

Declassified E.O. 12356 Section 3.3/NND No. 785015

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LEGAL, FILE NO. 319  
NOV. 1943

6pp.

TRANSLATION.

REPORT ON PROPOSED APPOINTMENTS OF JUDICIAL OFFICIALS.

To: Legal Division - AMGOT. Palermo.

The undersigned are anxious to express their deep gratitude for the confidence placed in them by the Legal Division in requesting them to select the deserving members of the Judicial personnel in Sicily for appointment to existing vacancies.

This first report deals only with higher officials of grade 3 and 4. Our aim has been to choose in order of seniority in regard to the post to be filled, officials whose culture, judicial science, morality and energy made them fit to occupy such high functions, where they must be welcomed by the people with whom they are in constant relation.

The result of our selection is as follows :-

Court of Appeal of Palermo.

Dr. G.B. Gentile, Counsellor of Cassation is proposed as First President and Dr. G. Cappellani, Counsellor of Cassation as "Procuratore Generale".

These two judges are among the most distinguished in Sicily by their judicial culture, civil and penal, their intellect and energy, their seniority is a further motive for their selection. In choosing Dr. Cappellani, we have borne in mind the present difficulties existing in the district of Palermo, where delinquency is greatly on the increase and where a Prosecutor of great will power and energy is required.

The four undermentioned judges should be promoted to the vacancies existing among the Counsellors of Cassation.

Dott. F. Uzze. G. Giaccione, A. Leone and G. Caffarelli.

If Leone, for reasons of family could not accept this promotion, we propose Dott. L. Dessata in his stead. Uzze and Giaccione, both distinguished penalists could as Counsellors take over the Presidency of the Second Court of Assizes of Palermo and that of Trapani, respectively. Dott. Le Cecla, president of the First Chamber of Assizes in Palermo and selected to a higher post, could be replaced by Dott. N. Costa.

Court of Appeal of Catania.

We propose for the post of Procuratore Generale, now vacant, the Counsellor of Cassation, Dott. E. Le Cecla.

Dott. La Cecla is well qualified for this post for his great judicial culture, intellect and energy. However, one of the members of this Committee wishes to state having learned, that previous to the occupation, Dott. La Cecla had, in private conversation, given his adhesion to the fascist

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Dott. La Cecla is well qualified for this post for his great judicial culture, intellect and energy. However, one of the members of this Committee wishes to state having learned, that previous to the occupation, Dott. La Cecla had, in private conversation, given his adhesion to the fascist regime in non equivocal terms. We leave it to your H.Q. to decide whether this report should be an obstacle to his promotion. However, we have not proposed him, in view of this, for a higher post at the Court of Palermo, where his appointment might have been unwelcomed by the public.

As Counsellor of Cassation and President of the First Session of the Court, we propose Dott. A. Romeo, Judge of culture energy and adequate seniority.

A further report for the appointments to the existing minor vacancies will follow in a few days.

(Signed) G. LESSINA, Senior First President of Court of Appeal.

F. ORLANDO: President of the new Bar Association.

G. BAVIERA: Rector of the University.

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HEADQUARTERS  
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SECRET  
EQUALS BRITISH MOST SECRET

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Responsibility yours for printing distributing and posting proclamations on transfer.

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Col. Upjohn has seen. (in my office)  
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Confirmation - O.S. 951 ~~4546~~  
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SECRET PRIORITY

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FROM: HISENHOWER

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TO : FARGO

Colonel POLLOCK delay by weather. WED Wednesday morning  
24th November.

(TO FARGO SIGNED HISENHOWER GITE FARGO)

DIST:

AGC (ACTION)

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Info copy to Legal



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HEADQUARTERS  
ALLIED MILITARY GOVERNMENT  
A.P.O. 512.  
LEGAL SUB-COMMISSION

AMG/4102/L

Subject: Restoration of Territory

20th November 1943

To : ..... Sub-Commission.

1. Upon restoration of territory to the jurisdiction of the Italian Government the provisions of Proclamations and General Orders of A.M.G. will cease to have effect in such territory in the absence of their repromulgation in the form of law enacted by the Italian Government.

2. Each sub-commission will therefore please consider how far it will be necessary, within its own field, to compel the Italian Government to enact by decree an immediate continuance of the provisions of the A.M.G. Proclamations and General Orders. (e.g. obviously the rate of exchange must be continued by the Italian Government. It is a matter for respective sub-commissions to consider how far price and wage fixing and rationing general orders are to be continued and many other examples could be given.)

3. Please return the attached Questionnaire with your answers to Legal Sub-Commission, Room, 32, 8 Via Bari by 0000 hrs, Tuesday, 23rd November 1943.

GERALD UPJOHN

Colonel,  
Deputy Chief Legal Officer.

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SECRET PRIORITY

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FROM: WASHINGTON

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TO : FARGO

Question of war criminals is being removed by directive this Headquarters, which will follow soonest, from responsibility of AGC and AMG, consequently AGC will not handle such matters.

You are however being permitted to continue OPTICA in query, directions for which will reach you separately.

Directive is being prepared and will follow soonest further information required regarding your request for prosecuting officers, at your 2040 dated 18 November look.

(TO FARGO RPTG FILPOT, FATINA, FABLE SIGNED WASHINGTON CITE DNDMS)

DIST:

AGC (ACTION)

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INTELL

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