

According to Hauss' letters, he was deprived of water for 2 months, rarely allowed to leave his cell, subjected to extreme cold, taken ill with chicken pox, and menaced by Fascist guards.

When he was liberated 2 years later by Americans, Hauss was 52 years old, suffering from complete loss of his teeth, rheumatic arthritis, nervous exhaustion, and other ailments.

The Foreign Claims Settlement Commission in Washington, however, denied Hauss' petition for reimbursement for his loss of health. Explained an official in the legal office:

"The Italian Government already capitulated on September 3, 1943, but Hauss was not arrested until November. The Germans, not the Italians, were in charge. It's just one of those things."

The fact that Hauss was captured by Italians, imprisoned by them, and charged in an Italian court for helping American and English soldiers escape makes no difference, ruled the claims officer.

"The Germans were in top control," he said.

The case is complicated because Italians in the north, where Hauss was, continued to fight the Allies after the Italians in the southern part of the country surrendered.

Yet the Claims Office, in case after case it approved, used the phrase "as a result of the war in which Italy was engaged from June 10, 1940, to September 15, 1947." So the treaty date, not the capitulation, would seem to be pertinent, especially in view of the continued Italian fighting in which Hauss was caught.

A similar case, uncovered by the Daily News, reveals that the "German responsibility," has not always prevailed:

The two children of Sylvio C. Leoni (now deceased) were awarded \$2,500 each because of the inhuman treatment to their father. The decision notes:

"The loss and neglect occurred in a series of events beginning in December 1943 as a consequence of military operations in which Italy participated."

[From the Dayton Daily News, Mar. 15, 1964]

COMMISSION BAFLED ON POW INEQUITIES—BUREAU AGREES WITH DAILY NEWS BUT DOESN'T KNOW WHAT TO DO ABOUT IT

WASHINGTON, March 14.—The Foreign Claims Settlement Commission said it agrees with a recent Daily News story about an apparent inequity, but does not know what to do about it.

Carl L. Hauss, severely injured in Italian prison camps during World War II, was denied any money from the \$5 million fund set up to repay American citizens for their losses.

At the time of this denial, the Claims Commission said it was because the injuries to Hauss (whose mother lives in Cincinnati) occurred 2 months after the Italians capitulated to the Americans.

But the Daily News draws a parallel case where another man was injured by Fascists in northern Italy after southern Italy had capitulated.

Ben Greer, staff attorney for the General Counsel of the Claims Commission, said detailed files would probably show some reason for the different treatment.

After examining those files, however, Greer said:

"The facts appear substantially similar. There must have been some good reason. Sylvia Leon (the other man) was arrested before the capitulation, but his injuries also took place after the armistice, according to the records. I really can't say why both cases were not treated alike."

Greer further explained that, because of the statute of limitations, it is too late to do anything for Hauss, now 70 and still suffering disabilities.

Senator Stephen M. Young said he is interested in the Hauss case, especially since he was a military governor in Italy after the American invasion.

The Ohio Democrat said he would discuss the Hauss case with Senator J. W. Fulbright, Democrat, of Arkansas. Fulbright, as chairman of the Foreign Relations Committee, is studying further legislation in connection with unmet war claims.

Hauss, who has lived in Italy since the First World War, fled to the hills to join the underground. He was captured by Italians and charged in an Italian court for aiding allied soldiers.