERS  
ALLIED CONTROL COMMISSION  
APO 394

PKR/ngd

Subcommission for Monuments Fine Arts and Archives

In reply refer to:  
20920/MFAA

14 February 1944

SUBJECT: Export of Works of Art from Italy.

TO : Vice-President, Administrative Section, AOC

1. Submitted herewith are the following draft documents:

a. A letter covering the export of works of art from Italy by members of the Allied Forces.

b. An order regulating the export of works of art from Italy by members of the Allied Forces.

c. A form on which a member of the Allied Forces may request from an AOC Officer for Monuments, Fine Arts, and Archives a permit to export a work of art from Italy under the above order and on which such a permit may be given.

2. The letter and order (para. 1, a and b) have been drafted on the model of those issued by AAFM on 29 December 1943 to regulate the use of Monuments for military purposes. In view of the reorganization of command in this theatre, it might be better to have them issued by AOCM HQ. A decision on this point is requested.

3. The form (para. 1, c) is intended to be printed on both sides of a single legal size sheet of paper and distributed to AAFM/AOC Officers, probably GAO's, for further distribution as requested under the terms of the order.

4. A copy of these drafts was submitted to the Judge Advocate of PBS (US) and was returned with the following endorsement:

1st. Ind.

14 January 1944

HEADQUARTERS PENINSULAR BASE SECTION, OFFICE OF THE JUDGE ADVOCATE  
APO 782

TO: Subcommission Monuments, Fine Arts, and Archives, Allied  
Military Government, Post Office Building, Room 1.



(Para. 4 cont: enforcement of PDS cont.)

Attached draft apparently covers the requirements very well and I have no suggestions for improvement or change thereof.

/s/ Harold D. Le Mar

/s/ HAROLD D. LE MAR,  
Colonel, J.A.G.D.,  
Staff Judge Advocate.

5. Inquiry at 57 Area HQ. (Br) indicated that there are no British orders relative to the subject.

6. No enquiry has been made at French HQ.

7. Informal conversations have been had with respect to control and enforcement with the US and Br Base Commanders and with the US Chief Postal Officer (PDS). Since the subject was not presented formally through channels, these conversations cannot be quoted directly.

8. It is suggested that if an order of the above sort be issued, the various Base Commanders be instructed to stop any package containing an object which, in their opinion, falls within the provisions of the order and which does not contain the necessary permit, and to notify an AGO Officer for Examinations, Plans, Arts, and Archives of the Post for inspection and appropriate action. It is obvious, however, that the censorship staff cannot be expected to exercise a thorough control both because not all parcels are opened and because they are not competent to judge of the value and age of objects if this is not properly declared.

4633

9. It is suggested that if an order of the above sort be issued, the various Postal Officers and staffs be instructed to refuse to accept any parcel which is declared in such a manner as to fall within the provisions of the order and which does not bear on the outside a declaration that the required permit is enclosed. It is obvious, however, that the Postal Staff cannot go behind the declaration of contents and value made by the sender and that error or deceit cannot be controlled by them.

10. It is appreciated that if an order of the above sort be issued, the responsibility for its full enforcement cannot be laid upon the Censorship or Postal Officers at the export end, but will require the co-operation of Customs Officers at the import end. The import of certain articles specified under the proposed order may be legitimate under existing customs regulations, but may contravene the proposed order. It is suggested that

therefore



(para. 10 cont.)

cases in which members of the Allied Forces are found attempting to pass through the customs without the specified permit objects falling under the provisions of the order should be reported by the Customs to the military authority for appropriate action, and the parcels held pending decision as to their disposal.

11. It will thus be necessary to secure the co-operation of the Customs officials of the Allied Nations and this is a matter which will no doubt have to be taken up through official channels with the appropriate ministries. It is possible that action might be expedited if the Subcommission were authorized to communicate direct with the Adviser on Monuments and Fine Arts to the War Office, London, and the Advisory Commission on the Salvage and Preservation of Works of Art in Washington, indicating to them what steps have been taken and suggesting that they investigate with the customs and other appropriate civilian agencies the whole question of the control of the illegal export (import) of works of art.

4632

12. It must be remarked in conclusion that there is as yet no evidence that the members of the Allied Forces have attempted to export works of art improperly and it is felt that there is far greater risk of this occurring through smuggling by civilians. Nevertheless, it is felt that the issuance of an order of the above sort and the initiation of appropriate control measures would be a wise precaution to take against the possibility of some flagrant instance occurring and exposing the Allied Force HQ's to the charge of not having taken proper steps to prevent it.

RUBR

P.K. BAILEY REYNOLDS.  
Major R.A.  
Director.

3 Inclusions:  
as shown in para. 1.



785016

ALLIED FORCES HEADQUARTERS  
Office of The Commander-in-Chief

AG

1944

SUBJECT: Export or Discovery of Valuable Objects.

TO : All Commanders.

Italy is a country rich in objects of such artistic, cultural, archaeological, historic, or scientific value that they may be regarded as national treasures even though in private possession. The Italian Government has protected the national interest in such objects by legislation regulating their ownership, sale, export, or discovery. Under stress of present conditions such objects are likely to be offered for sale either legally and after due compliance by the owner with the Italian regulations, or without such compliance, or as consequence of theft or unreported discovery.

4631

It is the responsibility of officers and men of the Allied Forces operating in Italy to respect the national interest in such objects, which constitute one of the country's prime possessions and assets. They should avoid any act which might lend color to the propaganda already being disseminated by the Axis that the Allied Governments are raping Italy of her artistic and cultural treasures. They should also guard against becoming parties, deliberately or unwittingly, to the illegal sale or export of such objects. They should finally be assured that any such object offered for sale is genuinely as represented.



(Cont. All )

-2-

It is therefore provided that members of the Allied Forces desirous of exporting from Italy objects of the above character which are over 100 years of age and of a value of more than 15000 Lire (E 150,000, francs 7500) shall secure a permit from a competent officer of the Staff for Monuments, Fine Arts and Archives of the Allied Military Government. The request for such a permit may be submitted on a form obtainable from AGF officials or may be drafted to contain the information prescribed in the order. The AFMA Officer may consult competent Italian authorities before granting such a permit.

It is the duty of Commanders to remind all troops under their charge that the improper purchase or export of such objects exposes the Allied Governments to adverse propaganda and renders the civilian seller or handler liable to penalties under Italian law, and to warn the troops that such export by members of the Allied Forces is forbidden.

/s/

General  
Commander-in-Chief.

-2-



U.S. RESTRICTED  
(Equals British RESTRICTED)

ALLIED FORCES HEADQUARTERS  
APO 512

GENERAL ORDERS )  
NUMBER )

# REPORT OR DISCOVERY OF VALUABLE OBJECTS

1. No member of the Allied Forces in this Theatre of Operation shall, except under permit as hereinafter provided, export or cause to be exported from Italy any object more than one hundred years old and valued at more than fifteen thousand <sup>(15000)</sup> lire (US\$ 300, France 7500) if such object has artistic, cultural, archaeological, historic, or scientific importance. Among such objects would be included antiques of all sorts, paintings, sculptures, vases, textiles, jewelry, coins, furnishings, written or printed books, documents, and letters, and the like.

2. No member of the Allied Forces in Italy shall fail to notify the nearest Officer of the Allied Military Government of the discovery, whether by excavation or otherwise, of any object of the type described in par. 1 or of any archaeological remains. Any AMG Officer receiving such a report shall communicate it at once to the nearest officer of the AMG staff for Monuments, Fine Arts, and Archives. Every effort shall be made to protect any such find until it is taken in charge by competent AMG or Italian authorities.

3. Requests for permission to export or cause to be exported



(Cont. Gen. Ord. par. 3)

-2-

objects of the type described in par. 1 shall either be submitted in triplicate on a form to be secured from the nearest AG Officer or, failing such form, shall be drafted in triplicate to include the following information:

a- Name, Rank, Army Serial or Personnel Number, the person desiring the permit, with his postal address or location, and Organization or Unit of

b- A brief description of the object, specifying the price or value and the date at which it was made.

c- Purpose of export and destination of object, i.e. whether for personal possession, sale, museum, etc.

d- Source of object, specifying whether obtained by find, gift, or purchase and giving name and address of last owner, giver, or vendor as the case may be.

e- Certificate by last owner as to his right to dispose of the object under Italian law, as to the price or value of the object, and as to its genuineness as described under b above.

4. The requests in triplicate shall be transmitted directly or through the nearest Officer of the Allied Military Government to the nearest officer of the AG staff for Monuments, Fine Arts, and Archives. This officer will notify the petitioner as soon as possible whether or not his request is granted. If granted, the AG staff officer will return two copies of the request with permission to export noted thereon and will retain the third. The petitioner will retain one copy and will include the other with the object if shipped separately from himself. A package containing such an object must bear on its cover a declaration



785016

(Cont. Gen. Ord. par. 4)

-3-

that the export permit is included within.

5. The petitioner may be required at his own expense to submit the object in question to competent A.S. or Italian authorities for decision as to whether it may be exported.

/s/  
General ~~U.S. Army~~  
Commander in Chief

4628

-3-



To be printed on two sides of a single sheet.

ALLIED MILITARY GOVERNMENT  
HEADQUARTERS

AP 394

SUBCOMMISSION FOR MONUMENTS, FINE ARTS, AND ARCHIVES

REQUEST for a Permit to export from Italy an object more than one hundred years old and valued at more than fifteen thousand (15,000) Lire (L 150, S 30, Francs 7500), and possessing artistic, cultural, archaeological, historic, or scientific importance.

This request should be completed in triplicate, typed or clearly printed. All three copies should be signed by the petitioner and the previous owner in the places indicated. The three copies should be submitted either directly or through the nearest Officer of the Allied Military Government to the nearest Officer of the AMG Staff for Monuments, Fine Arts, and Archives.

REQUEST

I request permission to export from Italy the object described hereinafter. I certify that to the best of my knowledge and belief the following statements are true.

.....  
(signature of petitioner, on all copies)

1. Name of Petitioner .....  
last first middle

Rank and Nationality .....

Army Serial or Personal Number .....

Organization or Unit .....

Present Address .....

Date on which Request is submitted .....



2. Description of Object, including price or value and date at which it was made:

3. Purpose of Export and Destination of Object, e.g. personal possession, resale, museum, or the like:

4. Source of Object, including whether obtained by find, gift, or purchase and giving name and address of last owner, giver, or seller as the case may be:

4627



CERTIFICATE BY FORMER  
OWNER, GIVER, OR SELLER

I certify that the object described in par. 2 above has been transferred by me to:

.....  
(name of petitioner)

by gift  
by sale (delete one)

in full accordance with the Italian law covering the transfer of such objects;  
and that I have full legal right to dispose of the said object  
And that the said object may legally be exported from Italy.

I certify that the description of the said object given in par. 2 above and the price or value there set upon it and the date of manufacture are to the best of my knowledge and belief correct.

CERTIFICATE BY RELASCIANTE DAL  
PRESENTANTE PROPRIETARIO, DAL DONATORE,  
O DAL, VENDITORE

Io dichiaro che l'oggetto descritto al par. 2 di cui sopra e' stato consegnato da me a:

.....  
(nome del richiedente)

a titolo di dono (cancellare il  
vendita titolo che non  
si può applicare)

in piena conformità alle disposizioni delle leggi italiane concernenti il trasferimento di proprietà di tali oggetti;  
Che, a termine di legge, io acquisto tutti i diritti di disporre di detto oggetto;  
E che detto oggetto può essere sottratto all'Italia senza contravvenire alle disposizioni di legge.

Io dichiaro che la descrizione di detto oggetto fatta al par. 2 di cui sopra, il prezzo ed il valore ivi specificati nonché la data in cui fu lavorato sono corretti per quanto ne sappia io.

4626

.....  
(signature of the previous owner)  
etc. to appear on all copies.

.....  
(firma del precedente proprietario con.)  
(da apporsi su tutte le copie.)

PERMIT TO EXPORT

Permission is hereby granted on behalf of the Allied Military Government for the export of the object described in the above request, provided that it be accompanied by a copy of this request and permit.

PERMESSO D'ESPORTAZIONE

La presente dichiarazione vale quale permesso in parte del governo Militare Alleato di esportare l'oggetto descritto nella domanda di cui sopra, purché l'esportazione in parola sia accompagnata da una copia della presente domanda e del presente permesso

.....  
(signature of the authorizing AHS Officer for Monuments, Fine Arts, and Archives)

Name .....

Rank .....

Position .....

Date on which Permit was granted .....



785016

ALLIED MILITARY GOVERNMENT  
HEADQUARTERS  
SUBCOMMISSION FOR MONUMENTS, FINE ARTS AND ARCHIVES

17 January 1944

Memorandum to: Lt. Col. Cripps, Ex. Officer, Adm. Dir.

Subject : Attached Drafts.

1. The attached drafts are submitted informally for your criticisms, which may be noted directly on them. When various criticisms have been collected, a final version will be drafted for transmission etc.

Respectfully,  
Capt. AG

presumably 3A,  
3B, 3C,  
introduced  
by 3. 4625



ALLIED MILITARY GOVERNMENT  
HEADQUARTERS  
SUBCOMMISSION MONUMENTS, FINE ARTS AND ARCHIVES

14 January 1944

SUBJECT: Export of Works of Art.

*3A, B, C, covered by 3.*TO : Col. Le Mar  
Judge Advocate General's Dept.

1. Following our talk of a week or more ago I hand you, informally, a suggested draft regarding the export of works of art by troops. When shot full of holes this will come to you officially and through channels.

*Theodore Sizem*THORDORE SIZER  
Major ACActing Chief of Subcommission Monuments, Fine  
Arts and Archives  
Post Office Building, Room 1

4622

1st Ind.

14 January 1944.

HDL:mh

HEADQUARTERS PENINSULAR BASE SECTION, OFFICE OF THE JUDGE ADVOCATE, APO 782.

TO: Subcommission Monuments, Fine Arts and Archives, Allied Military Government,  
Post Office Building, Room 1.

Attached draft apparently covers the requirements very well and I have no suggestions for improvement or change thereof.

*Harold D. Le Mar*HAROLD D. LE MAR,  
Colonel, J.A.G.D.,  
Staff Judge Advocate.



Original For  
Final CorrectionALLIED MILITARY GOVERNMENT  
HEADQUARTERS  
SUBCOMMISSION FOR MONUMENTS FINE ARTS AND ARCHIVES

3

13 January 1943.

SUBJECT: Drafts of Memorandum etc. regarding Export of Discovery of Valuable Objects.

TO : Officers of the Subcommission and Others interested.

1. Submitted herewith are the following:

a) Draft of a covering Memorandum explaining the need for regulating the export of discovery of valuable objects. This Memorandum to be submitted through channels for issuance by the C in C in AFHQ in a manner similar to that of Gen. Eisenhower on Historical Monuments (Ag 000 4-1, 29 Dec. 1943).

b) Draft of an Order forbidding the export of valuable objects without permit, requiring notification of the discovery of valuable objects, and prescribing the procedure for securing an export permit. This Order to be submitted through channels for issuance by the C in C AFHQ in a manner similar to Gen. Order 68, Historical Monuments, dated 29 Dec. 1943.

c) Draft of a Form of Request for Permit with Form for Approval (i.e. Permit) attached. This Form to be distributed with the Memorandum and Order and to be available from AMG Officers.

2. Criticisms are requested of these documents particularly with a view to clarity, brevity, simplicity, and practicality. It is particularly desired that the machinery for securing the export permit be made as simple and expeditious as possible since purchasers will not, often, have time to await lengthy transmittal of documents.

3. Such an Order cannot prescribe enforcement by censorship, customs, or postal authorities. Separate arrangements must be made for such enforcement. Suggestions are requested as to the most effective way of securing control and enforcing penalties.

4. Apart from the order referred to above on protection of Monuments no regulations have been found in British or U.S. Hqs. in Naples on the subject of works of art or monuments.

5. It is requested that the attached drafts with criticisms and suggestions be returned to the Subcommission on Monuments, Fine Arts and Archives, Room 1 Post Office Building.

MASON HAMMOND  
Capt. AC



3A  
ALLIED FORCE HEADQUARTERS  
Office of The Commander-in-Chief

AG

1944

SUBJECT: Export or Discovery of Valuable Objects

TO : All Commanders.

Italy is a country rich in objects of such artistic, cultural, archeological, historic, or scientific value that they may be regarded as national treasures even though in private possession. The Italian Government has protected the national interest in such objects by legislation regulating their ownership, sale, export, or discovery. Under stress of present conditions such objects are likely to be offered for sale either honestly and after due compliance by the owner with the Italian regulations, or without such compliance, or as consequence of theft or unreported discovery.

4622

It is the responsibility of officers and men of the Allied Forces operating in Italy to respect the national interest in such objects, which constitute one of the country's prime possessions and assets. They should avoid any act which might lend color to the propaganda already being disseminated by the Axis that the Allied Governments are raping Italy of her artistic and cultural treasures. They should also guard against becoming parties, deliberately or unwittingly, to the illegal sale or export of such objects. They should finally be assured that any such object offered for sale is genuinely as represented.



-2-

(Cont. A2 )

It is therefore provided that members of the Allied Forces desirous <sup>(from Italy) objects of the above character which are</sup> of exporting ~~such objects~~ <sup>if</sup> over 100 years of age and of a value of more than 15000 ~~Lires~~ (S150. £30, francs 7500) ~~from Italy~~ shall secure a permit from a competent officer of the Staff for Monuments, Fine Arts and Archives of the Allied Military Government. The request for such a permit may be submitted on a form obtainable from AMG officials or may be drafted <sup>to contain</sup> with the information prescribed in the order. The MFA&A Officer may consult competent Italian authorities before granting such a permit.

It is the duty of Commanders to remind all troops under their charge that the improper purchase or export of such objects <sup>exposes</sup> ~~subjects~~ the Allied Governments to adverse propaganda and <sup>renders</sup> ~~exposes~~ the civilian seller or handler <sup>liable</sup> to penalties under Italian law, and to warn <sup>the troops</sup> ~~them~~ that such export by members of the Allied Forces is forbidden.

4621

/s/

General  
Commander-in Chief.

-2-



U.S. RESTRICTED  
(Equals British RESTRICTED)

ALLIED FORCE HEADQUARTERS  
APO 512

GENERAL ORDERS )

NUMBER )

EXPORT OR DISCOVERY OF VALUABLE OBJECTS

1. No member of the Allied Forces in this Theatre of Operation ~~may~~ <sup>shall</sup>, except under permit as hereinafter provided, export or cause to be exported from Italy any object more than one hundred years old and valued at more than fifteen thousand lire (150, £30, Francs 7500) if such object has artistic, cultural, archaeological, historic, or scientific value. Among such objects would be included antiques of all sorts, paintings, sculptures, vases, textiles, jewelry, coins, furnishings, written or printed books, documents, and letters, and the like. 4658

2. No member of the Allied Forces in Italy shall fail to notify the nearest Officer <sup>Staff</sup> of the Allied Military Government, ~~for transmission to the nearest officer of the Monuments, Fine Arts, and Archives staff,~~ of the discovery, whether by excavation or otherwise, of any object of the type described in par. 1 or of any archaeological remains. Every effort shall be made to protect any such find <sup>until it is taken in charge by</sup> and to turn it over to the competent AMG or Italian authorities.

3. Requests for permission to export or cause to be exported objects of the type described in par. 1 shall <sup>either</sup> be submitted in triplicate ~~on a form to be secured from the nearest AMG Officer or, failing such form, include the following information:~~ <sup>shall be drafted in triplicate to</sup>

Any AMG officer receiving such a report shall communicate it at once to the nearest officer of the AMG Staff for Monuments, Fine Arts, and Archives.



(Cont. Gen. Ord. **Ar. 3**)

-2-

a) Name, rank, <sup>Army Staff or unit</sup> ~~and~~ organization of the person desiring the permit, with his postal address or location.

b) A brief description of the object, specifying the price or value and the date at which it was made.

c) Purpose of export and destination of object, i.e. whether for personal possession, sale, museum, etc.

d) Source of object, specifying whether obtained by find, gift, or purchase and giving name and address of last owner, giver, or vendor as the case may be.

e) Certificate by last owner as to his right to dispose of the object under Italian law, as to the price or value of the object, and as to its genuineness as described under b above.

4619

4. The requests in triplicate shall be transmitted directly or through the nearest Officer of the Allied Military Government to the nearest officer of the <sup>AMG Staff for</sup> Monuments, Fine Arts, and Archives ~~staff~~. This officer will notify the petitioner as soon as possible whether or not his request is granted. If granted, the MFAA officer will return two copies of the request with permission to export noted thereon and will retain the third. The petitioner will retain one copy and will include the other with the object if shipped separately from himself. A package containing such an object must bear on its cover a declaration that the export permit is included within.

5. The petitioner may be required at his own expense to submit the object in question to competent AMG or Italian authorities for decision as to whether it may be exported.

/s/

General U.S. Army



34

ALLIED MILITARY GOVERNMENT  
HEADQUARTERS  
SUBCOMMISSION FOR MONUMENTS FINE ARTS AND ARCHIVES

Request for a Permit to export an object more than one hundred years of age and valued at more than 15000 lire (B 150, £30, francs 7500)

and possessing artistic, cultural, archaeological, historic, or scientific value.

*should be submitted in triplicate, typed or copy by printed. All copies should be submitted to the Commission.*

This request will be transmitted either directly or through the nearest Officer of the Allied Military Government to the nearest officer of the Staff for Monuments, Fine Arts, and Archives, ~~of the~~ <sup>AMG</sup>.

REQUEST

I request permission to export from Italy the object described

hereinafter. In the best of my knowledge and belief the following statements are true.

(signature of petitioner) . . . . .  
(out all copies)

1. Name of Petitioner . . . . . last first middle  
Army Serial or Personal Number . . . . .  
Organization or Unit . . . . .  
Present Address . . . . .

2. Description of Object, including price or value and date at which it was made:



I request permission to export from the United States the following ~~specimens~~ **specimens** hereinafter. To the best of my knowledge and belief the following ~~specimens~~ **specimens** are true.

(signature of petitioner) . . . . .  
(on all units)  
1. Name of Petitioner . . . . . last first middle  
Army Serial or Personal Number . . . . .  
Organization or Unit . . . . .  
Present Address . . . . .

2. Description of Object, including price or value and date at which it was made:

3. Purpose of Export and Destination of Object, e.g. personal possession, resale, museum, or the like:

(over)



-2-

4. Source of Object, including whether obtained by find, gift, or purchase and giving name and address of last owner, giver, or seller as the case may be.

CERTIFICATE BY FORMER OWNER, GIVER, OR SELLER.

I certify that the object described in par. 2 above has been transferred

by me to: . . . . . (name of petitioner)

(Gift  
by sale ~~by sale~~ in full accordance with the Italian  
(delete one)

law covering the transfer of such objects and that I have full legal right to dispose of the said object and that the said object may legally be exported from Italy. I certify that the description of ~~the~~ object given in par. 2 above and the price or value there set upon it and the date of manufacture to the best of my knowledge and belief correct.

. . . . . (signature of previous owner etc. on all copies)

(NB in the final form an Italian translation should be included herewith)

Note: If a certificate is attached separately, so indicate.



785016

I certify that the object described in par. 2 above has been transferred  
by me to: .....  
(name of petitioner)

(Gift  
by sale ..... in full accordance with the Italian  
(delete one)

law covering the transfer of such objects and that I have full legal right  
to dispose of the said object and that the said object may legally be  
exported from Italy. I certify that the description of the object given  
in par. 2 above and the price or value there set upon it and the date of  
manufacture to the best of my knowledge and belief correct.

.....  
(signature of previous owner etc. on all copies)\*

(NB in the final form an Italian translation should be included herewith)

Note: If a certificate is attached separately, so indicate.

#### PERMIT TO EXPORT

Permission is hereby granted on behalf of the Allied Military Government  
for the export of the object described in the above request, provided that  
it be accompanied by a copy of this request and permit.

/s/

Name  
Rank  
Position.



CERTIFICATO DA RILASCIARSI DAL PRECEDENTE PROPRIETARIO,  
DONATORE O DAL VENDITORE

Io dichiaro che l'oggetto descritto al paragrafo 2 di cui sopra e'  
stato consegnato da me a.....  
(nome del richiedente)

a titolo di  <sup>dono</sup> (cancellare il titolo che non si puo' applicare)  
vendita

in piena conformita' alle disposizioni della legge italiana concernenti il tra-  
sferimento di proprieta' di tali oggetti; e

che, a termine di legge, io acquisto tutti i diritti di disporre di detto ogget-  
to;

e che detto oggetto puo' essere sottratto all'Italia senza contravvenire alle disposi-  
zioni di legge.

Io dichiaro che la descrizione dell'oggetto fatta al paragrafo 2 di cui sopra,  
il prezzo od il valore ivi specificati nonche' la data in cui fu lavorato sono  
corretti per quanto ne sappia io

.....  
(firma del precedente proprietario, ecc.) (da apporsi su  
tutte le copie)

4617

PERMESSO D'ESPORTAZIONE

La presente dichiarazione vale quale permesso da parte del Governo Militare  
Alleato di esportare l'oggetto descritto nella domanda di cui sopra, purché l'e-  
sportazione in parola sia accompagnata da una copia della presente domanda  
e del presente permesso.

Nome  
Grado  
Posizione



There are no British Orders relevant  
to this subject 2  
 To: Dir. N.F.A.  
 From: Admin. Dir.  
 Subject: Export of Articles of Value.  
 Date: 2 JAN 44.

see 1

- ① I agree with your substance & view on this matter.
- ② Before taking up this matter with NCHD, it is necessary to discover what orders, if any, have been issued on this subject. To effect this it will be necessary to get for 4618
  - (a) P.B.S. any American orders — see 4
  - (b) 57 Distinct British orders. See note at top of this page
 This is necessary as the files in this H.Q. are incomplete on the subject.
- ③ As I only have one Staff officer available, will you please get to work on the detail.

R. R. Clapp  
 for Admin. Dir.



HEADQUARTERS  
ALLIED MILITARY GOVERNMENT  
MONUMENTS FINE ARTS & ARCHIVES SUBCOMMISSION.

MEMORANDUM.

MFA&A/PKBR

SUBJECT: Purchase of works of art etc. by Allied Nationals in Italy.

TO: Administrative Director.

DATE: 4 December 1943.

1; In view of the stories which the Axis Radio stations have recently been disseminating as to the removal of works of art etc. from Italy by the Allies, it is of importance that the acquisition of such things by Allied Nationals should be strictly controlled.

2; Attached is a draft for an order which it is suggested should be issued by the Commander in Chief to control any such traffic.

3; May this draft have consideration.

VI/5

*P.K. Baillie Reynolds*

4615

P.K. Baillie Reynolds.  
Major. R.A.  
A/Director MFA&A Subcomn.

Monuments, Fine Arts and Archives Subcommittee.

1A

DRAFT FOR PROPOSED ORDER BY COMMANDING GENERAL, AFHQ.

1. Published herewith are regulations bearing upon the export from Italy, by Allied Forces personnel, of works of art and other objects of cultural value. The purpose of these regulations is twofold:

- a. To induce in Allied Forces personnel a just measure of caution against misrepresentation and unlicensed sale by civilians in contravention of Italian law.
- b. To reduce the possibility that Allied Forces personnel, [who are not subject to Italian law,] might [unwittingly] lay their respective countries open to charges of robbing Italy of her national treasures. 4614

2. Except as provided herein, no member of Allied Forces in this Theater of Operations will export or cause to be exported from Italy any object, valued at \$100 or ± 25 or more, having artistic, historic, archaeological, or ethnographic interest, including:

- a. Objects of interest to palaeontology, prehistory, or primitive cultures;
- b. Objects of numismatic interest; (Comm.)
- c. Paintings, sculptures, textiles, jewels, ceramics, enamels, manuscripts, autographs, letters, notable documents, incunabula, as well as rare [or otherwise prized] <sup>books,</sup> prints, and engravings.



Furthermore

It is assumed  
that since such  
objects have  
been looted.

3. [In accordance with existing prohibitions against looting,] it is expressly forbidden to possess or to export from Italy any object found <sup>or deposited to have been found</sup> in excavations or in debris [resulting from war damage], including objects in the categories named in para 2 hereof.

4. Every purchaser of an object (of the categories stated in para 2 hereof) will obtain:

a. From the vendor of such object, in duplicate:

(1) Certificate of the authenticity of the object's authorship, provenance, and date of execution. 4613

(2) Certificate of the vendor's legal right, under Italian law, to make the sale or transfer for export purposes.

b. From Headquarters, Allied Military Government

(Allied Control Commission) an Export Permit

in accordance with the procedure set forth below.

(In cases of doubt intending purchasers should consult the nearest A.M.G./A.C.C. Advisor for Monuments, Fine Arts and Archives.)

5. To obtain the Export Permit, there will be delivered to Regional Headquarters, AMG-ACC, [for transmittal with recommendations to HQ AMG-ACC:] <sup>up only in doubtful cases and history, so far as obtainable,</sup>

a. A full and accurate description of the object, in duplicate;

b. The <sup>bill of sale</sup> (bill of sale,) in duplicate;

c. The Certificates of authenticity and legality, in duplicate;

d. Statement by the applicant as to the purpose of the desired export and the ultimate destination of the object.

6. Regional HQ AMG-ACC may require that the object *accompany the* *applicant* [itself be delivered, and later picked up, by the applicant] at his own expense and risk.

7. If, in consultation with the Italian authorities, 4612 the requested export is approved [by HQ] AMG-ACC, an Export Permit will be issued by that headquarters, in duplicate, and will be returned to the applicant, together with the original of each of the supporting papers. One copy of each of the supporting papers will be retained by HQ AMG-ACC for its records.

8. The original of the Export Permit will accompany the object when the object is taken or sent out of Italy. The duplicate copy of the Export Permit will be retained by the applicant [for his records].

9. In accordance with current regulations, the dispatch of articles by any means other than Army or Navy Post Office is prohibited. Likewise, it is required that on each package be listed the contents thereof and the value of each article.

*9. Subscript clearly marked on each of parcel stating "Export Permit attached"*  
10. The American and British Censors will turn over to HQ AMG-ACC any package containing an object (or the categories



named in ~~in~~ para 2), valued at \$100 or L 25 or more, that is mailed without the aforementioned Export Permit.

NOTE

11. British and American Customs Officers, in cooperation with the military authorities, will refuse entry to objects exported from Italy in contravention of this order, and will report the offender to the military authorities for appropriate disciplinary action.

Warning 26

4611

define object - subunits  
small articles

Gen Richmond  
Col ~~Godman~~ (B) (A)  
week  
AG AF

Col W P Col Candron  
Le Mar (B)



