

Declassified E.O. 12356 Section 3.3/NND

No.

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DEFASCISM, ORG ITAL, ENRICHMENT (PART III)
OCT. 1944 - SEPT. 1945

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

RECONSTRUCTION ALLIED COMMISSION
APO 394
Finance Sub-commission

Ref: 13191/P

14 September 1945

SUBJECT: Sequestration of Fascist profits
TO: The Chief Commissioner

1. Further to my memorandum 13191/P of 12 September to you, a report on the administration of the Italian law for the sequestration of Fascist profits has now been received from our Regional Finance Officer in Liguria Region.

2. The R.F.O. reports that the law in question is being most rigidly observed and that cases of sequestration show no unusual features.

3. Reports from Lombardia and Venetia Regions will be sent to you as soon as they are received.

(Signed) ROBERT D. MCMURRAY
Chief

Joint Director
Finance Sub-commission

cc: CA Section

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DF/4-11/CA

12 SEP 1945

HEADQUARTERS ALLIED COMMISSION
APO 394
Finance Sub-commission

Ref: 13791/F

12th September 1945

13 SEP 1945

SUBJECT: Sequestration of Fascist Profits

TO: The Chief Commissioner

1. Reference your OO 2602 of 7 September 1945 to Executive Commissioner, copy to Civil Affairs Section, which was transferred to us by them for action.
2. Upon receipt of this letter we immediately sent out telegrams to all Regional Finance Officers for reports both by telegram and letter on this subject.
3. We have just received a telegram from the Regional Finance Officer, Piemonte region, reporting one case only. In Biella a case brought up concerning the firm of Grolle was erroneously admitted to the courts by the President of the local Tribunal, but it was dismissed by the Court of Appeal.
4. We will send further reports to you as soon as they are received.

Signed ROBERT J. MENAPACE

Joint Director
Finance Sub-commission

OO to CA Section ✓

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HIGH COMMISSIONER FOR SANCTIONS
AGAINST FASCISM

Ref : 2992

Rome, March 1945

SUBJECT : Sequestration of property belonging to Dr Micheli Giuseppe

TO : Intendente of Finance - LUCCA
and for information:

At the Prefect of LUCCA
the President of the Tribunale of LUCCA
Capt. Pietro MORE - Provincial Delegate of the
Assistant High Commissioner for Epuration-LUCCA

I am informed that following the request of Capt. Pietro MORE, Provincial Delegate of the High Commissioner for Epuration, the President of the Tribunale of Lucca has ordered the sequestration of all the property owned by Dr MICHELI Giuseppe, in pursuance of Art. 35 of RLL 159 of 27 July 44. Avv. Corrado CIMEPI of Viareggio was appointed as trustee.

I wish to call your attention to the gravity of this act which constitutes evidently a violation of Art. 35 of the law of 27 Jul 44.

In fact, since the Special Section of the Provincial Commission of Direct Imposts has not yet been formed in Lucca, the President of the Tribunale may order the sequestration of the property belonging to those persons referred to in Art 26 only by request of the High Commissioner or of the Finance Department.

There exists no provision of law nor any interpretative regulation conferring to the Provincial Delegates of the Assistant High Commissioner for Epuration the power to apply sanctions of an economic nature. From the entire text of the law it is clearly seen, on the contrary, that the initiative for the investigations and for the subsequent requests for the forfeiture to the State of the profits derived from the regime, rests, as already said, exclusively with the Assistant High Commissioner or with the Intendente of Finance after the State Avvocatura has been consulted. When the Commissions are formed the power to order the sequestration is automatically given also to the President of such Commissions.

Therefore, since the sequestration effect against Dr MICHELI has been ordered upon the request made by a person who, like the Provincial Delegate for Epuration, has not the legal authority to make it, the measure must be considered as annulled, since it was issued in violation of the regulations contained in Art. 35 of the above mentioned law, and as such may be rescinded by the President of the

I am informed that following the request of Capt. Pietro MORI, Provincial Delegate of the High Commissioner for Epuration, the President of the Tribunal of Lucca has ordered the sequestration of all the property owned by LE MICHELI Giuseppe, in pursuance of Art. 35 of RL 159 of 27 July 44. Avv. Garrido CHIAPPI of Viareggio was appointed as trustee.

I wish to call your attention to the gravity of this act which constitutes evidently a violation of Art. 35 of the law of 27 Jul 44.

In fact, since the Special Section of the Provincial Commission of Direct Imposts has not yet been formed in Lucca, the President of the Tribunal may order the sequestration of the property belonging to those persons referred to in Art 26 only by request of the High Commissioner or of the Finance Department.

There exists no provision of law nor any interpretive regulation conferring to the Provincial Delegates of the Assistant High Commissioner for Epuration the power to apply sanctions of an economic nature. From the entire text of the law it is clearly seen, on the contrary, that the initiative for the investigations and for the subsequent requests for the forfeiture to the State of the profits derived from the regime, rents, as already said, exclusively with the Assistant High Commissioner or with the Intendente of Finance after the State Avvocatura has been consulted. When the commissions are formed the power to order the sequestration is automatically given also to the President of such Commissions.

Therefore, since the sequestration effect against LE MICHELI has been ordered upon the request made by a person who, like the Provincial Delegate for Epuration, has not the legal authority to make it, the measure must be considered as annulled, since it was issued in violation of the regulations contained in Art. 35 of the above mentioned law, and as such may be repealed by the President of the Tribunal upon a request made by your Intendenza.

You are, therefore, asked to give the law a correct interpretation. This is to be done diligently, particularly to clarify to the Provincial Delegate for Epuration the limit of his powers so that regrettable interference among the various bodies having the noble aim of applying the sanctions against fascism may be avoided in the future, and also to obtain from the President of the Tribunal the repeal of the sequestration order. After this is done, you will kindly begin investigations on the property of LE MICHELI Giuseppe to ascertain whether it constitutes profits derived from the regime. For these investigations you will avail yourself of the tributary police or of the judicial police.

After you have completed the investigations and requested the opinion of the State Avvocatura, you will kindly inform me of your decisions before you forward the relative report to the President of the Tribunal.

Sd/ Dr. Mario CINGOLANI,
Asst High Commissioner

TRANSLATION 350

HIGH COMMISSARIAT FOR SANCTIONS AGAINST FASCISM.

FILE No 712/G1

Rome 3 Oct 44

SUBJECT: Report on the work done by the Assistant High Commissariat for the forfeiture of profits derived from the Regime.

TO : H.E. the High Commissioner for sanctions against fascism
ROME

In connection with the work done by this office since it was formed, we wish to inform you that hitherto reports and denunciations, signed, apocryphal and anonymous against 1427 persons have reached this office from the various provinces of liberated Italy.

In spite of the complexity of the investigations, which necessarily are brought before Court before the eventual request for the sequestration of the property, it has nevertheless been possible during this short period of time to adopt this protective measure, only in the province of Rome, in respect to the following 20 persons:

- 1) FEDERZONI LUIGI - 2) BOTTAI GIUSEPPE - 3) ICCIORI ULISSE - 4) ARMENISE GIOVANNI - 5) VASELLI ROMULO - 6) KOSSONI EDMENDO - 7) FARINACCI ROBERTO - 8) CERES ENEA - 9) DEL PANTE DAVIDE - 10) DEL PANTE MASSIMO - 11) ACHILIO GIACOMO - 12) BALIELLA GIOVANNI - 13) GRANDI DINO - 14) STARACE ACHILLE - 15) ANFUSO FILIPPO - 16) ALZOLINI VINCENZO - 17) DE CESARIS UMBERTO - 18) LE PERA ANTONIO - 19) RICCI RENATO - 20) RICCARDI RAFFAELE.

Said sequestrations are being executed according to normal civil procedure;

of property sequestrated

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In spite of the complexity of the investigations, which necessarily are brought before Court before the eventual request for the sequestration of the property, it has nevertheless been possible during this short period of time to adopt this protective measure, only in the province of Rome, in respect to the following 20 persons:

- 1) FEDERZONI LUIGI - 2) BOTTAI GIUSEPPE - 3) IGLIORI ULISSE - 4) ARMENISE GIOVANNI - 5) VASELLI ROMOLO - 6) ROSSONI EDMONDO - 7) FARINACCI ROBERTO - 8) CERRE ENZA - 9) DEL PANTE DAVIDE - 10) DEL PANTE MASSIMO - 11) ACERBO GIACOMO - 12) BALELLA GIOVANNI - 13) GRANDI DINO - 14) STARACE ACHILLE - 15) ANFUSO FILIPPO - 16) AZZOLINI VINCENZO - 17) DE CESARIS UMBERTO - 18) LE PERA ANTONIO - 19) RICCI RENATO - 20) RICCARDI RAFFAELE.

Said sequestrations are being executed according to normal civil procedure; we are awaiting communications concerning the amount of property sequestrated which, from informations furnished by the Finance Intendants of Rome, is approximately equivalent to 3 billions.

Inquiries for measures established by Law are being carried out for 95 more persons. The relative investigations are carried out by the Polizia Tributaria, which is under this Office.

The remaining denunciations and reports are being investigated; it is, however, safe to assume that the proper measures have been adopted or are in the process of being adopted for many of them directly by the Finance Intendence of the various provinces, from which we expect to receive all the data concerning the work done by them. As a matter of fact, the following have been requested from the Intendence:

- a)- a list of persons and bodies considered profiteers against whom sequestrations have been ordered by the respective Presidents of Tribunal, with the relative data including the particulars on the sequestrators;
- b)- a list of the persons and the bodies placed under investigation;
- c)- a list of the persons against whom sequestrations are to be requested from the Presidents of Tribunal by the Intendenti.

Finally, the Tribunal Presidents have been notified to transmit on the 1st and the 16th of each month, beginning from October, the list of names of the persons and bodies considered profiteers and against whom sequestrations have been ordered by them, with the relative data and particulars on the sequestrators.

As it can easily be seen, this work renders more active the control exercised by this Assistant High Commissariat which, while awaiting complementary regulations of the law No 159 of 27 July 1944, in the last few days has sent detailed instructions to the Finance Intendenti for the systematization of the sequestrations and for impartial investigations on the property increases which manifested themselves from 28 Oct 1922 to this day.

Regarding the province of Naples, according to information received from that Finance Intendente, the sequestration has already been ordered and effected, of

the persons charged with illegal enrichment, against the brothers Luigi, An-

b)- a list of the persons and the bodies placed under investigation;

c)- a list of the persons against whom sequestrations are to be requested from the Presidents of Tribunal by the Intendenti.

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Regarding the province of Naples, according to information received from that Finance Intendente, the sequestration has already been ordered and effected, of 945 persons charged with illegal enrichment, against the brothers Luigi, Angelo, Armando, Attilio e Genaro Piscitelli for a sum of L. 3,387,176.55.

The Tribunal President has been requested to issue the sequestration of the property of 42 more persons, while the sequestration for 14 more denounced persons is under way.

Finally, investigations relative to the provisions of law are being carried out for 290 more persons.

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FOR THE ASSISTANT HIGH COMMISSIONER

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