

Declassified E.O. 12356 Section 3.3/NND No. 785016

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10000/105/801

Declassified E.O. 12356 Section 3.3/NND No. 785016

10000/105/801

DEFASCISM, IMPLEMENTING G.O. 35,
PIEMONTE REGION
JULY 1945 - JAN. 1946

Declassified E.O. 12356 Section 3.3/NND No. 785016

HEADQUARTERS ALLIED COMMISSION
SEC 39
CIVIL AFFAIRS SECTION

Ref : DF/X 32/5/CA

28 Jan 46

SUBJECT : Monthly Report of Evacuation Commissions
under G.O. 35.

TO : CLO Piemonte Region.

1. Reference this Section letter DF/6A/CA of 5 July 45, to CLO Piemonte Region.
2. Will you please submit as soon as possible, on the attached form, the consolidated report on the work of Evacuation Commissions under G.O. 35 to 31 Dec 45.

BY ORDER OF THE CHIEF COMMISSIONER.

M. CARR, Brigadier,
VP CA Section.

1 encl.

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2403

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B

Examination Return (CO 35) Region of VERMONT Month of OCT 45
DZ/3.32/5/CA

- 7 REPTANCES -

Number of Examination Candidates appointed and functioning 9

Schedule Personnel

	Category		
	Immediate	Reactive	Deferred
Investigation completed and no further action proposed	771	-	5096
Investigation proposed	359	-	2201
Investigation results not available	239	-	2486
Total cases reviewed	1369	-	9783

~~Examination~~

Objections

Hearing conducted and Suspensions not ordered	120	-	560
Suspension ordered	110	-	342
Hearing not yet completed	75	-	1126
Total objections received	305	-	2028

Suspensions

No objection having been lodged	54	-	173
By order of Commission	110	-	342
Total suspensions	164	-	515

373

Copy to : DZ/60/CA

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HEADQUARTERS
PIEMONTE REGION
ALLIED MILITARY GOVERNMENT
APO 394

23 NOV 1945

17 November 1945

PR/LE/206.

SUBJECT : Consolidated Epuration Return.

TO : H.Q. A.C. Civil Affairs Section - Rome.

Herewith consolidated Epuration Return up to 31 Oct.
1945.

D.D. Mc Colm
D.D. Mc Colm,
Major, R.A.,
Regional Legal Officer.

DDM/CB

Enc. a/m papers.

3972



Declassified E.O. 12356 Section 3.3/NND No. 785016

EPURATION RETURN

PIEMONTE REGION

MONTH OF OCTOBER 45

NUMBER OF COMMISSIONS : 9

CATEGORY
IMMEDIATE ROUTINE

1° SCHEDE PERSONALI

(a) Investigation completed and no further action proposed	771	5096
A (b) Suspension proposed	319 357 ✓	2126 ✓
(c) Investigation non completed	239	2486
(d) Total schede received	1329	9768
		9793

2° OBJECTIONS

(a) Hearing completed and suspension not ordered	120	560
B (b) Suspension ordered	110 ✓	342 ✓
(c) Hearing not yet completed	75	1126
C (d) Total objections received	305 ✓	2028 ✓

3° SUSPENSIONS

D (a) Suspensions no objections having been lodged	54 ✓	173
E (b) By order of Commission (repetition of 2-b)	110 ✓	342 ✓
(c) Total suspensions	164	515



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HEADQUARTERS ALLIED COMMISSION
APO 384
CIVIL AFFAIRS SECTION

8 A

DP/3.52/CA

11 Sep 45

SUBJECT : Operations Returns
TO : HQ Florence Region

Reference your signal DP/LE/249 dated 10 Sep 45.

It is regretted that the returns, now attached, was not forwarded with this Office letter reference DP/3.52/CA dated 3 Sep 45.

BY ORDER OF THE CHIEF COMMISSIONER:

H. GARE, Brig,
VP CA Section.

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HEADQUARTERS
PIEMONTE REGION
ALLIED MILITARY GOVERNMENT
APO 394

10 September 1945

10 Sept 1945

PM/15/45

SUBJECT: Expiration Returns.

TO : Civil Affairs Section, E.A. A.C.

1. Ref. your PM/3.32/3/CA of 3 September 45 a signal has been despatched today notifying you that the marked form referred to in para. 2 (c) has not been received.

2. Was any instruction on completion of the form issued at the time? This office was not dealing with it when the form was issued, and in sending Provincial Returns followed the PM/3.A/CA of 2nd and not of 5th July 45. The error is regretted.

3. It was not appreciated in this office and apparently not in the Provins that the monthly report requested was not on the work of the month but on the work from the start of the Commissions to the end of the month reported on.

For the Regional Commissioner.

DDM Colin Major

D.D. Mc Goin
Major, E.A.
Act'g Reg. Legal Officer.

PM/15/45. We have our own solution for lines A 3963
but wish to be sure it agrees with the official
answer

(8681)

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INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Originator's Reference PR/LR/219

Message Centre No. F/7190

Date/Time of Origin: SEPT 10

Date/Time Rec'd: SEPT 110915

11 SEPT 1945

Precedence: RG TIME

FROM: REGIONAL LEGAL OFFICE HQ PIEMONTE REGION AME

TO: HQARS AC FOR CIVIL AFFAIRS

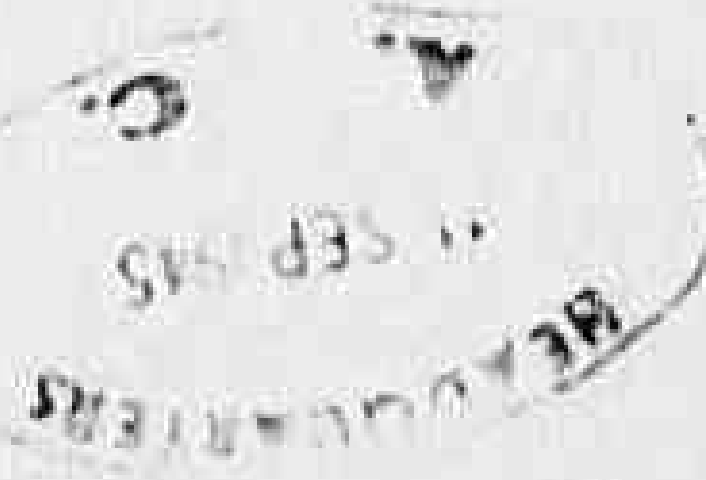
ACTION

UNCLASSIFIED.

Ref your DE/3.3/5/CA of 3 September par 2 (C) marked returned not received.

DIST

ACTION C & SEC
INFO CHIEF COMMISSIONER
FILE 2
FLOAT



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HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

DP/3.32/5/CA

3 Sep 45

SUBJECT : Expiration Returns.

TO : HQ Piemonte Region.

The Expiration returns enclosed with your DP/LN/400 of 30 Aug are returned.

- 1 It was not intended that separate returns should be submitted for each Province, far less from each Commission.
It is the Regional Commissioners function to criticise the work of his Provinces; all that this HQ requires is one aggregate return showing the progress of the Region as a whole.
- 2 The following comments on the returns are made:-
 - a) the number of tribunals functioning is not shown;
 - b) the Commissions appear to be ignoring the implications of the categories immediate routine and deferred. In many cases routine and even deferred shade have been investigated before all the "immediate" have been examined. The same with hearings. Some Commissions do not even show any difference in categories which suggests that are making no attempt to keep this distinction. Will you please ensure that the priorities are strictly observed;
 - c) the number of suspensions proposed should equal the sum of the total number of objections plus "no objections lodged". One return has been lettered for your convenience line A should equal C + D. In no return does it do. In some C + D exceed A which is impossible;
 - d) For convenience in obtaining the total suspensions line E has been repeated as line B but in none of the forms do these agree.
 - e) In some provinces not a single case has been heard, the whole of the time and effort is of no account unless these cases are heard.
 - f) It is noted that Novara paper is headed GEN. Nominations may have been accepted from the GEN but HQ 35 does not authorize a GEN Commission to act the only authority is for an AM Commission.

- 3 Will you please consider the various forms and take such action as may be appropriate thereon ~~and in due course compile and submit a Regional return.~~

(4... as DP/3.32/CA of 3 Sep with regard to future return)

BY COMMAND OF THE CHIEF COMMISSIONER :

M. CARR, Brig,
VF CA Section.

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HEADQUARTERS
PIEMONTE REGION
ALLIED MILITARY GOVERNMENT
APO 394

1 SEP 1945

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Office of the Regional Legal Officer

30 August 1945

PR/LE/400

31 AGO 1945

SUBJECT: Expiration Returns.

TO : Civil Affairs Section H.Q.A.C.

1. Ref. your DF/GB/CA of 24 August delay is regretted but for a number of reasons the last Provincial Return was received here only today.

2. Returns of all Provinces of Piemonte herewith.

For the Regional Commissioner.

DDM John Major

D.D. Mc Colm, Major R.A.
Deputy for
Edwin J. Mercer, Lt. Col., Ord.
Regional Legal Officer.

DDM/AM.

Encl.: Returns.

3967



Declassified E.O. 12356 Section 3.3/NND No. 785016

ER/12/401

1st Ind.

HQ. Piemonte Region, A.M.G., Legal Division.
 TO: HQ. A.C. for C.A. Section.

20 July 1945.
 23 LUS 1945

1. This Region is in agreement with the proposed procedure.
2. For information the following is extracted from letter of this HQ. to all P.C.'s Piemonte Region, dated 27 May 1945:
 9. We next come to the question of epuration of Piemonte judiciary under General Order 35. It will be seen from a study of G.O. 35, and 35a, that it was conceived as a summary measure to accomplish the result that has now been achieved through the acts hereinbefore described.
 10. Should epuration now be attempted on Provincial levels of the Piemonte judiciary it is apparent that confusion and embarrassment would result.
 11. In exercise of the powers recognized in such order it is hereby directed that the heads of the administration of the Judiciary branch in Piemonte Region need not post any copies of the Order nor give any notice as provided therein. Persons of the Judicial branch who otherwise would be required to sign and lodge with the head of his administration a scheda personale are hereby relieved from such duty until further order.
 12. As a result of the foregoing directives it is contemplated that epuration of the Judiciary will take place under D.L.L. N° 159 of 29 July 1944 and further implementing decrees for such purpose, thus giving to the persons suspended from office a forum appropriate for a full hearing and the rights of appeal therein granted."

For the Regional Commissioner.

Edwin J. Mercer
 Edwin J. Mercer
 Lt. Col., Ord.
 Regional Legal Officer.

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Declassified E.O. 12356 Section 3.3/NND No. 785016

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

AC/ACBZ/13/1.

/nt.
17 July 1945.

SUBJECT : Separation of Magistracy.

TO : Regional Commissioners ~~Italy, Sicily, Trieste,~~
~~Italy, Sicily, Trieste,~~ ~~Italy, Sicily, Trieste,~~

1. At the meeting of First Presidents and Procuratori Generali which took place in Milan on 30 June all judicial officials present took strong exception, as far as the magistracy was concerned, to the procedure of separation under General Order No. 35.

2. It was emphasized that, under the order, high "magistrati" are "separated" through commissions where no judges sit, or if some do, they hold a much lower grade than that of the judicial officials whose future career they have to decide upon.

3. High judicial officials therefore claim to be "separated" either centrally through the Ministry of Justice or by a commission composed of high ranking judges sitting in the North.

4. As DIA 159 is now operative in IAC territory, the Minister of Justice could appoint such Commission by Ministerial decree, which could be immediately implemented in IAC regions in order to avoid further loss of time.

5. Considering the fact that IAC will hand over in about six weeks time, both Legal Sub-Commission Legal Officers attending the conferences and the Minister of Justice are in favour of this solution.

6. Will you please inform me whether you are in agreement with the proposed procedure or alternatively let me hear any comment you may wish to make thereon.

By command of Rear Admiral STONE:

G. R. Hppman
G. R. STONE, Brig.,
VP CA Sec.

2962

ARMED MILITARY GOVERNMENT
PROVINCE OF
PROVINCIAL ORDER No.

Whereas, General Order No 35 has been published in this Province, under, which order a Commission or Commissions have been appointed for the purpose of removing from office persons who were fascist and occupied prominent or representative positions during the fascist regime, and,

Whereas, D.L.L.159 has been implemented in this Province which Decree also provides for Commissions for expuration which have not yet become operative in this Province, and,

Whereas, certain persons have been removed from office by committees or other bodies or persons not appointed under either the above mentioned General Order or D.L.L. 159, and,

Whereas, some of such persons claim that their removal from office was not justified by the facts and that they do not come within the categories of persons who should be suspended from service.

Now therefore, it is ordered that:

1. Any person who since the liberation of this Province from the Germans and before the publication of this order and who held office of Grade VI or downward or any person described in Art.I (c) of General Order No 35, has been dismissed or suspended from service by reason of the action of any committee or person other than those appointed under General Order 35 and who comes within "the class of persons to whom D.C. 35 applies (Art.1) and who claims to be entitled to reinstatement for the reason that he does not come within the Categories of Persons (Art.II) who shall be suspended from service, and, within 14 days from the date of posting of this order, complete, sign and lodge a Scheda Personale as provided in Art.V (b) of said Order. The person with whom said Scheda is lodged shall within two days after receipt of same lodge same with the office of the Commission.
2. Proceedings shall thereafter be in accordance with the terms of said Order; provided, however, (a) that should the Commission make a suspension order such order shall relate back to the date of the original suspension, (b) that should the Commission finally determine that such person is not within the category of persons who should be suspended from service, it will

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...supposed, some of such persons claim that their removal from office was not justified by the facts and that they do not come within the category of persons who should be suspended from service.

Now therefore, it is ordered that:

1. Any person who since the liberation of this Province from the Germans had before the publication of this order and who held office of Grade VI or downward or any person described in Art. I (c) of General Order No. 35, has been dismissed or suspended from service by reason of the action of any committee or person other than those appointed under General Order 15 and who comes within "the class of persons to whom G.O. 15 applies (Art. 1) and who claims to be entitled to reinstatement for the reason that he does not come within the Categories of Persons (Art. II) who shall be suspended from service, may, within 14 days from the date of posting of this order, complete, sign and lodge a Scheda Personale as provided in Art. V (b) of said Order. The person with whom said Scheda is lodged shall within two days after receipt of same lodge same with the office of the Commission.

2. Proceedings shall thereafter be in accordance with the terms of said Order: provided, however, (a) that should the Commission make a suspension order such order shall relate back to the date of the original suspension, (b) that should the Commission finally determine that such person is not within the category of persons who should be suspended from service, it will make a record of such finding in its records. It will not order that such suspension be cancelled, but will report such finding officially to the Provincial Commissioner, who will take such action thereon as he may deem appropriate.

3. Any person who held office of Grade V or higher grades but who is otherwise a person described in paragraph 1 above, will be heard before the appropriate commission appointed pursuant to D.L.E. 159 or Decrees amendatory thereto.

4. This order shall come into operation in this Province on the date of its first posting therein.

Provincial Commissioner.

COMANDO MILITARE RELATO
PROVINCIA DI
ORDINE PROVINCIALE N°...

Dato che l'ordine Generale N° 35 è stato pubblicato in questa Provincia e che una o più commissioni sono state quindi nominate per epurare i fascisti che occupavano cariche importanti e rappresentative durante il regime fascista;

che in questa Provincia è entrato in vigore anche il D.L. 159, sulle Commissioni d'Epurazione ivi previste non sono ancora entrate in funzione;

che taluni sono stati rimossi dal loro ufficio da commissioni ed altri comitati o persone non nominati né a sensi del su nominato Ordine né a sensi del Dec. 159;

che taluni sostengono la loro rimozione non essere giustificata dai fatti e non rientrare essi nella categoria di persone che devono essere sospese dall'ufficio;

Si ordina che:

1. Gli impiegati e funzionari di grado VI o inferiore e gli impiegati di cui all'Art. I lett. c.) dell'Ordinanza Generale N° 35 che, dopo la liberazione di questa Provincia dal dominio tedesco e prima della pubblicazione di questa Ordinanza siano stati licenziati o sospesi dall'ufficio per ordine di qualsiasi comitato o persona all'infuori di quelle nominate ai sensi dell'Ordinanza Generale N° 35 e che rientrino nella classe di persone cui si applica la ripetuta ordinanza. (Art. 1.) e che pretendano di aver diritto ad essere reintegrati nel loro ufficio perchè non rientrano nella categoria di persone che devono venir sospese dal servizio (Art. 2) possono, entro 14 giorni dal giorno di affissione di questa Ordinanza, inviare la loro scheda personale, debitamente compilata e firmata, nei modi di cui all'Art. V (b) della detta ordinanza. La persona cui tale scheda è trasmessa, deve entro due giorni, inoltrarla all'ufficio della Commissione.

2. In tali casi i procedimenti di epurazione si uniformeranno ai disposti dalla suddetta Ordinanza, però (a) se la Commissione emana un ordine di sospensione, esso sarà retrodatato al giorno della prima sospensione, (b) se la Commissione giudica che la persona di cui è questione non è fra quelle che devono essere sospese dal servizio, inserirà questa sua decisione nel

che taluni sostengono la loro rimozione non essere giustificata dai fatti e non rientrare negli nelle categorie di persone che devono essere sospesi dall'ufficio:

Si ordino che:

1. Gli impiegati o funzionari di grado VI o inferiore e gli impiegati di cui all'art. 1 lett. c.) dell'Ordinanza Generale N° 35 che, dopo la liberazione di questa provincia dal dominio tedesco e prima della pubblicazione di questa ordinanza siano stati licenziati o sospesi dall'ufficio per ordine di qualsiasi comitato o persona all'insuori di quelle nominate ai sensi dell'Ordinanza Generale N° 35 e che rientrino nella classe di persone cui si applica la ripetuta ordinanza. (Art. 1) e che pretendano di aver diritto di essere reintegrati nel loro ufficio perché non rientrano nelle categorie di persone che devono venir sospese dal servizio (Art. 2) posono, entro 14 giorni dal giorno di affissione di questa Ordinanza, inviare la loro scheda personale, debitamente compilata e firmata, nei modi di cui all'art. V (b) della detta ordinanza. La persona cui tale scheda è trasmessa, deve entro due giorni, inoltrarla all'ufficio delle Comestione.

2. In tali casi i procedimenti di epurazione si uniformeranno ai disposti dalla suddetta Ordinanza, però (a) se la Commissione emana un ordine di sospensione, esso sarà retrodatato al giorno della prima sospensione, (b) se la Commissione giudica che la persona di cui è questione non è fra quelle che devono essere sospese dal servizio, inserirà questa sua decisione nel verbale. Non potrà ordinare che la sospensione sia revocata, ma riferirà questa sua decisione al Commissario Provinciale, che prenderà il provvedimento che crederà opportuno.

3. Colore che rientrino fra le persone di cui al N° 1, ma sono di grado V o superiore, saranno giudicati dalla Commissione competente ai sensi del T.L.L. 139 e delle successive modificazioni.

4. Quest'ordinanza entra in vigore in questa Provincia nel giorno in cui vi è stata affissa per la prima volta.

Il Commissario Provinciale

2413

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HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

DS/6.2/CA

5 July 45

SUBJECT : Monthly Report of Expiration Commissions under CO 35.

TO : See Distribution (on reverse)

All Regions will submit, in the attached form, a monthly report on the work of Expiration Commissions under CO 35.

The return will be included with the monthly report.

BY ORDER OF THE CHIEF COMMISSIONER :

[Signature]
J. P. BURTON, Sr.,
VP CA Section

3963

Declassified E.O. 12356 Section 3.3/NND No. 785016

HEADQUARTERS ALLIED COMMISSION
APO 994
CIVIL AFFAIRS SECTION

IS/6.1/CA

5 July 45

SUBJECT : Monthly Report of Expiration Commissions under GO 52.

20 : See Distribution

The letter on the reverse hereof will be substituted for IS/6.1/CA
of 2 July 45.

BY COMMAND OF THE CHIEF COMMISSIONER :

John H. H.

C. R. (RICH) Bris,
VP CA Section.

DISTRIBUTION : - Rm Emilia, Liguria, Lombardia, Piemonte, Venezia Regions.
Scale HQ 4 - POC 2.

FOR INFO : - POCAD 15 Army Group, 308th 5 Army, 8 Army, IV Corps,
XIII Corps.

7263

Exemption Return (EO 35) _____ Month of _____

Region of _____

Number of Exemption Cases/Actions Approved and Functioning

Exempted Personnel

Investigation completed and

no further action completed

.....

.....

Investigation not completed

.....

Total actions reviewed

Objections

Objections

Hearings completed and

Suspension not ordered

.....

Suspensions ordered

.....

Hearings not yet completed

.....

Total objections received

Suspensions

No objection having been lodged

.....

By order of Commission

.....

Total suspensions

Category	
Immediate	Deferred

2419

1. THEORY