

Declassified E.O. 12356 Section 3.3/NND No. 785017

ACC

10000/109/1586

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10000/109/1586

TRANSFER OF LAND
FEB. - APR. 1944

HEADQUARTERS
ALLIED CONTROL COMMISSION
U.C. & M.G. SECTION
APO 394

Ref/ 289/21/CA

27 April 1944

SUBJECT: Land Transfer General Order No. 23

TO : R.C., Region I, II and VI / 18

1. Reference our 289/18/CA of 11 April 1944.

2. The copies of General Order No. 23 sent to you for information have now been cancelled. Amended copies of the above mentioned order are attached hereto for information.

MURRAY E. FIERKE
Colonel
Deputy Executive Commissioner

403/14

HEADQUARTERS
ALLIED COM'L COMMISSION
R.C. & M.G. Section
APO 394

27 April 1944

Ref/289/20/CA

SUBJECT: General Order No.23

TO : Economic Section
(For Finance Subcommittee)
Admin Section
(For Legal Subcommittee)

Reference our 289/19/CA
of 11 April 1944.

The copies of General
Order No.23 referred to in the
above letter have been cancelled.
Amended copies, as attached, have
been distributed in accordance with
the above quoted letter.

NORMAN E. FISKE
Colonel,
Deputy Executive
Commissioner.

4072

785017

HEADQUARTERS
ALLIED CONTROL COMMISSION
E.C. & M.C. SECTION
APO 394

Ref/289/19/CA

11 April 1944

SUBJECT: General Order No. 23

TO : Economic Section (for Finance Sub-Commission)
Admin. Section (for Legal Sub-Commission)

Attached hereto are copies of General Order No. 23, distribution has been made as follows:-

		Italian Version	English Version
Region	III	2,000	200
Region	IV	2,000	100
Region	V	2,000	200
SCAO	5 Army	2,000	200
SCAO	8 Army	2,000	200
Information only:			
Region	I	1	1
Region	II	1	1
Region	VI	1	1

WORMAN E. VIERKE
Colonel
Deputy Executive
Commissioner

4071

HEADQUARTERS
ARMED FORCES COMMISSION
R.C. & M.C. SECTION
APO 394

Ref/239/18/GK

11 April 1944

SUBJECT: Land Transfer General Order No. 23
TO : R.C. Region I, II and VI.

Copies of General Order No. 23 are attached herewith for information only

Cancelled

Supp
NORMAN A. PIERCE
Colonel
Deputy Executive
Commissioner

4070

785017

HEADQUARTERS
ALLIED COMMS COMMISSION
R.C. & H.Q. Section
APO 394.

10 March 1944.

289
Ref/289/17/CA

SUBJECT : General Order No. 23.

TO : H.Q. Commandant.

The undermentioned copies of
General Order No. 23 are ready, bundled
and labelled for despatch as indicated
below, it would be appreciated if the
matter could be treated as urgent:

Region III	-	3 Bundles
IV	-	3
V	-	3
AMC 5 Army	-	3
8	-	3

NORMAN E. FISKE
Colonel,
Deputy Executive
Commissioner.

4069

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

Ref/259/16/CA.

SUBJECT: General Order No.23.

26 March 1944.

- TO : Lt. Panelli, Printing Officer.
1. Herewith Italian version of General Order No.23.
 2. Please arrange for 11,000 copies to be printed.

ROBERT M. FINE
Colonel,
Deputy Executive
Commissioner.

pa

16

16
9064
AL

Col. Miller

3, 4, 5, Admin 5-18.

Infantry 1, 2 + 6, (1000) / 5.

Sir

R.C. B.M.C. Section are enquiring
regarding ^{distribution of the} attached Order, issued
at request of Finance Sub-Commission.

The widest distribution is:-

Distribution:-

Regions 3, 4 and 5.

For info. :-

Regions 1, 2 - 5th + Admin

And Adm. + Econ. Sect.

If you approve of the above, perhaps
you would say and I shall inform
R.C. B.M.C. Sec.

20th / 4

Reg 3 - 2,000 - 200

4 - 2,000 - 100

5 - 2,000 - 200

SO - 2,000 - 200

8 - 2,000 - 200

Noted

18/5

HEADQUARTERS
ARMED CONTROL COMMISSION
A.C. & M.C. Section
AP 394

144

Ref/289/14/OA.

21 March 1944

SUBJECT: Land Transfers.

TO : V.P. Administration Section (For Legal Sub-Commission)

1. Your memorandum of 6 March 1944 approved the attached General Order No. 23 as to form.

2. Will you please have an Italian language translation of this and forward to us for printing, together with any other instructions or comments you have to make on the subject.

NORMAN E. FISKE
Colonel,
Deputy Executive
Commissioner.

4066

HEADQUARTERS
A. LAND CONTROL COMMISSION
R. C. & M. G. SECTION
APO 394

13

Ref/289/13/CA

13 March 1944

SUBJECT: Land Transfers.
TO : SCAG, Region III.

1. Reference is made to your letter dated 1 March 1944, on this subject (Ref: 3/6046/L).
2. The Executive Commissioner, by General Order No. 25 dated 12 March 1944, has removed all restrictions on leases and the transfer of lands.
3. This order is now in process of being published and will shortly be forwarded your office.

NORMAN E. FINKE,
Colonel, Cavalry,
Deputy Executive
Commissioner.

1/H

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HEADQUARTERS
ALLIED CONTROL COMMISSION
FINANCE SUB-COMMISSION
APO 394

9 March 1944.

13094/F

SUBJECT: Lifting of restrictions on real property transactions.

TO : Executive Commissioner.

1. Attached hereto is proposed General Order No. 23 which lifts the prohibition and restrictions upon transactions in lands and buildings imposed by Proclamation No. 5.

2. Also attached is a certificate by the Chief Legal Officer, AOC, that the proposed General Order is in proper form for your signature.

3. From the point of view of the Finance Sub-Commission I hereby certify that the proposed General Order is in accord with current policy and should be signed by you.

A. P. Graftey-Smith
A. P. GRAFTHEY-SMITH,
Colonel,
Acting Chief Finance Officer.

HELT/rad

Declassified E.O. 12356 Section 3.3/NND No. 785017

6 March 1944

I have examined General Order No. 23 and I am of the opinion that it is the proper form for the Executive Commission's signature.

Gerald R. Urjohn
GERALD R. URJOHN,
Colonel,
Chief Legal Officer.

Hq, ACC
Rear Hq.

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ALLIED MILITARY GOVERNMENT
OF OCCUPIED TERRITORY

GENERAL ORDER NO. 23

WHEREAS it is now deemed advisable that the prohibitions and restrictions heretofore imposed by order of the Allied Military Government upon transactions in lands and buildings within occupied territory be terminated.

Now, therefore, I, MAURICE STANLEY LUSH, C.B.E., M.C., Brigadier, Executive Commissioner hereby order as follows:

ARTICLE I

The restrictions and prohibitions imposed by the provisions of Proclamation 5 Article III Sections 1 and 2 on leases and the transfer of lands, buildings or interests therein are hereby terminated and henceforth leases and transfer of lands, buildings or any interests therein may be freely effected in occupied territory subject only to the applicable provisions of Italian law.

ARTICLE II

This order will become operative in each province or part thereof within the occupied territory as of the date hereof.

Dated: March 12 1944.

M. S. Lush
Brigadier
Executive Commissioner
for the Chief Commissioner.

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

785017

ALLIED MILITARY GOVERNMENT
INTER OFFICE MEM.

From: ECONOMIC SECTION

ES/JBT/fpd

SUBJECT: Transfer of Land
TO: C.A. Branch

FILE No. ES/11

9 March 1944

A General Order has been drafted lifting the restriction on real property transfers, which is at present being submitted to the Executive Commissioner for signature.

J. Bruce Thompson *may* *RA*
J. BRUCE THOMPSON MAJOR R.A.
G.S.C. 2 Economic Section

See 10, 11 & 12

4062

Recommendation

- 5-7 for review of your comments.
2. At 3 it is stated that Finance Sub-Committee is considering proposing for transfer of land.

L. Henry Smith
1964

6 Dec 44. for Rev. Com.

785017

2892
6 MAR Recd

U-1184 CAB 7

HEADQUARTERS
REGION 3, ALLIED MILITARY GOVERNMENT
APO 394, U.S. Army

GAB/co
3/6046/L

1 March 1944

Subject: Land Transfers .

To : HQ. ACC. RC & MG Section .

From : RC., Region III.



1. Reference is made to your letter, dated 26 February 1944, on this subject (Ref: 289/5/CA)

2. The removal, or at least the modification, of the restrictions on free transfer of land is now matter of urgency .

3. Applications for consent to transfers are reaching this headquarters at the rate of 50-60 a week yet, with the utmost available despatch, decisions are only reached at the rate of perhaps 25 a month. Steps are being taken to expedite the consideration of decisions but, as things stand at present, it is doubtful whether any individual application can be dealt with under a month.

4. About half the applications concern agricultural lands. In the majority of such cases nothing is done to the land between the time the contract for sale is arranged and the time the consent is given or refused, because neither the vendor nor the purchaser is willing to plant crops etc. when he does not know whether he will reap the benefit .

5. It is now understood that many cultivators are

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U-1184 6/

dissatisfied with the existing Italian law which enables a tenant to hold over at the end of their tenancies . They desire to have firm tenancies till the end of 1946 when the existing collective agreements expire . These agreements will be for more than a year and therefore consent will be required . It is anticipated many more applications are likely to be made and, for the reasons mentioned in paragraph 4, more lands go temporarily out of cultivation.

6. The Provincial Legal Officer of Benevento has gone carefully into the question of inflation as regards properties in that Province in respect of which applications have been submitted through him. He finds no signs of inflation there . Although such an investigation has not been made in the rest of the Region the impression gained from consideration of some 300 cases is that prices are low; in fact many of them are "bed rock" prices forced on vendors by stress of circumstances .

7. It is asked that a decision be come to on the question of lifting or modifying the restriction on the alienation of land at the earliest possible date .

Charles Poletti

CHARLES POLETTI,
Lieutenant Colonel ACS
Regional Commissioner.



4058

HEADQUARTERS
ARMY CONTROL COMMISSION
R.C. & M.S. Section
APO 394

Ref/289/5/CA

26 February 1944.

SUBJECT: Land Transfers

TO : R.C., Region III

1. With reference to your 3/60.6/L(2) of 17 Feb. It is understood that the question of ending the restrictions on the free transfer of land is under consideration. If this is agreed the difficulties mentioned by your letter will no longer exist.

2. Under the circumstance, it is considered that no action is necessary at present. The question may be raised again if the restrictions are not removed.

ROBERT E. FINE,
Colonel, Cavalry,
Deputy Executive
Commissioner.

4054

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394

Administrative Section

ACC/140./AS.

22 Feb 44

SUBJECT : Land Transfers.

TO : Executive Commissioner PC & MD Sec. HQ. ACC. APO 394

1. With reference to your 3/6046/L(R) of 17 Feb. It is understood that the question of ending the restrictions on the free transfer of land is under consideration. If this is agreed the difficulties mentioned by your letter will no longer exist.

2. Under the circumstance, it is considered that no action is necessary at present. The question may be raised again if the restrictions are not removed.

R.R. Cripps
R.R. CRIPPS,
Lt. Colonel,
VP Adm. Sec.

4057

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

GRU/gmf

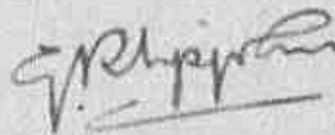
21 February 1944.

ACC/4097/L

SUBJECT: Land Transfers.

TO : V.P. Administrative Section, ACC.

Finance tell me that they are proposing to recommend a policy of free transactions in all occupied territory so that the problem will disappear very shortly.



G. R. UPJOHN
Colonel
Chief Legal Officer.

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19 FEB
Date

Suspension

FROM	TO
Deputy President	
Chief of Staff	
Vice Chief of Staff	
Public Relations Officer	
✓ Indian Section RC+MG	
Military Section	
Political Section	
Admin. Admin. Section	✓
Communications Section	
Administrative Directorate	
Economic Directorate	
Finance Sub-Commission	
Public Works-Mines Sub-Commission	
Agric., Forests-Fisheries Sub-Com	
Legal Sub-Commission	
Education Sub-Commission	
Executive Officers	
C-1	
C-4	
Adjutant General	
Files	
Personnel	
Publications	
Message Center	
Miscellaneous	
Pool of Interpreters	
Archives & Reference Library	
Hq. Commandant	

DOI:

Signature
Remarks / Recommendation
Information only
Approval / Disapproval
Appropriate action
Investigation & Report
Dispatch

REMARKS: Will you please consult
LEGAL and FINANCE and
give material for review.

4097
PW 3786
6a B 2
HEADQUARTERS
REGION 3, ALLIED MILITARY GOVERNMENT
APO 394, U.S. Army

3/6046/L(R)

17 February 1944

MEMORANDUM

TO : HQ. ACC

1. The enclosed memorandum has been received from the Legal Division. Could it be confirmed or otherwise that such matters at ACC HQ come under the Finance rather than the Legal Division. The Finance Division feels very strongly against the proposed transfer.

2. A ruling would be appreciated.

Forester
LORD FORESTER
Lt. Col., R.H.G.,
Chief of Staff

4054

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HEADQUARTERS
REGION 3, ALLIED MILITARY GOVERNMENT
LEGAL DIVISION
APO 394, U.S. Army

JWC/pv
3/6046/L

15 February 1944

MEMORANDUM to R.C.A.C.

Subject: Applications to transfer land and buildings.

1. I find that the Legal Office has been given the duty of passing on applications to transfer lands and buildings. There is nothing in the consideration of these applications which requires the attention of the Legal Division from a legal standpoint. As the matter stands now the Legal Division is acting solely as a clerical staff in securing information from the Divisions concerned (particularly Finance) and handling the necessary correspondence. One of my best legal officers is now devoting practically his entire time to this work, which does not require legal knowledge.

2. At A.M.G. HQ., A.C.M.F., all matters in connection with transfers of property under Proclamation 5, are considered as matters within the jurisdiction of Finance.

3. It is requested that an order be issued transferring from the Legal Division and to the Finance Division the duty of passing on applications to transfer property under Proclamation 5.

John W. Chapman
JOHN W. CHAPMAN,
Lt. Col., J.A.G.D.,
Reg. Chief Legal Officer.

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