

ACC

10000/141/743

ELECT
MAR. -

10000/141/743

ELECTIONS, INSTITUTIONAL REFERENDUM
MAR. - JULY 1946

MINUTE No. 8

To: Executive Commission

Encl. A.

Encl. B.

See Folios 253 to 29.

Executive Commission may wish to see Folios 28 and 29.

Mr. Bayard
N. Carter, Brigadier.
VP. C.A. Section.

9
Chil Commission

PP 18-229 for review.

W/47

Shw

L. G. 87C.

File returned.

" July 7

W/47
VP. C.A. Section.

1st July 1946

McDonnell Douglas Corp
M. Carter, Brigadier Gen.
VR. SA. Section.

1000

9/
Chil Commission.

PP 28 000 for radio.

10/17

✓

L. East 87C.

He returned.
" July 7

McCarton
C. I. Section.

342

MINUTE SHEET NO. 2

⑤

CAS

I believe the final decision on the symbol for the Republic was to keep the turreted head of a woman, surrounded by entwined branches of laurel and oak, with outline of Italian peninsula in background. This may help to distinguish it from electoral seal on back of ballot.

J. Wesley Jones (ac)
J. Wesley Jones
Political Adviser (A)

WJ 574

April 4, 1946.

L.C. 2/5.

Pl. see minutes 1:5 with index.

J. Wesley Jones

Ca. Bureau

5 April.

⑦

CA Section

28 June. 1. You may be interested to see the papers prepared & filed at fos. 25C - 29.

25C-29

2. The notes & analysis have been made principally to complete the S/C record on the Referendum & with an eye on future historians. You may nevertheless consider it desirable to circulate the file to the usual recipients, i.e. CC, EC & Polado.

28.29

3. I have sent a copy of fos. 28 & 29 to PRD, as in serial for the Bulletin. Subject to your instructions, I do not propose to make any further distribution unless it is asked for.

W. G. S/C. *W. G. S/C.*

Major

341

Ex. Comm.

4

To see 38. You may not know
to C.C. and Polads. I consider it unfortunate
that the basis of the design for the official
symbol and for the official stamp should
coincide but do not think it is a case
in which we should have tender any
advice.

3/3/46

M. Lambury

V.R.C.O.S.

J.R. 114

②

C.A.S.

I agree. No action by A.C. is warranted

Polads to see.

MS (1/4)

Polads (A)
- 7 (B)

③

Please see folio 38 and beginning of 39.
J. Keaton, May
C.A. Seckin

2 April 46.

④

The Republican symbol is 5 in value different
in any case, I believe.

2/10/46

W. Keaton
J.R. 114 (Bor).

340

107.

4

HEADQUARTERS ALLIED COMMISSION
APC 794
LOCAL GOVERNMENT SUB-COMMISSION

AC/45/B/3/1G

27 June 1946

NOTES

ON THE DECLARATIONS OF THE COURT OF CASSATION UPON THE
RESULTS OF THE INSTITUTIONAL REFERENDUM

1. Appendix "C" is the Official Gazette no. 134 of June 20 (Extraordinary Edition) containing in full the declarations made by the Court on 10 and 18 June. Appendix "B" is an English Translation. In Appendix "A" official figures have been listed according to regions.
2. The figures amply justify (if justification were needed) the propriety of the action of the Court in declaring the results on 10 June. They prove that neither the decisions of the Court upon objections nor the figures from the 118 sections or polling stations which had not reported on 10 June affect the result of the Referendum - as any objectively minded observer could have been foreseen at the time. From this point of view the effect of the final figures upon the Republican majority is as follows:—

Republican Majority, according to
the Declaration of 10 June }
1,905,862

Add Republican Votes -

(1) from missing sections 45,142
(2) resulting from decisions
upon objections i.e. 18-4 = 14

45,156

Subtract Monarchist Votes -

(1) from missing sections 30,384
(2) resulting from decisions
upon objections i.e. 25-30 = -5

30,379

Republican Majority, according to
the Declaration of 18 June }
In other words, the Republican majority has been increased by a trifle over .04%.

+ 14,777
1,998,639
=====

3. At first sight it seems a little remarkable that so few objections should have been lodged with the Court. The objections which were in fact lodged have resulted in the displacement of only 77 votes, 34 being nullified by the Court and 43 allowed. The Court's Declaration, however, takes no account of objections lodged at lower levels only. No doubt a considerable number of objections were lodged with the polling stations or with the central offices of the constituencies and not carried any further. The fact that so few were pressed as far as the Court of Cassation is evidence that the majority of the objections were not seriously maintainable.

4. The results by Regions (App. "A") disclose some interesting facts. The Region giving the highest Republican majority is the Province of Trento (70%). Next in order of size of majority comes Emilia (55.2%), Toscana and Umbria (43.2% each), Marche (40%) and Liguria (38.2%). The three northernmost regions showing a distinct drop in the Republican majority - Lombardia (28%), Veneto (18.6%) and Piemonte (14.4%).

5. The Monarchist majority is heaviest in Campania (53.2%) followed at some distance by Puglia (34.4%) and Sicily (29.6%). The majority then drops in Sardinia (21.6%), Calabria (20.4%) and Lucania (18.8%), tailing off sharply to Abruzzi (13.8%) and the border-line region of Lazio (3%).

339

decisions of the Court upon objections nor the figures from the 118 sections or polling stations which had not reported on 10 June affect the result of the Referendum - as any objectively minded observer could have been foreseen at the time. From this point of view the effect of the final figures upon the Republican majority is as follows:-

Republican Majority, according to } 1,993,862
the Declaration of 10 June }

Add Republican Votes -

(1) from missing sections 45,142
(2) resulting from decisions upon objections i.e. 18-4 = 14

45,156

Subtract Monarchist Votes -

(1) from missing sections 30,384
(2) resulting from decisions upon objections i.e. 25-30 = -5

30,379

+ 14,777

1,998,639

Republican Majority, according to }
the Declaration of 18 June }

In other words, the Republican majority has been increased by a trifle over .04%.

3. At first sight it seems a little remarkable that so few objections should have been lodged with the Court. The objections which were in fact lodged have resulted in the displacement of only 77 votes, 34 being nullified by the Court and 43 allowed. The Court's Declaration, however, takes no account of objections lodged at lower levels only. No doubt a considerable number of objections were lodged with the polling stations or with the central offices of the constituencies and not carried any further. The fact that so few were pressed as far as the Court of Cassation is evidence that the majority of the objections were not seriously maintainable.

4. The results by Regions (App. "A") disclose some interesting facts. The Region giving the highest Republican majority is the Province of Trento (70%). Next in order of size of majority comes Emilia (55.2%), Toscana and Umbria (43.2% each), Marche (40%) and Liguria (38.2%). The three northernmost regions showing a distinct drop in the Republican majority - Lombardia (28%), Veneto (18.6%) and Piemonte (14.4%). **339**

5. The Monarchist majority is heaviest in Campania (53.2%) followed at some distance by Puglia (34.4%) and Sicily (29.6%). The majority then drops in Sardinia (21.6%), Calabria (20.4%) and Lucania (18.8%), tailing off sharply to Abbruzzi (13.8%) and the border-line region of Lazio (3%).

Dist. - AC/45/3/3

Floot

PRO

Spares (2)

CCM/os

C. G. R. WILLIAMS

Major

Local Government Sub-Commission

APPENDIX "A"
RESULTS OF THE INSTITUTIONAL REFERENDUM - GROUPED BY REGIONS

REGION 1.	TOTAL VALID VOTES 2.	REPUBLIC		MONARCHY		REPUBLIC		MONARCHY		PERCENTAGE MAJORITY MINORITY 7.
		Votes 3.	% 4.	Votes 5.	% 6.	Votes 3.	% 4.	Votes 5.	% 6.	
1. Piemonte	2,180,150	1,244,171	57.2	935,979	42.8					+14.4 %
2. Liguria	917,420	633,601	69.1	283,819	30.9					+38.2 %
3. Lombardia	3,559,337	2,281,252	64.0	1,278,085	36.0					+28.0 %
4. Trentino	226,150	192,204	85.0	33,946	15.0					+70.0 %
5. Veneto	2,345,115	1,389,976	59.3	955,139	40.7					+18.6 %
6. Emilia	1,981,872	1,527,404	77.6	454,468	22.4					+55.2 %
7. Toscana	1,789,833	1,281,462	71.6	508,371	28.4					+43.2 %
8. Marche	712,483	499,087	70.0	213,396	30.0					+40.0 %
9. Umbria	406,378	293,138	72.1	113,240	28.9					+43.2 %
10. Lazio	1,557,787	756,572	48.5	801,215	51.5					- 3.0 %
11. Abruzzi	800,876	348,932	43.1	459,944	56.9					-13.8 %
12. Campania	1,863,289	436,773	23.4	1,426,516	76.6					-53.2 %
13. Puglia	1,428,514	469,739	32.8	958,775	67.2					-34.4 %
14. Lucania	266,436	108,321	40.6	158,115	59.4					-18.8 %
15. Calabria	851,788	339,161	39.8	512,627	60.2					-20.4 %
16. Sicilia	2,013,526	709,177	35.2	1,304,349	64.8					-29.6 %
17. Sardegna	528,244	206,939	39.2	321,305	60.8					-21.6 %
Add/Subtract for decisions of Court of Cassation upon objections	---	+14	--	-5	--					-33.8
	23,437,207	12,717,923	54.2 %	10,719,284	45.7 %					+ 8.5 %

=1,998,639 votes

1. Piemonte	2,180,150	1,244,171	57.2	935,979	42.8	+14.4 %
2. Liguria	917,420	633,601	69.1	283,819	30.9	+38.2 %
3. Lombardia	3,559,337	2,281,252	64.0	1,278,085	36.0	+28.0 %
4. Trentino	226,150	192,204	85.0	33,946	15.0	+70.0 %
5. Veneto	2,345,115	1,389,976	59.3	955,139	40.7	+18.6 %
6. Emilia	1,981,872	1,527,404	77.6	454,468	22.4	+55.2 %
7. Toscana	1,789,833	1,281,462	71.6	508,371	28.4	+43.2 %
8. Marche	712,483	499,087	70.0	213,396	30.0	+40.0 %
9. Umbria	406,378	293,138	72.1	113,240	28.9	+43.2 %
10. Lazio	1,557,787	756,572	48.5	801,215	51.5	- 3.0 %
11. Abruzzi	608,876	348,932	43.1	459,944	56.9	-13.8 %
12. Campania	1,863,289	436,773	23.4	1,426,516	76.6	-53.2 %
13. Puglia	1,428,514	469,739	32.8	958,775	67.2	-34.4 %
14. Lucania	266,436	108,321	40.6	158,115	59.4	-18.8 %
15. Calabria	851,788	339,161	39.8	512,627	60.2	-20.4 %
16. Sicilia	2,013,526	709,177	35.2	1,304,349	64.8	-29.6 %
17. Sardegna	528,244	206,939	39.2	321,305	60.8	-21.6 %
Add/Subtract for decisions of Court of Cassation upon objections	--	+14	--	-5	--	-33.8
	23,437,207	12,717,923	54.3%	10,719,284	45.7%	+ 8.5 %

=1,998,639 votes

(TRANSLATION)

APPENDIX "B"

OFFICIAL GAZETTE OF THE ITALIAN REPUBLIC

No. 134 - 20 June 1946 - Extraordinary Edition

= THE SUPREME COURT OF CASSATION =
MINUTES RELATIVE TO THE PROCLAMATION OF THE RESULTS OF THE
"REFERENDUM" ON THE INSTITUTIONAL FORM OF
THE STATE

In the year nineteen hundred and forty six, on the 10th day of the month of June, in Rome, at 1800 hrs. in the Palace of Parliament - Hall of the Wolf.

The SUPREME COURT OF CASSATION is met in public session to proceed with the operations referred to in art. 17 of DML 23 April 1946, n. 219.

Present:

PAGANO Dott. Giuseppe, First President
BRIGANTE Dott. Saverio, Section President
BELFIORE Dott. Carmelo, Section President
PELLEGRINI Dott. Francesco, Section President
DATO Dott. Giuseppe, Section President
COLAGROSSO Dott. Prof. Enrico, Section President
CURCIO Dott. Francesco, Section President
VITALI Dott. Giovanni, Counsellor
PLACENTINI Dott. Mariano, Counsellor
MARTORANA Dott. Prof. Michele, Counsellor
ZAPPULIS Dott. Carlo, Counsellor
PASQUALE Dott. Rocco, Counselor
CHIEPPA Dott. Pasquale, Counsellor
GABRIELI Dott. Prof. Francesco Pantaleo, Counsellor
PASQUERA Dott. Filippo, Counsellor
FIERILMONTE Dott. Giuseppe, Counsellor
MANCINI Dott. Rodolfo, Counsellor
CHIEPPA Dott. Vincenzo, Counsellor
D'APOLITO Dott. Giuseppe, Counsellor

Intervenes Sgr. PILOTTI Dott. Massimo - Procurator General at the Supreme Court;
Assists Sgr. CESAREO Emilio, Chief Registrar of the Supreme Court of Cassation, acting as Secretary.

Upon examination of the minutes transmitted by all the constituency offices, notifies that to the REPUBLIC and to the MONARCHY have been given respectively, in each constituency, the following votes:

CONSTITUENCY	REPUBLIC	MONARCHY
I - Torino-Novara-Vercelli (data for 7 sections are missing)	800,772	536,597

337

In the year nineteen hundred and forty six, on the 10th day of the month of June, in Rome, at 1800 hrs. in the Palace of Parliament - Hall of the Wolf.

The SUPREME COURT OF CASSATION is met in public session to proceed with the operations referred to in art. 17 of D.L. 23 April 1946, n. 219.

Present:

PAGANO Dott. Giuseppe, First President
BRIGANTE Dott. Saverio, Section President
BELFIORE Dott. Carmelo, Section President
PELLEGRINI Dott. Francesco, Section President
DATO Dott. Giuseppe, Section President
COLAGROSSO Dott. Prof. Enrico, Section President
CURCIO Dott. Francesco, Section President
VITALI Dott. Giovanni, Counsellor
PIACENTINI Dott. Mariano, Counsellor
MARTORANA Dott. Prof. Michele, Counsellor
ZAPPULIS Dott. Carlo, Counsellor
PASQUALE Dott. Rocco, Counsellor
CHIEPPA Dott. Pasquale, Counsellor
GABRIELI Dott. Prof. Francesco Pantaleo, Counsellor
PASQUERA Dott. Filippo, Counsellor
FIERIMONTE Dott. Giuseppe, Counsellor
MANCINI Dott. Rodolfo, Counsellor
CHIEPPA Dott. Vincenzo, Counsellor
D'APOLITO Dott. Giuseppe, Counsellor

Intervenes Sgr. PILOTTI Dott. Massimo - Procurator General at the Supreme

Court;

Assists Sgr. CESAREO Emilio, Chief Registrar of the Supreme Court of Cassation, acting as Secretary.

Upon examination of the minutes transmitted by all the constituency offices, notifies that to the REPUBLIC and to the MONARCHY have been given respectively, in each constituency, the following votes:

CONSTITUENCY	REPUBLIC	MONARCHY
I - Torino-Novara-Vercelli (data for 7 sections are missing)	800,772 412,313	536,597 380,770
II - Cuneo-Alessandria-Asti		
III - Genova-Imperia-La Spezia-Savona (data for 46 sections are miss.)	611,849 1,153,027 422,722	275,761 541,872 241,923
IV - Milano-Pavia		
V - Como-Sondrio-Varese		
VI - Brescia-Bergamo (data for 1 section are missing)	399,986 304,275 192,204 647,464 403,329 339,183	344,637 148,853 33,946 504,273 252,478 198,388
VII - Mantova-Cremona		
VIII - Trento-Bolzano		
IX - Verona-Padova-Vicenza-Rovigo		
X - Venezia-Treviso		
XI - Udine-Belluno		

337

CONSTITUENCY

	<u>REPUBLIC</u>	<u>MONARCHY</u>
XII - Trieste-Venezia Giulia-Zara		
XIII - Bologna-Ferrara-Ravenna-Forli'		
(Data for 2 sections missing)		
XIV - Parma-Modena-Piacenza-Reggio Emilia	879,201	212,373
(Data for 22 sections missing)		
XV - Firenze-Pistoia	638,288	238,681
XVI - Pisa-Livorno-Lucca-Apuania	487,133	193,566
XVII - Siena-Arezzo-Crosseto	456,164	194,821
XVIII - Ancona-Pesaro-Macerata-Ascoli Piceno	338,165	119,984
XIX - Perugia-Terni-Rieti	499,087	213,396
XX - Roma-Viterbo-Latina-Frosinone	335,835	168,610
XXI - L'Aquila-Pescara-Chieti-Teramo	713,875	745,845
XXII - Benevento-Campobasso	287,322	326,267
XXIII - Napoli-Caserta (1 section missing)	103,969	241,361
XXIV - Salerno-Avellino	241,778	902,700
XXV - Bari-Foggia	152,570	415,641
XXVI - Lecce-Brindisi-Taranto	320,867	509,476
XXVII - Potenza-Matera (11 sections missing)	148,872	449,299
XXVIII - Catanzaro-Cosenza-Reggio Calabria	104,471	153,960
XXIX - Catania-Messina-Siracusa-Ragusa-Enna	333,491	502,605
(26 sections missing)		
XXX - Palermo-Trapani-Agrigento-Caltanissetta	329,035	707,520
XXXI - Cagliari-Sassari-Nuoro	379,951	595,488
XXXII - Val d'aosta	206,930	321,305
	28,631	16,506

Proceeds then to the addition of the votes above mentioned assigned to the REPUBLIC and to those assigned to the MONARCHY in all constituencies, and proclaims the following results of the REFERENDUM as testified by the minutes themselves.

REPUBLIC	:	total of votes	No.	12,672,767
		(twelve million, six hundred		
		and seventytwo thousand, seven		
		hundred and sixtyseven)		

MONARCHY	:	total of votes	No.	10,638,905
		(ten million, six hundred and		
		eighty eight thousand, nine		
		hundred and five)		

THE COURT, in accordance with art. 19, of D.L. 23 April 1946, n. 219, will issue in another session definitive judgement on the contestations, protests, and claims submitted to the offices of the individual polling stations or to the central offices of the constituencies or to the Court itself concerning the carrying out of the operations relative to the REFERENDUM; will integrate the results with the data of the sections still missing; and will indicate the number of the electors voting and the number of void votes.

Whereof this is of record.

The Chief Registrar

/s/ E. CESARIO

The First President

XXII - Benevento-Campobasso	103,969	241,361
XXIII - Napoli-Caserta (1 section missing)	241,778	902,700
XXIV - Salerno-Avellino	152,570	415,641
XXV - Bari-Foggia	320,867	509,476
XXVI - Lecce-Brindisi-Taranto	148,872	449,299
XXVII - Potenza-Matera (11 sections missing)	104,471	153,960
XXVIII - Catanzaro-Cosenza-Reggio Calabria	333,491	502,605
XXIX - Catania-Messina-Siracusa-Ragusa-Trapani	329,035	707,520
(2 sections missing)	579,951	595,488
XXX - Palermo-Trapani-Agrigento-Caltanissetta	206,930	321,305
XXCI - Cagliari-Sassari-Nuoro	28,631	16,506
XXXII - Val d'Aosta		

Proceeds then to the addition of the votes above mentioned assigned to the REPUBLIC and to those assigned to the MONARCHY in all constituencies, and proclaims the following results of the REFERENDUM as testified by the minutes themselves.

REPUBLIC : total of votes No. 12,672,767
(twelve million, six hundred and seventytwo thousand, seven hundred and sixtyseven)

MONARCHY : total of votes No. 10,688,905
(ten million, six hundred and eighty eight thousand, nine hundred and five)

THE COURT, in accordance with art. 19, of DLL 23 April 1946, n. 219, will issue in another session definitive judgement on the contestations, protests, and claims submitted to the offices of the individual polling stations or to the central offices of the constituencies or to the Court itself concerning the carrying out of the operations relative to the REFERENDUM; will integrate the results with the data of the sections still missing; and will indicate the total number of the electors voting and the number of void votes.

Whereof this is of record.

The Chief Registrar

/s/ E. CESAREO

The First President

/s/ G. PAGANO

THE SUPREME COURT OF CASSATION

---.

REFERENDUM ON THE INSTITUTIONAL FORM OF THE STATE

MINUTES RELATIVE TO THE DEFINITIVE JUDGEMENT ON THE CONTESTATIONS, PROTESTS, CLAIMS REFERRED TO IN ART. 19 DLL 23 APRIL 1946, No. 210

In the year nineteen hundred and forty six on the 18th day of June at 1800 hrs. in the Palace of Parliament.

THE SUPREME COURT OF CASSATION is met to proceed to the operation referred to in art. 19 of DLL 23 April 1946 n. 219

Present:

PAGANO Dott. Giuseppe, First President
 BRIGANTE Dott. Saverio, Section President
 PELLEGRINI Dott. Francesco, Section President
 DATO Dott. Giuseppe, Section President
 COLAGROSSO Dott. Prof. Enrico, Section President
 CURCIO Dott. Francesco, Section President
 EUGGIERO Dott. Giovanni, Section President
 VITALI Dott. Giovanni, Section President
 PIACENTINI Dott. Mariano, Counsellor
 MARTORANA Dott. Prof. Michele, Counsellor
 ZAPPULLI Dott. Carlo, Counsellor
 PASQUALE Dott. Rocco, Counsellor
 CHIEPPA Dott. Pasquale, Counsellor
 GABRIELI Dott. Prof. Francesco Pantaleo, Counsellor
 PASQUERA Dott. Filippo, Counsellor
 TIERIMENTE Dott. Giuseppe, Counsellor
 MANCINI Dott. Rodolfo, Counsellor
 CHIEPPA Dott. Vincenzo, Counsellor
 D'APOLITO Dott. Giuseppe, Counsellor

Intervenes Sgr. PILOTTI Dott. Massimo, Procurator General at the Supreme Court;

Assists Sgr. CESAREO Emilio, Chief Registrar of the Supreme Court of Cassation acting as Secretary.

With reference to the last part of the minutes of its previous session under date of the 10th day of the current month of June

THE COURT

I - notifies that, having heard the conclusions of the Procurator General, has given definitive judgement on the contestations, protests and claims concerning the carrying out of the operations relative to the referendum.

Attached to the exemplar of the present minutes which will be deposited in the Chancery of the Supreme Court of Cassation are the files containing the decisions relative to all claims, contestations and protests submitted to the examination of the Court; files which constitute the annexes numbered 1 to 12 and which are an integral part of the minutes themselves.

From such decisions it follows that altogether the following modifications are to be made to the totals of the votes proclaimed at the session of the 10th of the current month:

- | | | |
|----|--|-----------------|
| a) | to subtract from the votes attributed to the Republic: | No. 4 votes; |
| b) | to subtract from the votes attributed to the Monarchy: | No. 30 votes; |
| c) | to add to the votes attributed to the Republic | : No. 18 votes; |
| d) | to add to the votes attributed to the Monarchy | : No. 25 votes; |

335

II - Integrates the above results with the data of the sections missing at the moment of proclamation of 10 June.

Attached hereto, as above, to the present minutes a list (Annex No. 13) of the data relative to the missing sections on the basis of which the following additions are to be made to the results of the referendum pu-

GABRIELLI Dott. Prof. Francesco Pantaleo, Counsellor
 PASQUERA Dott. Filippo, Counsellor
 FIERILMONTE Dott. Giuseppe, Counsellor
 MANCINI Dott. Rodolfo, Counsellor
 CHIEPPA Dott. Vincenzo, Counsellor
 D'APOLITO Dott. Giuseppe, Counsellor

Intervenes Sgr. PILOTTI Dott. Massimo, Procurator General at the Supreme Court;

Assists Sgr. CESAREO Emilio, Chief Registrar of the Supreme Court of Cassation acting as Secretary.

With reference to the last part of the minutes of its previous session under date of the 10th day of the current month of June

THE COURT

I - notifies that, having heard the conclusions of the Procurator General, has given definitive judgement on the contestations, protests and claims concerning the carrying out of the operations relative to the referendum.

Attached to the exemplar of the present minutes which will be deposited in the Chancery of the Supreme Court of Cassation are the files containing the decisions relative to all claims, contestations and protests submitted to the examination of the Court; files which constitute the annexes numbered 1 to 12 and which are an integral part of the minutes themselves.

From such decisions it follows that altogether the following modifications are to be made to the totals of the votes proclaimed at the session of the 10th of the current month:

- a) to subtract from the votes attributed to the Republic: No. 4 votes;
- b) to subtract from the votes attributed to the Monarchy: No. 30 votes;
- c) to add to the votes attributed to the Republic : No. 18 votes;
- d) to add to the votes attributed to the Monarchy : No. 25 votes;

335

II - Integrates the above results with the data of the sections missing at the moment of proclamation of 10 June.

Attached hereto, as above, to the present minutes a list (Annex No. 13) of the data relative to the missing sections on the basis of which the following additions are to be made to the results of the referendum published on 10 June:

- a) votes attributed to the REPUBLIC No. 45,142
- b) votes attributed to the MONARCHY No. 30,384

III - Whereas the COURT has deemed that for the majority of the electors voting referred to in art. 2 of D.L. 16 March 1946, n. 98 is to be understood the majority of the electors who have expressed valid votes;

Places on record that the total valid votes in favor of the Republic are

27C

12,717,923 (twelve million seven hundred and seventeen thousand, nine hundred and twenty three) and those in favor of the Monarchy are 10,719,284 (ten million seven hundred and nineteen thousand, two hundred and eighty four) and therefore that the majority of the electors voting has pronounced itself in favor of the REPUBLIC.

IV - Places on record that the void votes are in total 1,498,136 (one million four hundred and ninetyeight thousand, one hundred and thirty six).

Whereof this is of record.

The Chief Registrar

/s/ E. CESAREO

The First President

/s/ G. PAGANO

THE SUPREME COURT OF CASSATION

REFERENDUM ON THE INSTITUTIONAL FORM OF THE STATE

Data relative to the missing sections

CONSTITUENCY	Number	MISSING SECTIONS	
		REPUBLIC	MONARCHY
I. Torino-Novara-Vercelli	7	2,257	1,869
II. Cuneo-Alessandria-Asti	1	199	237
III. Genova-Imperia-La Spezia-Savona	46	21,752	8,055
VI. Brescia-Bergamo	3	1,242	800
XIII. Bologna-Ferrara-Ravenna-Forli'	2	1,225	350
XIV. Parma-Modena-Piacenza-Reggio Emilia	22	8,690	3,064
XXIII. Napoli-Caserta	1	66	491
XXVII. Potenza-Matera	11	3,850	4,155
XXVIII. Catanzaro-Cosenza-Reggio Calabria	26	5,670	10,022
XXIX. Catania-Messina-Siracusa-Ragusa-Enna	2	191	1,341
Total		45,142	50,384

333

The Chief Registrar

/s/ E. CESAREO

The First President

/s/ G. PAGANO

APPENDIX "C"

EDIZIONE STRAORDINARIA

Conto corrente con la Posta

Anno 87° — Numero 134

GAZZETTA UFFICIALE

DELLA

REPUBBLICA ITALIANA

PARTE PRIMA

ROMA - Giovedì, 20 giugno 1946

SI PUBBLICA TUTTI I GIORNI
MENO I FESTIVIDIREZIONE E REDAZIONE PRESSO IL MINISTERO DI GRAZIA E GIUSTIZIA - UFFICIO PUBBLICAZIONE DELLE LEGGI — TELEF. 50-139 51-236 51-354
AMMINISTRAZIONE PRESSO LA LIBRERIA DELLO STATO - PIAZZA GIUSEPPE VERDI 10, ROMA - TELEF. 80-033 841-737 850-144

PREZZI E CONDIZIONI DI ABBONAMENTO

ALLA PARTE PRIMA E SUPPLEMENTI ORDINARI

In ITALIA: Abbonamento annuo L. 1.500 - Semestrale L. 800
Trimestrale L. 500 - Un fascicolo L. 10

ALL'ESTERO: Il doppio dei prezzi per l'Italia.

AI «BOLLETTINO DELLE ESTRAZIONI» (carteggio titoli, obbligazioni, cartelle)

In ITALIA: Abbonamento annuo L. 2.400 - Semestrale L. 1.500
Un fascicolo - Prezzi vari.

ALLA PARTE SECONDA

In ITALIA: Abbonamento annuo L. 800 - Semestrale L. 500
Trimestrale L. 300 - Un fascicolo L. 10.

ALL'ESTERO: Il doppio dei prezzi per l'Italia.

L'importo degli abbonamenti deve essere versato sul c/c postale n. 1/2640 intestato all'Istituto Poligrafico dello Stato
Libreria dello Stato - Roma.

Per gli annunci da inserire nella «Gazzetta Ufficiale», veggansi le norme riportate nella testata della parte seconda

La «Gazzetta Ufficiale» e tutte le altre pubblicazioni ufficiali sono in vendita al pubblico presso i negozi della Libreria dello Stato in Roma, Via XX Settembre (palazzo del Ministero delle Finanze); Corso Umberto 234 (angolo Via Marco Minghetti 23-24); Via Firenze 37 (palazzo Ministero della Guerra); in Milano, Galleria Vittorio Emanuele 3; in Napoli, Via Chiaia 5; e presso le Librerie depositarie di Roma e di tutti i Capoluoghi di Provincia.

Le inserzioni nella Parte II della «Gazzetta Ufficiale» si ricevono in ROMA - presso la Libreria dello Stato (Ufficio Inscrizioni - Via XX Settembre - Palazzo del Ministero delle Finanze). La filiale della Libreria dello Stato in Milano, Galleria Vittorio Emanuele 3, è autorizzata ad accettare solamente gli avvisi consegnati a mano ed accompagnati dal relativo importo.

CORTE SUPREMA DI CASSAZIONE

VERBALE RELATIVO ALLA PROCLAMAZIONE DEI RISULTATI DEL «REFERENDUM», SULLA FORMA ISTITUZIONALE DELLO STATO

L'anno milienovecentoquarantasei, addì 10 del mese di giugno, in Roma, alle ore 18 nel Palazzo del Parlamento - Sala della Lupa.

La CORTE SUPREMA DI CASSAZIONE si è riunita in pubblica adunanza per procedere alle operazioni di cui all'art. 17 p.p. del Decreto Legislativo Luogotenenziale 23 aprile 1946, n. 219.

Sono presenti i signori:

PAGANO Dott. Giuseppe, *Primo Presidente*;
 BRIGANTE Dott. Saverio, *Presidente di Sezione*;
 BELFIORE Dott. Carmelo, *Presidente di Sezione*;
 PELLEGRINI Dott. Francesco, *Presidente di Sezione*;
 DATO Dott. Giuseppe, *Presidente di Sezione*;
 COLAGROSSO Dott. Prof. Enrico, *Presidente di Sezione*;
 CURCIO Dott. Francesco, *Presidente di Sezione*;
 VITALI Dott. Giovanni, *Consigliere*;
 PIACENTINI Dott. Mariano, *Consigliere*;
 MARTORANA Dott. Prof. Michele, *Consigliere*;
 ZAPPULLI Dott. Carlo, *Consigliere*;
 PASQUALE Dott. Rocco, *Consigliere*;
 CHIEPPA Dott. Pasquale, *Consigliere*;
 GABRIELI Dott. Prof. Francesco Pantaleo, *Consigliere*;
 PASQUERA Dott. Filippo, *Consigliere*;
 FIERIMONTE Dott. Giuseppe, *Consigliere*;
 MANCINI Dott. Rodolfo, *Consigliere*;
 CHIEPPA Dott. Vincenzo, *Consigliere*;
 D'APOLITO Dott. Giuseppe, *Consigliere*.

332

Interviene il signor PILOTTI dott. Massimo - Procuratore Generale presso la Corte Suprema;

Assiste il signor CESAREO Emilio - Cancelliere Capo della Corte Suprema di Cassazione con funzioni di Segretario.

Avendo esaminato i verbali trasmessi da tutti gli uffici circoscrizionali, dà atto che alla REPUBBLICA e alla MONARCHIA sono stati attribuiti, rispettivamente, in ciascun Collegio, i voti di seguito riportati:

	REPUBBLICA	MONARCHIA
COLLEGIO		
I — Torino - Novara - Vercelli (mancano i dati di 7 sezioni)	800.772	536.597
II — Cuneo - Alessandria - Asti	412.313	380.770
III — Genova - Imperia - La Spezia - Savona (mancano i dati di 46 sezioni)	611.849	275.761
IV — Milano - Pavia	1.153.027	541.872
V — Como - Sondrio - Varese	422.722	241.923
VI — Brescia - Bergamo (mancano i dati di 1 sezione)	399.986	344.637
VII — Mantova - Cremona	301.273	148.853
VIII — Trento - Bolzano	192.204	33.946
IX — Verona - Padova - Vicenza - Rovigo	647.464	504.273
X — Venezia - Treviso	403.329	252.478
XI — Udine - Belluno	339.183	198.388
XII — Trieste e Venezia Giulia - Zara	—	—
XIII — Bologna - Ferrara - Ravenna - Forlì (mancano i dati di 2 sezioni) .	879.201	212.373
XIV — Parma - Modena - Piacenza - Reggio Emilia (mancano i dati di 23 sezioni)	638.288	238.681
XV — Firenze - Pistoia	487.133	193.566
XVI — Pisa - Livorno - Lucca - Apuania	456.164	191.821
XVII — Siena - Arezzo - Grosseto	338.165	119.984
XVIII — Ancona - Pesaro - Macerata - Ascoli Piceno	499.087	213.396
XIX — Perugia - Terni - Rieti	335.835	168.610
XX — Roma - Viterbo - Latina - Frosinone	713.875	745.845
XXI — L'Aquila - Pescara - Chieti - Teramo	287.322	326.267
XXII — Benevento - Campobasso	103.969	241.361
XXIII — Napoli - Caserta (mancano i dati di 1 sezione)	241.778	902.700
XXIV — Salerno - Avellino	152.570	415.641
XXV — Bari - Foggia	320.867	509.476
XXVI — Lecce - Brindisi - Taranto	148.872	449.299
XXVII — Potenza - Matera (mancano i dati di 11 sezioni)	104.471	153.960
XXVIII — Catanzaro - Cosenza - Reggio Calabria (mancano i dati di 26 sezioni)	333.491	502.605
XXIX — Catania - Messina - Siracusa - Ragusa - Enna (mancano i dati di 2 sezioni)	329.035	707.520
XXX — Palermo - Trapani - Agrigento - Caltanissetta	379.951	595.488
XXXI — Cagliari - Sassari - Nuoro	206.930	321.305
XXXII — Val D'Aosta	28.630	16.506

Procede quindi alla somma dei voti su riportati attribuiti alla REPUBBLICA, di quelli attribuiti alla MONARCHIA in tutti i Collegi, e proclama i seguenti risultati del « REFERENDUM » secondo quanto attestano i verbali stessi.

REPUBBLICA: totale dei voti N. 12.672.767
(dodicimilioniseicentotantaduecentosessantasette).

MONARCHIA: totale dei voti N. 10.688.905
(diecimilioniseicentotantottomilanovecentocinque).

LA CORTE, a norma dell'art. 19 del decreto legislativo Luogotenenziale 23 aprile 1946, n. 219, emetterà in altra adunanza il giudizio definitivo sulle contestazioni, le proteste e i reclami presentati agli uffici delle singole sezioni o agli uffici centrali circoscrizionali o alla stessa CORTE concernenti lo svolgimento delle operazioni relative al « REFERENDUM »; integrerà i risultati coi dati delle sezioni ancora mancanti; ed indicherà il numero complessivo degli elettori votanti e quello dei voti nulli.

Del che è verbale.

IL CANCELLIERE CAPO
E. CESAREO

IL PRIMO PRESIDENTE
G. PAGANO

CORTE SUPREMA DI CASSAZIONE**REFERENDUM SULLA FORMA ISTITUZIONALE DELLO STATO****VERBALE RELATIVO AL GIUDIZIO DEFINITIVO SULLE CONTESTAZIONI,
LE PROTESTE E I RECLAMI DI CUI ALL'ART. 19 D. L. L. 23 APRILE 1946, N. 219**

L'anno milenovecentoquarantasei il giorno 18 giugno alle ore 18 nel Palazzo del Parlamento.

La CORTE SUPREMA DI CASSAZIONE si è riunita per procedere alle operazioni di cui all'art. 19 Decreto Legislativo Luogotenenziale 23 aprile 1946, n. 219.

Sono presenti i signori:

PAGANO Dott. Giuseppe, *Primo Presidente*;
BRIGANTE Dott. Saverio, *Presidente di Sezione*;
PELLEGRINI Dott. Francesco, *Presidente di Sezione*;
DATO Dott. Giuseppe, *Presidente di Sezione*;
COLAGROSSO Dott. Prof. Enrico, *Presidente di Sezione*;
CERCIO Dott. Francesco, *Presidente di Sezione*;
RUGGIERO Dott. Giovanni, *Presidente di Sezione*;
VITALI Dott. Giovanni, *Consigliere*;
PIACENTINI Dott. Mariano, *Consigliere*;
MARTORANA Dott. Prof. Michele, *Consigliere*;
ZAPPULLI Dott. Carlo, *Consigliere*;
PASQUALE Dott. Rocco, *Consigliere*;
CHIEPPA Dott. Pasquale, *Consigliere*;
GABRIELI Dott. Prof. Francesco Pantaleo, *Consigliere*;
BASQUERA Dott. Filippo, *Consigliere*;
FIERIMONTE Dott. Giuseppe, *Consigliere*;
MANCINI Dott. Rodolfo, *Consigliere*;
CHIEPPA Dott. Vincenzo, *Consigliere*;
D'APOLITO Dott. Giuseppe, *Consigliere*.

Interviene il signor PILOTTI Dott. Massimo - Procuratore Generale presso la Corte Suprema;

Assiste il signor CESAREO Emilio - Cancelliere Capo della Corte Suprema di Cassazione con funzioni di Segretario.

Con riferimento all'ultima parte del verbale della sua precedente adunanza in data 10 corrente mese di giugno.

LA CORTE

Dà atto che, sentite le conclusioni del Procuratore Generale, ha emesso giudizio definitivo sulle contestazioni, le proteste ed i reclami concernenti lo svolgimento delle operazioni relative al referendum.

Si uniscono all'esemplare del presente verbale, che sarà depositato nella Cancelleria della Corte Suprema di Cassazione, i fascicoli contenenti le decisioni relative a tutti i reclami, le contestazioni e le proteste sottoposti all'esame della Corte; fascicoli che costituiscono gli allegati dai numeri 1 a 12 e che formano parti integranti del verbale medesimo.

Da tali decisioni risulta che complessivamente sono da apportare alle somme dei voti proclamate nella adunanza del 10 corrente le modificazioni di cui appresso:

- a) da sottrarre ai voti attribuiti alla repubblica: n. 4 voti;
- b) da sottrarre ai voti attribuiti alla monarchia: n. 30 voti;
- c) da aggiungere ai voti attribuiti alla repubblica: n. 18 voti;
- d) da aggiungere ai voti attribuiti alla monarchia: n. 25 voti.

II) Integra i risultati suddetti coi dati delle sezioni mancanti all'atto della proclamazione del 10 giugno.

Si unisce, come sopra, al presente verbale un elenco (allegato n. 13) dei dati relativi alle sezioni mancanti, in base al quale sono da apportare ai risultati del referendum pubblicati il 10 giugno le seguenti aggiunzioni:

a) voti attribuiti alla REPUBBLICA n. 45.142;

b) voti attribuiti alla MONARCHIA n. 30.381.

III) Premesso che la CORTE ha ritenuto che per «maggioranza degli elettori votanti» di cui parla l'art. 2 del Decreto Legislativo Luogotenenziale 16 marzo 1946, n. 98, deve intendersi maggioranza degli elettori che hanno espresso voti validi.

Dà atto che i voti validi complessivi a favore della REPUBBLICA sono **12.717.923** (dodici milioni settecentodiciassettemila novecentoventitre) e quelli a favore della MONARCHIA sono **10.719.284** (diecimilioni settecentodiciannovemila duecentottantaquattro) e che pertanto la maggioranza degli elettori votanti si è pronunciata in favore della REPUBBLICA.

IV) Dà atto che i voti nulli sono complessivamente in n. di 1.498.136 (unmilione quattrocentonovantottomila centotrentasei).

Del che è verbale.

IL CANCELLIERE CAPO
E. CESAREO

IL PRIMO PRESIDENTE
G. PAGANO

ALLEGATO N. 13

CORTE SUPREMA DI CASSAZIONE

REFERENDUM SULLA FORMA ISTITUZIONALE DELLO STATO

DATI RELATIVI ALLE SEZIONI MANCANTI

COLLEGIO	Numero	SEZIONI MANCANTI	
		REPUBBLICA	MONARCHIA
I — Torino - Novara - Vercelli	7	2.257	1.869
II — Cuneo - Alessandria - Asti	1	199	237
III — Genova - Imperia - La Spezia - Savona	46	21.752	8.055
VI — Brescia - Bergamo	3	1.243	800
XIII — Bologna - Ferrara - Ravenna - Forlì	3	1.225	350
XIV — Parma - Modena - Piacenza - Reggio Emilia	22	8.690	3.064
XXIII — Napoli - Caserta	1	66	491
XXVII — Potenza - Matera	11	3.850	4.155
XXVIII — Catanzaro - Cosenza - Reggio Calabria	26	5.670	10.022
XXIX — Catania - Messina - Siracusa - Ragusa - Enna	2	191	1.341
TOTALE		45.142	30.384

IL CANCELLIERE CAPO
E. CESAREO

IL PRIMO PRESIDENTE
G. PAGANO

DECRETO LEGISLATIVO PRESIDENZIALE 19 giugno 1946, n. 1.

Nuove formule per l'emanazione dei decreti ed altre disposizioni conseguenti alla mutata forma istituzionale dello Stato.

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

In virtù dei poteri di Capo provvisorio dello Stato, conferitigli dall'art. 2, 4° comma, del decreto legislativo Luogotenenziale 16 marzo 1946, n. 98;

Vista la proclamazione dei risultati del referendum istituzionale;

Visto l'art. 4 del decreto-legge Luogotenenziale 25 giugno 1944, n. 151;

Previo concerto col Ministro per la Grazia e la Giustizia;

Vista la deliberazione del Consiglio dei Ministri;

HA SANZIONATO E PROMULGA:

Art. 1.

Fino a quando non sarà eletto il Capo provvisorio dello Stato, ai sensi dell'art. 2 del decreto legislativo Luogotenenziale 16 marzo 1946, n. 98, i decreti legislativi previsti dall'art. 4 del decreto-legge Luogotenenziale 25 giugno 1944, n. 151, sono sanzionati e promulgati dal Presidente del Consiglio dei Ministri con la formula seguente:

« Il Presidente del Consiglio dei Ministri

In virtù dei poteri di Capo provvisorio dello Stato, conferitigli dall'art. 2, quarto comma, del decreto legislativo Luogotenenziale 16 marzo 1946, n. 98;

Vista la deliberazione del Consiglio dei Ministri;

Sulla proposta;

Ha sanzionato e promulga »;

Art. 2.

Fino a quando non sarà eletto il Capo provvisorio dello Stato, i decreti relativi alle materie indicate nell'art. 1 della legge 31 gennaio 1926, n. 100, sono emanati con la seguente formula:

« Il Presidente del Consiglio dei Ministri

In virtù dei poteri di Capo provvisorio dello Stato, conferitigli dall'art. 2, quarto comma, del decreto legislativo Luogotenenziale 16 marzo 1946, n. 98;

Udito il parere del Consiglio di Stato;

Sentito il Consiglio dei Ministri;

Sulla proposta;

Decreta »;

Art. 3.

Fino a quando non sarà eletto il Capo provvisorio dello Stato, per i provvedimenti da emanarsi sulla proposta del Presidente del Consiglio dei Ministri di concerto con altri Ministri, la formula « Sulla proposta » è sostituita dalla formula « Previo concerto con », che deve precedere la menzione dell'intervento del Consiglio dei Ministri.

Art. 4.

Per i decreti indicati nell'art. 1, l'ultima parte della formula di promulgazione è modificata come segue:

« Il presente decreto, munito del sigillo dello Stato, sarà inserito nella Raccolta ufficiale delle leggi e dei decreti della Repubblica italiana. E' fatto obbligo a chiunque spetti di osservarlo e di farlo osservare come legge dello Stato ».

Per i decreti indicati nell'art. 2, l'ultima parte della formula di promulgazione è modificata come segue:

« Il presente decreto, munito del sigillo dello Stato, sarà inserito nella Raccolta ufficiale delle leggi e dei decreti della Repubblica italiana. E' fatto obbligo a chiunque spetti di osservarlo e di farlo osservare ».

1454

20-6-1946 - GAZZETTA UFFICIALE DELLA REPUBBLICA ITALIANA - N. 134

Art. 5.

I decreti del Capo dello Stato, diversi da quelli indicati nei precedenti articoli, saranno emanati con le formule stabilite negli articoli 2 e 3, escluse le indicazioni riferentisi ad adempimenti per essi non prescritti.

Art. 6.

Fino a quando non venga diversamente disposto dall'Assemblea Costituente, le decisioni giudiziarie richiederanno la intestazione:

REPUBBLICA ITALIANA
IN NOME DEL POPOLO ITALIANO

Gli altri atti che, in base alle vigenti disposizioni, devono essere formati in nome del Capo dello Stato, richiederanno la intestazione:

REPUBBLICA ITALIANA
IN NOME DELLA LEGGE

Sono considerate valide le formule d'intestazione usate nelle decisioni e negli atti predetti dopo il 10 giugno 1946 e fino all'entrata in vigore del presente decreto.

Art. 7.

Il Presidente del Consiglio dei Ministri nominerà una Commissione incaricata di studiare il modello del nuovo emblema dello Stato.

Fino a quando l'Assemblea Costituente non avrà approvato il nuovo emblema dello Stato e fino a quando gli uffici non siano provvisti dei sigilli formati in base all'emblema stesso, sono usati i sigilli attualmente esistenti.

E' consentito, fino ad esaurimento delle scorte, l'uso delle carte-vadori, degli stampati e dei moduli già esistenti.

Art. 8.

Fino a quando non venga diversamente deliberato dall'Assemblea Costituente, la bandiera nazionale è formata da un drappo rettangolare, distinto verticalmente in tre sezioni eguali, rispettivamente dei colori verde, bianco e rosso.

Il drappo deve essere alto due terzi della sua lunghezza, e i tre colori vanno distribuiti nell'ordine anzidetto, in guisa che il verde sia aderente all'inferitura.

Art. 9.

Fino a quando non siano state stabilite ed applicate le nuove formule di giuramento, in dipendenza della mutata forma istituzionale dello Stato, gli obblighi derivanti dal giuramento prestato, ai sensi delle vigenti disposizioni, dai dipendenti civili e militari dello Stato e dalle persone incaricate di pubbliche funzioni s'intendono assunti verso lo Stato.

Ove occorra prestare o rinnovare il giuramento, esso sarà prestato omettendo nelle formule vigenti ogni accenno alla forma monarchica dello Stato.

Art. 10.

Nelle denominazioni di uffici, commissioni, corpi, enti ed istituti pubblici, è abolita ogni qualificazione riferentisi alla forma monarchica dello Stato.

La stessa norma si applica alla intitolazione degli atti e delle pubblicazioni di carattere ufficiale.

La collezione ufficiale delle leggi e dei decreti assume la denominazione di *Raccolta ufficiale delle leggi e dei decreti della Repubblica italiana*.

La *Gazzetta Ufficiale* assume la denominazione di *Gazzetta Ufficiale della Repubblica italiana*.

20-6-1946 - GAZZETTA UFFICIALE DELLA REPUBBLICA ITALIANA - N. 131

1455

Art. 11.

Con successivi decreti, saranno emanate le norme integrative e le altre disposizioni occorrenti per l'attuazione del presente decreto.

Art. 12.

Il presente decreto entra in vigore il giorno della sua pubblicazione nella *Gazzetta Ufficiale*.

Il presente decreto, munito del sigillo dello Stato, sarà inserito nella Raccolta ufficiale delle leggi e dei decreti della Repubblica italiana. E' fatto obbligo a chiunque spetti di osservarlo e di farlo osservare come legge dello Stato.

Dato a Roma, addì 19 giugno 1946

DE GASPERI

TOGLIATTI

Visto, il Guardasigilli: TOGLIATTI
Registrato alla Corte dei conti, addì 19 giugno 1946
Atti del Governo, registro n. 1, foglio n. 1. -- FRASCA

DECRETO LEGISLATIVO PRESIDENZIALE 19 giugno 1946, n. 2.

Dichiarazione di giorno festivo a tutti gli effetti civili dell'11 giugno 1946.

IL PRESIDENTE DEL CONSIGLIO DEI MINISTRI

In virtù dei poteri di Capo provvisorio dello Stato conferitigli dall'art. 2, quarto comma, del decreto legislativo Luogotenenziale 16 marzo 1946, n. 98;

Visto il decreto-legge Luogotenenziale 25 giugno 1944, n. 151;

Visto il decreto legislativo Presidenziale 19 giugno 1946, n. 1;

Vista la deliberazione del Consiglio dei Ministri,

HA SANZIONATO E PROMULGA:

Articolo unico.

L'11 giugno 1946 è dichiarato festivo a tutti gli effetti civili.

In detto giorno viene corrisposto ai lavoratori il trattamento economico previsto dall'art. 3 del decreto legislativo Luogotenenziale 22 aprile 1946, n. 185.

Il presente decreto, munito del sigillo dello Stato, sarà inserito nella Raccolta ufficiale delle leggi e dei decreti della Repubblica italiana. E' fatto obbligo a chiunque spetti di osservarlo e di farlo osservare come legge dello Stato.

Dato a Roma, addì 19 giugno 1946

DE GASPERI

Visto, il Guardasigilli: TOGLIATTI
Registrato alla Corte dei conti, addì 19 giugno 1946
Atti del Governo, registro n. 1, foglio n. 2. -- FRASCA

GIOLITI GIUSEPPE, direttore

SANTI RAFFAEL, gerente

TEXT OF AGREEMENT MODIFYING ITALIAN ARMISTICE REGIME

Whereas hostilities have ceased;

Whereas after the Armistice, Italian forces contributed to the war against Germany, Italy declared war on Germany as from 13 October 1943 and thereby became a co-belligerent against Germany;

Whereas the Armistice Terms have thereby become in part obsolete or have been superseded by events;

Whereas the Government of Italy has requested and the Governments of the United States, United Kingdom, Union of Soviet Socialist Republics and France have agreed to a modification of the Armistice regime in the light of existing circumstances;

Accordingly, the aforementioned Governments have decided that the Armistice Terms shall be modified as follows, pending the coming into force of a Treaty of Peace.

.....

3. The Allied Commission is hereby abolished.

(a) A special section of Allied Force Headquarters under the orders of the Supreme Allied Commander, who will act as Chairman, shall be established to assume the control functions of supervision and direction of the Italian Armed Forces heretofore exercised by the Land, Navy and Air Force Sub-Commissions in the Allied Commission. This Section shall control the production of armaments.

(b) The employment and disposition of the Italian Navy shall remain as at present under the command and control of the Supreme Allied Commander.

(c) Pending the coming into force of a Treaty of Peace, Allied Military Government shall be continued under the Supreme (Allied) Commander, Mediterranean, in Venezia Giulia and in the Province of Udine.

.....

5. Simultaneously with the coming into force of the present agreement, **330** further agreements shall be concluded between the United States and Italy, and between the United Kingdom and Italy, providing for the maintenance in Italy of Allied Forces under redeployment, and for the retention of the Allied Forces required for the Allied lines of communication to Austria.

.....

10. The Italian Government, in full recognition of the absolute and untrammelled right of the people of Italy to choose by constitutional means the form of democratic government they desire, hereby renews its pledge to submit to the will of the people. To this end the Italian Government undertakes to provide through free elections for an expression of the popular will on the democratic forms of government to be chosen by the people, it being understood that the choice shall

Whereas the Government of Italy has requested and the Governments of the United States, United Kingdom, Union of Soviet Socialist Republics and France have agreed to a modification of the Armistice regime in the light of existing circumstances;

Accordingly, the aforementioned Governments have decided that the Armistice Terms shall be modified as follows, pending the coming into force of a Treaty of Peace.

.....

3. The Allied Commission is hereby abolished.

(a) A special section of Allied Force Headquarters under the orders of the Supreme Allied Commander, who will act as Chairman, shall be established to assume the control functions of supervision and direction of the Italian Armed Forces heretofore exercised by the Land, Navy and Air Force Sub-Commissions in the Allied Commission. This Section shall control the production of armaments.

(b) The employment and disposition of the Italian Navy shall remain as at present under the command and control of the Supreme Allied Commander.

(c) Pending the coming into force of a Treaty of Peace, Allied Military Government shall be continued under the Supreme (Allied) Commander, Mediterranean, in Venezia Giulia and in the Province of Udine.

.....

5. Simultaneously with the coming into force of the present agreement, **330** further agreements shall be concluded between the United States and Italy, and between the United Kingdom and Italy, providing for the maintenance in Italy of Allied Forces under redeployment, and for the retention of the Allied Forces required for the Allied lines of communication to Austria.

.....

10. The Italian Government, in full recognition of the absolute and untrammelled right of the people of Italy to choose by constitutional means the form of democratic government they desire, hereby renews its pledge to submit to the will of the people. To this end the Italian Government undertakes to provide through free elections for an expression of the popular will on the democratic forms of government to be chosen by the people, it being understood that the choice shall be decided by the majority of the popular vote, which shall be binding upon the present government and upon bodies constituted through such elections.

.....

12. The present agreement shall enter into force upon signature thereof by the President of the Council of Ministers of Italy, and by the Supreme Allied Commander in Italy duly authorised thereto by the Governments of the United States, United Kingdom, Union of Soviet Socialist Republics and France and shall remain in force until superseded by other arrangements or until the coming into force of the Peace Treaty with Italy.

Excerpt from the newspaper "Italia Nuova" of 21 June 1946

Il Ministero dell'Interno comunica:

Di fronte alle inesatte affermazioni di qualche giornale, si precisa che il numero dei cittadini iscritti nelle liste elettorali di tutti i Comuni in cui si e' votato il 2 giugno 1946 e' di 28.021.375; in relazione a tale cifra e' avvenuto il rilascio dei certificati elettorali.

Il numero degli elettori che si sono presentati alle urne, secondo i dati accertati dalla Corte Suprema di Cassazione, ammonta a 24 milioni 935.343 (voti validi 23 milioni 457.207; voti nulli 1 milione 488.136).

Il rapporto tra elettori presentatisi alle urne ed elettori iscritti e', quindi, dell'85 per cento.

Il solo esame di tali cifre, e il raffronto di esse con quelle inerenti al primo ciclo di elezioni amministrative, sono sufficienti a dimostrare il regolare svolgimento della consultazione popolare qual'e' stato confermato del resto, dal giudizio definitivo emesso in ordine alle operazioni elettorali dal massimo organo della nostra Magistratura.

Di tale giudizio il Governo ha voluto attendere l'esito per un riguardo verso la Corte Suprema, prima di pubblicare i dati di cui il Ministero dell'Interno era gia' in possesso in seguito ad accertamenti direttamente compiuti attraverso i suoi organi, tanto piu' che la stessa Corte, nella proclamazione del 19 giugno si era riservato il compito di accertare il numero dei votanti e delle schede nulle.

(Translation)

The Ministry of the Interior communicates:

329

In view of the inexact affirmations made by some newspaper, it is stated that the number of citizens inscribed in the electoral lists of all the Communes where polling took place on 2 June 1946 is of 28,021,375; the issuance of electoral certificates took place on the basis of said figure.

The number of electors who were present at the polling, in accordance with the data verified by the Supreme Court of Cassation amounts to 24 millions 935,343 (valid votes 23 millions 457,207; votes annulled 1 million 488,136).

The proportion between electors present to the polling and the registered electors is, therefore, of 85 per cent.

The only examination of said figures and the comparison between them and those relative to the first round of the administrative elections, are sufficient to demonstrate the regular carrying out of the popular consultation, as on the

numero dei cittadini iscritti nelle liste elettorali di tutti i Comuni in cui si è votato il 2 giugno 1946 e' di 28.021.375; in relazione a tale cifra e' avvenuto il rilascio dei certificati elettorali.

Il numero degli elettori che si sono presentati alle urne, secondo i dati accertati dalla Corte Suprema di Cassazione, ammonta a 24 milioni 935.343 (voti validi 23 milioni 457.207; voti nulli 1 milione 488.136).

Il rapporto tra elettori presentatisi alle urne ed elettori iscritti e', quindi, dell'89 per cento.

Il solo esame di tali cifre, e il raffronto di esse con quelle inerenti al primo ciclo di elezioni amministrative, sono sufficienti a dimostrare il regolare svolgimento della consultazione popolare qual'e' stato confermato dal resto, dal giudizio definitivo messo in ordine alle operazioni elettorali dal massimo organo della nostra Magistratura.

Di tale giudizio il Governo ha voluto attendere l'esito per un riguardo verso la Corte Suprema, prima di pubblicare i dati di cui il Ministero dell'Interno era gia' in possesso in seguito ad accertamenti direttamente compiuti attraverso i suoi organi, tanto piu' che la stessa Corte, nella proclamazione del 19 giugno si era riservato il compito di accertare il numero dei votanti e delle schede nulle.

(Translation)

329

The Ministry of the Interior communicates:

In view of the inexact affirmations made by some newspaper, it is stated that the number of citizens inscribed in the electoral lists of all the Communes where polling took place on 2 June 1946 is of 28,021,375; the issuance of electoral certificates took place on the basis of said figure.

The number of electors who were present at the polling, in accordance with the data verified by the Supreme Court of Cassation amounts to 24 millions 935,343 (valid votes 23 millions 457,207; votes annulled 1 million 488,136).

The proportion between electors present to the polling and the registered electors is, therefore, of 89 per cent.

The only examination of said figures and the comparison between them and those relative to the first round of the administrative elections, are sufficient to demonstrate the regular carrying out of the popular consultation, as on the other hand it has been confirmed by the definitive judgment issued regarding the electoral operations by the greatest organ of our Magistrature.

Of said judgement the Government wanted to wait the result for an act of reverence towards the Supreme Court, before publishing the data of which the Minister of Interior was already in possession as a result of verifications carried out directly through its own organs, so much so that the same Court in the proclamation of 19 June reserved the task of verifying the number of voters and of the void ballots.

IN ALICE FROM STATE

AMTC

5337

SECRET

JUNE 8 1960 463

W-11 C.U. 1216

IT IMMEDIATELY PRECEDING TELEGRAM THREE FIVE EIGHT SIX IS
THOSE WHO DOUBT VALIDITY ASKED THAT THE MAJORITY MUST EXCEED OVER FIFTY
PER CENT OF THE NUMBER ON THESE WHO VOTED AT POLLING BOOTHES REGARDLESS OF
WHETHER THEIR VOTES WERE DEEMED TECHNICALLY INVALID OR NOT IS THEREFORE
IF TWENTY SIX MILLION PAKISTANI RAY PAKISTANI RECORDS VOTES AND TWO MILLION VOTES
WERE FOUND TO BE TECHNICALLY INVALID IT WOULD BE AROUND THAT IN ORDER TO
ACQUIRE A MAJORITY EITHER ISLAMIC OR HINDU MUST OBTAIN OVER THIRTY MILLION VOTES

DISTRIBUTION

BE FORASAT
AM FORASAT

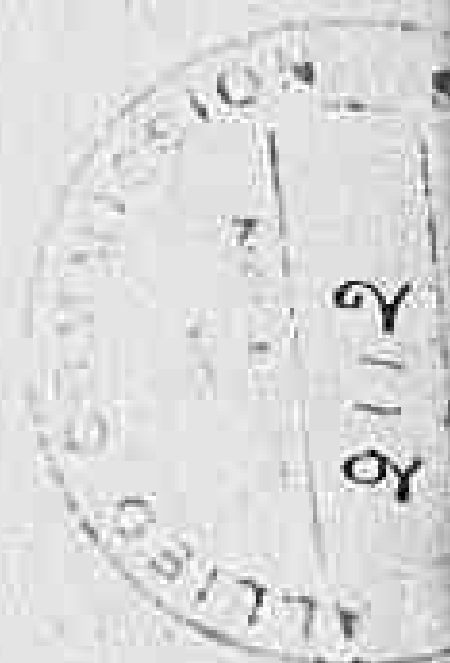
CA Sec
Local Govt.
C. Com.

OF MAJORITY

BY COMMISSION

239

M. S. LUSH
Executive Commissioner



328

CA Sec 23

U. P. Lush

pk

Local Govt 9/12

WHETHER THEIR VOTES WERE DENSED TECHNICALLY INVALID OR NOT ID THEREFORE
IF TWENTY SIX MILLION PEOPLE SAY PAPER PEOPLE PEOPLE RECORDED VOTES AND TWO MILLION VOTES
WERE FOUND TO BE TECHNICALLY INVALID IT WOULD BE ARGUED THAT IN ORDER TO
ACQUIRE EITHER REPUBLIC OR MONARCHY MUST OBTAIN OVER THIRTY MILLION VOTES

plan

gk

Local Govt

328

DISTRIBUTION

BR BRASSY
AM BRASSY

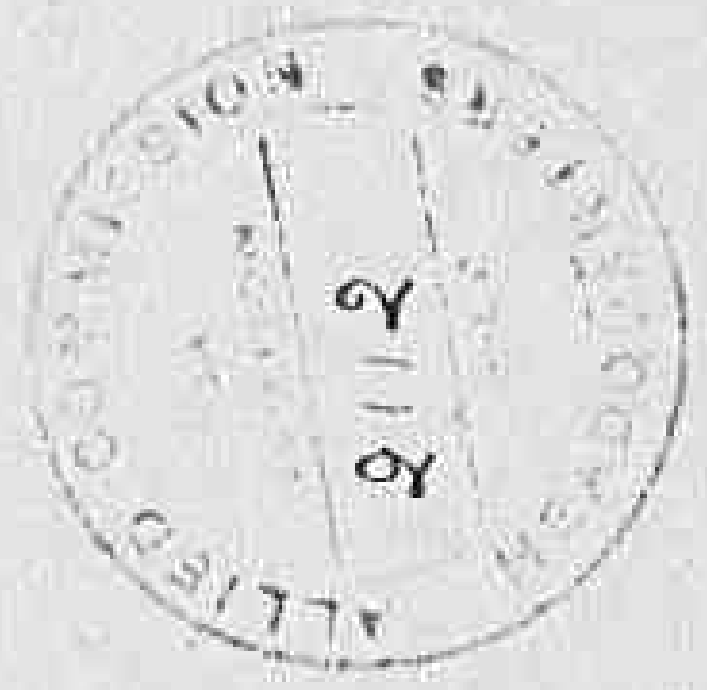
CA Sec ✓
Local Govt
C. Com.

OF PRIORITY

BY COMMISSIONERS

289

U.S. EXEC
Executive Commissioner.



4236

22

HQ ALCON FROM STONE

JUNE 8 1720 46B

11 JUN 1946

AFHQ

ALCON ILADGE OFFICERS SICILY, BOLENO, LEGNORI, BARI, LIGURIA,
AND UDINE, AND VENEZIA GIULIA.

3586

SECRET

REFERENCE MY UNNUMBERED SIGNAL DATED FIFTH JUNE PD
KING HAS NOT YET LEFT BECAUSE THERE IS DOUBT AS TO DATE OF OFFICIAL PROCLAMATION OF
REPUBLIC WHICH IS DEPENDENT ON DECISION OF COURT OF CASSATION DECLARING REFERENDUM
VALID PD DUE TO PRELIMINARY OF VOTES CAST FOR MONARCHY AND REFUSING THEIR DECISION
WILL PROBABLY NOT BE MADE UNTIL JUNE TENTH PD
IN SOME ITALIAN CIRCLES THERE IS THOUGHT TO BE POSSIBILITY OF DOUBT AS TO VALIDITY
OF RESULT OF REFERENDUM PD COUNCIL OF MINISTERS MEETS THIS AFTERNOON TO DISCUSS
MATTER PD I AM KEEPING IN CLOSE TOUCH AND WILL KEEP YOU INFORMED

DISTRIBUTION (BY KLS)

ALCON L.O. Piemonte
" " Lombardia
" " Venetia
" " Naples
" " Bologna

BR. Embassy
Am. Embassy

INTERNAL

O. Com
C.I.A. Section
Local Govt
Float

327

OF PRIORITY
In Commission

289

M.S. LHM
Executive Commissioner.

9326

45/3/3

21

JUNE 051700Z

FROM: EXECUTIVE COMMISSIONER ALCOM ROME

1011 JUN 1946

TO : SCAD AMG XIII CORPS, PROVINCIAL COMMISSIONER UBIKE,
ALL CHIEF LIAISON OFFICERS

3519

CONFIDENTIAL

ITALIAN GOVERNMENT IS ISSUING COMMUNIQUE GIVING UNOFFICIAL
RESULTS OF REFERENDUM THIS EVENING, JUNE 5th. OFFICIAL
PROCLAMATION AS RESULTS WILL BE MADE JUNE 8. FURTHER
PROCLAMATIONS TODAY CALLS ON ALL PARTIES TO ABSTAIN FROM
DEMONSTRATIONS UNTIL AFTER JUNE 8.

Copy to: C. Com. 326
C.A. Sec.

IMMEDIATE PRIORITY

EXEC COMMISSIONER

343 (sgd) N.M. HARRISON,
Major,
for Brig. LUSH.

9325

45/3/3

29

HEALOM

JUNE 101600 463

AFHQ

ALICE LIAISON OFFICERS SICILY, POLANO, LEBORN, RERI,
LIVRIA, AND UDINE AND ANG T INTERIM CORPS

3592

SECRET

PRIME MINISTER INFORMS US THAT COURT OF CARRATION WILL MAKE
INTERIM REPORT ON THEIR STUDY OF REVENUE RESULTS AT ONE EIGHT
ZERO ZERO HOURS TODAY. PD REVENUE MAY REPEAT MAY BE DISCLOSED
PROVISIONALLY IN EXISTENCE SUBJECT TO FINAL REPORT OF COURT WHICH
WILL BE MADE NOT LATER THAN JUNE ONE SEVEN PD DECISION IN THIS
REMARK NOT DEFINITE PD

PARA TWO PD KING IS REPORTED IN ANY CASE TO BE LEAVING ROME
TOMORROW BY ITALIAN AIRCRAFT FROM GIAMPINO AIRFIELD ON DIRECT
FLIGHT TO LONDON

DISTRIBUTION (Ext)

- ALICE CLO PLEASANT
- " " LOMBARDIA
- " " VENEZIA
- " " NAPLES
- " " BOLOGNA

BRITISH EMBASSY
AMERICAN EMBASSY

DISTRIBUTION (Internal)

- Chief Commissioner
- SA Section
- Local Govt 1/C
- Float

325

Exec. Commissioner
of PRIORITY

M. S. LUSH

343

M. S. LUSH, BRIGADIER,
EXECUTIVE COMMISSIONER

4328

OUTGOING MESSAGE.

FROM : ALCON CITE STONE

051530 B

TO : AFHQ: BRITISH EMBASSY: AMERICAN EMBASSY

W 11 JUN 1946

Unnumbered

SECRET

Prime Minister has just sent following message to me.

1. Results of 99 percent of votes have now been counted. Referendum shows majority of two million in favour Republic.
2. Government will issue communique giving unofficial results at 1800 hours today.
3. Official proclamation announcing results will be made on June 8. Government will send official communication on results to me before issue of proclamation.
4. In meantime all parties will be called upon by proclamation to be issued today to hold no demonstrations or make any manifestations before official announcement on Saturday. Prime Minister is meeting parties today before issue of this proclamation. (A demonstration planned in TURIN today is to be prevented if possible).
5. King by his own decision to which Government is raising no objection is remaining in (quarantine until Saturday).
6. Queen with royal children planned to leave ROSE by air for NAPLES 1430 hours today.
7. Minister Marine has told Director Navy Subcommissions that Italian cruiser ARNIZZI with two escorting destroyers will leave NAPLES between 0600 and 1000 hours June 6th destination LISBON with party mentioned in para 6.

OPS PRIORITY.

Ex. Commissioner.

(Sgd) M.S. LUSH, Brigadier,
Executive Commissioner.

324

323

Ex.Com. Distribution.

Chief Commissioner
 British Embassy
 American Embassy
 VP, CA Section.
 Dir., Air Forces S/C
 NAVY

9322

OUTGOING MESSAGE.

18

TO : AFHQ

5th June 1946.

FROM : ALGER CITE STONE

12 JUN 1946

Unnumbered

SECRET.

Subject: moves of Italian Royal Family.

Chief of Italian Air Staff has informed Director Air Forces Subcommission that following plans have been made for tomorrow June 6 by Italian Aircraft.

- (1) One C42 leaves ROME for POMIGLIANO where it picks up Princess YOLANDA and family and continues direct to ALMAZAR EXPT refuelling EL ADEN if necessary.
- (2) One B75 from ROME picks up 14 persons POMIGLIANO returns ROME and picks up COME DE TORINO and LEO D'AOSTA and continues direct to BRUSSELS.

In addition to above one B95 will stand by as from tomorrow to take King to LISBON when required (presumably June 8).

Above notified to Air Vice Marshal FOGARTY in ROME.

OF PRIORITY.

Ex. Commissioner.

(Sgd) M.S. JENN, Brigadier,
Executive Commissioner.

Ex. Com's Distribution.
Chief Commissioner
US Embassy
UK Embassy
CA Section
Air Forces S/C

322

323

932

45B/3
Ref: 2206/103.

11 JUN 1946
12 JUN 1946
10 June 1946
MAD
N76
17

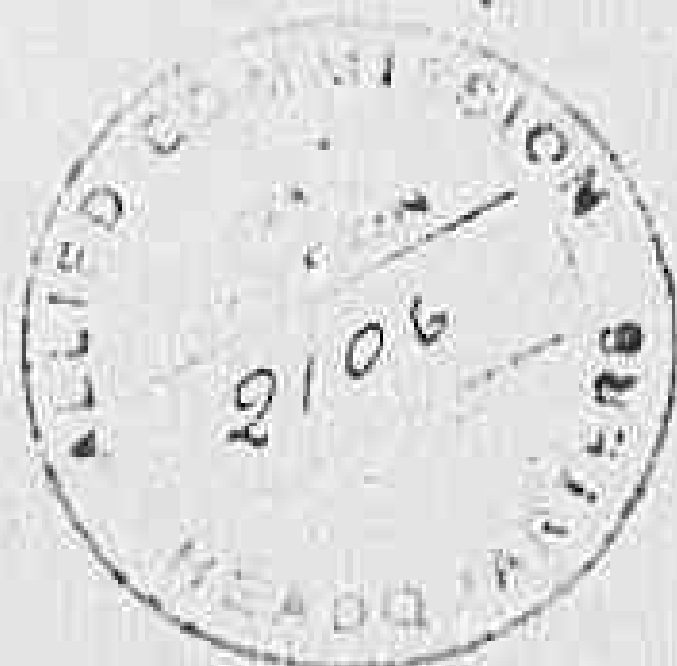
SUBJECT: Request of Italian Union of Monarchists.

TO : Allied Force Headquarters.
Attn: G-5 Section.

1. On 8 June I received the attached official request from the President of the Italian Union of Monarchists, one of the political parties, that the Allies should effect immediate verification of ballots, electoral declarations, complaints and all electoral material now before Court of Cassation, before it makes official announcement of results.
2. The request was based on Allied concern (a) that Italian people should have free vote, particularly on institution, (b) that results should be accepted with tranquility by Italians.
3. I sent the request to the Prime Minister for action.

For the Chief Commissioner:

(Sgd) M. S. Lush
Brigadier,
Executive Commissioner.



Copy to: Chief Commissioner
Civil Affairs Section

Local Govt. S/C
in info

322

9321
12/6

17A

4.12 JUN 1946

TRANSLATION

UNIONE MONARCHICA ITALIANA
CONSIGLIO NAZIONALE
Roma, Via L. Fontane, 143

8 July 1946

TO: Rear Admiral Ellery W. Stone
Chief of the Allied Control Commission

Info: Diplomatic Representatives of the Allied Powers in Rome.

The undersigned Tullio Benedetti, formerly a member of the Consulta d'Italia and now elected Deputy to the Constituent Assembly, addresses himself to Your Excellency and in his position as President of the Italian National Monarchic Union, in behalf of the Union and also representing all the other Italian monarchic associations, asks that you take under examination the following declaration:

It appears indubitable to the UMI that the most serious and obvious intrigues were perpetrated in the institutional referendum in order to alter the result in favor of the Republic. An endless number of complaints continue to be received in this connection.

Therefore, the undersigned has the honor to ask formally through this letter and in behalf of the UMI that the Allied authorities proceed to an immediate verification of the ballots, electoral declarations and complaints turned in by the voters, examining all of the electoral material kept by the Supreme Court of Cassation of Italy before it proceeds to make the official announcement of the results.

The moral and judicial basis of this request is founded on the formal concern of the Allies to assure to the Italian people the regularity of the voting, especially that regarding the institutional form of the State.

Only this requested control and the guarantee on the part of the Allies of the regularity of the voting could put the people in a frame of mind to remove the presumption of electoral intrigues and render possible a quiet, full and definitive acceptance of the results of the referendum in conformity with the point of view taken also by monarchist organizations.

At the same time this will tranquillize international democratic opinion in the sense of not having let itself become an involuntary accomplice of an anti-democratic faction.

Respectfully,

Copies to: Prime Minister, Ital Govt
American Embassy
British Embassy

/s/ Tullio Benedetti

321



43/3/3

12 JUN 1946

16

ALCOM

1100308

AFHQ Repeat TO CIO MILAN CIO NAPLES CIO PALERMO CIO LIVORNO
CIO TREVISO CIO GENOA CIO BOLOGNA CIO TURIN

3596

SECRET

SUBJECT IS REFERENDUM PD BY IMMEDIATE PRECEDING TELEGRAM COURT
OF CASSATION HAS PRODUCED INDECISIVE REPORT RESULT OF WHICH KING
HAS DECIDED NOT REPEAT NOT TO LEAVE ITALY BUT TO RETIRE TO COUNTRY
OUTSIDE HOME.

Copies by Courier to: BRITISH EMBASSY
AMERICAN EMBASSY

Internal Distribution: Chief Commissioner
CA Section
Local Government S/C
File
Fleet.

OPERATIONAL PRIORITY
OFFICE OF EX. COM.

(SGD) M.S. LUSH,
Brigadier,
Executive Commissioner

NOTE: This signal has been repeated to AMG 13 Corps,
AMG UDINE, AC CIO BARI, AC CIO BOLOGNA in ALCOM
Signal No. 3604 of 11 June.

320

9311

451313
COPY

HQ ALCOM

JUNE 18003 46B

ALCOM LIAISON OFFICER PALERMO SICILY

5690

SECRET

REFERENCE YOUR TELEPHONE MESSAGE TO THIS HEADQUARTERS TODAY REGARDING
DEMONSTRATIONS PD ON NO ACCOUNT WILL YOU RECEIVE DELEGATION OR CONNECT YOURSELF
IN ANY WAY WITH APPARENT ELECTION IRREGULARITIES PD ALL SUCH MATTERS MUST BE
REFERRED TO HIGH COMMISSIONER OR PREFECT PD ALLEGED IRREGULAR CERTIFICATES WILL
NOT REPEAT NOT BE FORWARDED BY YOU PD ATTENTION IS DRAWN TO THIS HQ SIGNAL THREE
FIVE ONE EIGHT OF FIVE JUNE PD ACK

Copy to: OA Sec
Local Govt.

NOT FOR HQ FLOAT FILE.

OF PRIORITY

EX COMMISSIONER

289

M. S. LUSH, BRIGADIER
EXECUTIVE COMMISSIONER

318

319

9320

HQ ALCON FROM STONE

JUNE 8 1720 46E

W 10 JUN 1946

AFHQ

ALCON LIAISON OFFICERS SICILY, BOLZANO, LECHORN, BARI, LIGURIA,
AND UDINE, AND VENEZIA GIULIA.

3586

SECRET

REFERENCE MY UNNUMBERED SIGNAL DATED FIFTH JUNE FD
 KING HAS NOT YET LEFT BECAUSE THERE IS DOUBT AS TO DATE OF OFFICIAL PROCLAMATION OF
 REPUBLIC WHICH IS DEPENDENT ON DECISION OF COURT OF CASSATION DECLARING REFERENDUM
 VALID FD OWING TO PROXIMITY OF VOTES CAST FOR MONARCHY AND REPUBLIC THEIR DECISION
 WILL PROBABLY NOT BE MADE UNTIL JUNE TENTH FD
 IN SOME ITALIAN CIRCLES THERE IS THOUGHT TO BE POSSIBILITY OF DOUBT AS TO VALIDITY
 OF RESULT OF REFERENDUM FD COUNCIL OF MINISTERS MEETS THIS AFTERNOON TO DISCUSS
 MATTER FD I AM KEEPING IN CLOSE TOUCH AND WILL KEEP YOU INFORMED

DISTRIBUTION (BY ELB)

ALCON I.O. Piemonte
 " " Lombardia
 " " Venezia
 " " Naples
 " " Bologna

BR. Embassy
 Am. Embassy

INTERNAL
 O. Comm
 S.A Section
 Local Govt
 Fleet

318

OF PRIORITY
 Ex Commissioner

289

M.S. LUSH
 Executive Commissioner.

9319

45/3/3
C O P Y

12
JUNE 8 1700 46B

HQ ALOOM

ALOOM LIAISON OFFICER PALERMO SICILY

3585

UNCLASSIFIED

IT IS REPORTED THAT YOU HAVE RECEIVED DELEGATION AND ARE FORWARDING PETITIONS REGARDING IRREGULARITIES AT ELECTIONS PD ON NO ACCOUNT SHOULD THIS BE DONE PD YOU WILL RETRAIN FROM ANY ACTION CONNECTED WITH THE RESULTS AND MAKE IT PERFECTLY CLEAR THAT THESE ARE MATTERS FOR THE ITALIAN GOVERNMENT REPRESENTATIVE IN SICILY BY THE HIGH COMMISSIONER PD ACK

Copy to: GA Sec
Local Govt

OF PRIORITY

EX COMMISSIONER

289

M.S. LUSH, BRIGADIER,
EXECUTIVE COMMISSIONER

317

318

93/8

(554)
COPY
45/8/3

HEADQUARTERS ALLIED COMMISSION
APO 394.
CIVIL AFFAIRS SECTION

12
8 June 46

AC/45/A/LG

SUBJECT: Election Voting Complaints

TO : Office of the Executive Commissioner (5)
Economic Section (15)
C.A. Section (10)

Italians who have complaints in connection with the recent Elections are calling at this Headquarters and lodging them with officers with whom they are in some cases acquainted. As a result of interviews given these Italians are being directed to Local Government Sub Commission.

These complaints must be lodged with the Italian Authorities who have laid down a procedure for considering complaints and irregularities.

Italians calling upon individual officers of this Headquarters must be informed that they should take the matter up with the Italian authorities in accordance with the procedure prescribed by law. On no account will they be sent to Local Government Sub Commission.

By Order of Rear-Admiral ELLERY W. STONE.

M. CARR, Brigadier,
for Executive Commissioner.

316

9317

(4518/5)
45A
45/3/3

HEADQUARTERS ALLIED COMMISSION
APO 724
Office of the Executive Commissioner

7 June 1946

Ref: 2806/30

Telephone Message received by Chief Staff Officer to Executive Commissioner
from Allied Commission Chief Liaison Officer, PALERMO, at 1730 hrs, 7 June.

"Between 1430 and 1530 hrs on 7 June 1946 a crowd of about 300 monarchists
protested outside the HQ at PALERMO against irregularities during the elections.
After consulting the High Commissioner, I received a delegation of 6, who gave me
128 apparently irregular electoral certificates and other evidence. I am showing
these to the High Commissioner and forwarding to you by plane tomorrow.
The crowd went home peaceably and the police had no trouble."

/s/ E. W. HEND-CHLIN

Chief Staff Officer,
To the Executive Commissioner.

DISTRIBUTION:

ACTION: Civil Affairs Section (2) (Local Govt Sub Commission)
Info: to (Public Safety Sub Commission)

INFO : Chief Commissioner
Executive Commissioner

315

9316

COPY

10

45/B/3

HEADQUARTERS ALLIED COMMISSION
APO 794
LOCAL GOVERNMENT SUB COMMISSION

AC/45/N/LG

Tel: 314

SUBJECT: Election Complaints

7 June 1946

TO : Civil Affairs Section

1. In the last two days this Sub Commission has received a number of calls from Italians alleging irregularities in the conduct of elections, wishing to submit details of these irregularities and to request the intervention of AC. Some of these callers have applied in the first instance to officers of AC with whom they are personally acquainted, and these officers have introduced them to this Sub Commission.

2. I have refused to consider or even receive any such allegations on the following grounds:-

a. An adequate procedure is already provided by Italian law whereby any person alleging irregularities can take the matter to the proper Italian authority.

b. The consideration by the proper Italian authority of any such complaint is a quasi-judicial proceeding in which any intervention by AC would be irregular.

c. Apart from this it is the policy of the Allied Governments that the elections are a matter for the Italian people and for their own authorities, and AC has been instructed not to exercise any form of intervention or control.

3. I have referred the callers to the appropriate provisions in the Italian law and told them that they must take their complaints to the authorities therein named. A summary of the provisions of the law on this point is given overleaf.

4. I expect that calls and requests of this nature will continue for some time and possibly increase. Attempts are to be anticipated to interest officers of all ranks and in all branches of AC and by private conversation on social occasions as well as by visits of this Headquarters.

5. I suggest therefore that it would be desirable for an instruction to issue from the Executive Commissioner to all officers of this Headquarters laying down what their attitude is to be towards any such approach.

6. It would be desirable to send such instructions to LOs as well, in case any such approach is made to them.

RALPH R. TEMPLE

Major

Director

Local Government Sub Commission

314

CCRW/rbe

9080

0260

COMPLAINTS AS TO IRREGULARITIES IN NATIONAL ELECTIONS

317

Procedure Prescribed by the Italian Law

1. Election of Deputies to the Constituent Assembly: Complaints may be made to the presiding official of the polling station at any time up to the close of the counting operations at the station, i.e. up until 1200 hours on Tuesday 1 June.
2. Thereafter such complaints may be made to the Central Office, which sums up the votes for the election district, i.e. the Court of Appeal or Tribunal. This may be done at any time before the Central Office formally proclaims the results.
3. After this, complaints may be made to the Provisional Secretariat of the Constituent Assembly at any time within 20 days after the official proclamations of results in the election district concerned. The Provisional Secretariat of the Assembly is the Secretariat of the Chamber of Deputies, Palazzo Montecitorio, Rome. This time limit will be somewhere about 28 June, varying according to the various dates on which the results are proclaimed in the 31 election districts.
4. Institutional Referendum: Complaints in respect of irregularities in voting upon the Referendum must be made to the Court of Cassation within 5 days from the day of election, i.e. by Friday 7 June.

45/3/3

HEADQUARTERS ALLIED COMMISSION

A P O 794

Office of the Executive Commissioner

SECRET.

Ref: 2806/BC.

5 June 1946.

SUBJECT: Italian Elections.
 TO : Executive Commissioner.

1. At about 0100 hrs 5 June 1946 I received a telephone message from the Italian Liaison Officer to RAC to the effect that he and the Colonel of CC.RI wished to speak to an officer of the Allied Commission immediately as a crisis had arisen.
2. I invited them to visit me immediately and on their arrival it was stated that the Minister of the Interior had reported that the referendum figures up to that time gave a small majority in favour of the Monarchy. The statement was ready for signature but Togliatti refused to allow it to be published as such and wished to announce republican success ~~rather~~ as an anti-climax, the final result giving a monarchist majority.
3. I knew that the policy of Allied Commission was to leave the elections to the Italians as much as possible and so decided to contact Major Temple immediately.
4. I telephoned AG duty officer to obtain Major Temple's billet telephone number and was informed that the Executive Commissioner had telephoned recently and should not be called again until 0700 hrs, 5 June except in case of emergency.
5. I escorted the Colonel of CC.RI and RAC Liaison Officer by car to Major Temple and explained the position.
6. The Colonel of CC.RI told his story to Major Temple and I left him to take whatever action he considered necessary.
7. At about 0415 hrs, 5 June the Executive Commissioner telephoned to me and I gave him a verbal report of the incident.

Alfred R. B. 3 July 1946
 Capt. exp

Copy to: Major Temple. ✓
 Local Govt. S/C.

CONFIDENTIAL

HEADQUARTERS ALLIED COMMISSION

APO 794

CIVIL AFFAIRS SECTION

AC/45/8/19

21 May 1946

SUBJECT: Observation of National Elections

TO : See Distribution below

1. Allied Commission Liaison Officers will observe the national elections in their respective areas on 2 and 3 June in accordance with the instructions contained in this directive.

2. Reference is made to Civil Affairs Section directive AC/45/8/19 of 28 February as to the observation of the elections of Communal Councils. The principles laid down in that directive (and particularly in paragraphs 4, 5, 6, and 8 thereof) are equally applicable to the observation of the national elections, and Allied Commission LOs and officers of AMG Udrine will act accordingly.

3. Appendix A is a revised list of the Italian Government's Inspectors General. LOs should make contact wherever possible with the appropriate Inspector General.

4. Appendix B is a very brief statement of the election procedure restricted to the main points likely to be of interest to LOs.

5. Appendix C is a list of the constituencies or election districts (the Italian term is "Collegio") with the name of the capital town of each district at which the votes are counted.

6. Reports are required from LOs on this subject. They will be addressed to the Local Government Sub-Commission at this Headquarters. Liaison Officers will state in such reports very briefly what they have observed and draw attention to any special or unusual features. Such reports will be submitted in two parts, i.e.:-

(a) Immediately after the closing of the poll a report will be submitted on the proceedings up to and including the actual days of voting. This report is required as quickly as possible. If any special or unusual feature is observed it should be reported by signal.

(b) A further report will be submitted on the subsequent proceedings after the closing of the poll down to the conclusion of counting of the votes and proclamation of the results at the capital cities of the various election districts within each LC's area.

7. Among points which LOs should note are:- behavior of the population - state of public order - whether many electors apply personally to the Municipio on election day for their electoral certification or for duplicates - any electioneering within 200 meters of a polling station - any election meetings in public places on election days - nature and extent of propaganda by posters, leaflets, etc. - any other type of political activity - any intimidation, bribery or other attempts to influence voting - steps taken to guard polling stations when closed -

312

1. Allied Commission Liaison Officers will observe the national elections in their respective areas on 2 and 3 June in accordance with the instructions contained in this directive.

2. Reference is made to Civil Affairs Section Directive 42/45/8/112 of 26 February as to the observation of the elections of Criminal Councils. The principal liaison in that directive (and particularly in paragraphs 4, 5, 6, and 8 thereof) are equally applicable to the observation of the national elections, and Allied Commission Liaison Officers of AMG USino will act accordingly.

3. Appendix A is a revised list of the Italian Government's Inspectors General. Liaison should make contact wherever possible with the appropriate Inspector General.

4. Appendix B is a very brief statement of the election procedure restricted to the main points likely to be of interest to Liaison.

5. Appendix C is a list of the constituencies or election districts (the Italian term is "Colleges") with the name of the capital town of each district at which the votes are counted.

6. Reports are required from Liaison on this subject. They will be addressed to the Local Government Sub Commission at this Headquarters. Liaison Officers will state in such reports very briefly what they have observed and draw attention to any special or unusual features. Such reports will be submitted in two parts, i.e.:-

(a) Immediately after the closing of the poll a report will be submitted on the proceedings up to and including the actual days of voting. This report is required as quickly as possible. If any special or unusual feature is observed it should be reported by signal.

(b) A further report will be submitted on the subsequent proceedings after the closing of the poll down to the conclusion of counting of the votes and proclamation of the results at the capital cities of the various election districts within each Liaison's area.

7. Among points which Liaison should note are:- behavior of the population - state of public order - whether many electors apply personally to the Municipio on election day for their electoral certificates or for duplicates - any electioneering within 200 meters of a polling station - any election meetings in public places on election days - nature and extent of propaganda by posters, leaflets, etc. - any other type of political activity - any intimidation, bribery or other attempts to influence voting - steps taken to guard polling stations then closed - steps taken to guard ballots and other election documents while in transit - extent of interest taken in the counting - how results were received by the population. These points are mentioned as examples only; they are not a complete or exclusive list.

8. Officers of Local Government Sub Commission will make a special study of the elections at Rome, Milan and Naples, but such visits are not in substitution

CONFIDENTIAL

312

- 2 -

CONFIDENTIAL

For the observation of the proceedings by I/Os in accordance with this directive.

BY COMMAND OF REAR ADMIRAL STONE:

John R. Stone

M. CARR, Dir. of
JP CA Section

CCAW/sbc

DISTRIBUTION:

AC CLOs: Palermo
Bari
Naples
Livorno
Bologna
Genova
Turin
Milan
Bologna
Trevise

AC IC RLMC
JP Uline

Options for info to: CC

DC

Point A

Point B

Legal S/C

Pub Safety S/C

AMHQ C-5 Section

File AC/45/3/LG

AC/27/27/1G

AC/45/5/1/1G

AC/45/5/3/LG

311

CONFIDENTIAL

OGHW/rto

DISTRIBUTION:

AC (LOC): Palermo

Bari

Naples

Livorno

Reggio

Genova

Turin

Milan

Bologna

Treviso

AC 10 MAC

PC Urino

Options for info to: CO

DO

Polad A

Polad B

Legal S/O

Pub Safety S/C

LTJG C-5 Section

File AC/45/1/1G

AC/27/27/1G

AC/45/1/1G

AC/45/1/1G

M. OAR, DMC.
VP CA Section

APPENDIX "A"

ITALIAN GOVERNMENT'S INSPECTORS-GENERAL FOR ELECTIONS

<u>PROVINCE</u>	<u>PROVINCES</u>	<u>TOSCANA - LAZIO</u>	<u>PROVINCES</u>
DE DOMINICIS Dr. Adolfo (Prefetto)	(Torino) (Novara) (Aosta) (Vercelli)	CIGLI Dr. Gino (Vice prefetto)	(Firenze) (Lucca) (Pistoia)
LAURA Dr. Giovan Battista (Prefetto)	(Alessandria) (Asti) (Cuneo)	CARILLERI Adolfo (Vice prefetto)	(Viterbo) (Arezzo) (Grosseto)
LIGURIA	(Genova) (Imperia) (La Spezia) (Savona)	BARBAGALLO Dr. Gaetano (Vice prefetto ispettore)	(Pisa) (Livorno) (Apuania) (Siena)
LEONE Dr. Aurelio (Vice prefetto)		<u>LAZIO - UMBRIA</u>	(Rieti) (Parugia) (Termini)
LOMBARDIA	(Milano) (Bergamo)	CARLE Dr. Alfredo (Vice prefetto)	(Roma) (Trosinone) (Latina)
ALLES Dr. Silvestro (Prefetto)	(Cremona) (Mantova) (Pavia)	<u>LAZIO</u>	
PIVA Dr. Carlo (Vice prefetto)		LONGO Dr. Pasquale (Vice prefetto)	
ROSSI Dr. Ugo (Vice pref. ispettore)	(Como) (Sondrio) (Varese)	<u>MARCHE - ABRUZZI</u>	(Ascoli Piceno) (Teramo) (Macerata)
<u>VENETO E VENEZIA TRIDENTINA</u>		LAUDISIO Dr. Francesco (Vice prefetto)	
MARCHINI Dr. Giuseppe (Vice prefetto)	(Venezia) (Padova) (Vicenza)	<u>ABRUZZI E MOLISE</u>	(L'Aquila) (Pescara) (Chieti)
ROMPANI Dr. Paolo (Vice prefetto ispettore)	(Udine) (Belluno) (Trevise)	CULI' Dr. Ettore (Vice prefetto ispettore)	
PROVISIONATO Dr. Paolo (Vice prefetto)	(Verona) (Bolzano) (Trento) (Drescia)	<u>CAMPANIA - MOLISE - LUCANIA</u>	(Benevento) (Avellino) (Campobasso) (Potenza)
<u>EMILIA E ROMAGNA</u>		FUSCO Dr. Umberto (Vice prefetto)	(Salerno) (Napoli) (Caserta)
MERCADANTE Dr. Fabrizio (Vice prefetto)	(Bologna) (Modena) (Ferrara) (Rovigo)	ANGIUS Dr. Giovanni Battista (Vice prefetto)	(Naples Comune)
DOBILANCHI Dr. Giuseppe	(Reggio) (Parma)	<u>PUGLIA E LUCANIA</u>	

[illegible]

- 2 -

CALABRIA

JANNONI Dr Sante
(Vice prefetto)

PROVINCES

(Reggio Calabria
(Catanzaro
(Cosenza

SICILIA

D'ANTONI Dr Carlo
(Prefetto)

(Palermo
(Trapani
(Agrigento

VACIRCA Dr Vincenzo
(Vice prefetto)

(Ragusa
(Enna
(Galtanisiotto

CIBILLISCO Dr Antonio
(Vice prefetto)

(Siracusa
(Catania
(Messina

APPENDIX "B"

PROCEDURE AT THE NATIONAL ELECTIONS- 2 and 3 JUNE 1946

1. Voting takes place simultaneously for the election of Deputies to the Constituent Assembly and also upon the Referendum, but separate ballot papers and boxes are used. The same polling districts and polling stations are used as were provided for the Communal elections.
2. The officials meet in the polling station at 1600 hrs on Saturday 1 June to prepare the ballot papers for voting. The polling station is then placed under guard overnight. The officials meet again in the polling station at 0600 hrs on Sunday June 2 to stamp the ballot papers. Voting commences at 0800 hrs.
3. The elector must first produce his identity card or otherwise identify himself as the person registered. He must also present his certificate of registration in the electoral list for that polling station. Soldiers, sailors and citizens on active service, however, may vote at any polling station in the Commune where they happen to be stationed. Their names are added to the Commune the polling district where they actually vote.
4. The Sindaco distributes the electoral certificates to the electors by May 2. To meet cases of undelivered or lost certificates or to make corrections, the Municipio remains open daily until at least 1900 hrs on June 2 so that electors can apply personally for them.
5. The presiding official tears off and preserves a detachable slip from the certificate of registration. He hands to the electors the ballot for the constituent Assembly, that for the Referendum, and a pencil. The elector goes in to one of the curtained polling booths, marks his ballots, folds them, and returns them separately with the pencil to the President. The latter places each ballot in the appropriate urn or ballot box.
6. The official notice containing the lists of the candidates duly nominated for the Constituent Assembly is affixed in the polling station. At the head of each list appears the symbol officially adopted by the party. The ballot paper for the Constituent Assembly contains merely these symbols. The elector votes for a particular list by placing a mark against the appropriate symbol. He cannot alter the list by cancelling or substituting names. He may, however, indicate on the ballot his preference for 2 or 3 of the candidates he wishes to see preferred in his chosen list, depending on the size of the constituency or election district.
7. A notice is also affixed in the polling station showing the symbols officially adopted to signify Monarchy or Republic. The ballot for the Referendum shows these symbols, and the elector votes by placing a mark against the appropriate one.
8. In polling districts containing 200 electors or less the poll closes at 2000hrs on Sunday 2 June, but electors remaining in the polling station at that time are permitted to vote. In polling stations with more than 500 electors the poll remains open until 2200 hrs on June 2, and it is reopened from 0700 hrs to 1200 hrs on Monday June 3.
9. During the nights of 1/2 and 2/3 June the polling station is placed under police guards, and no one may approach it except the authorized representatives of the parties.
10. All kinds of electioneering within a radius of 200 meters of the polling station and all elections meetings in public places on the election days are forbidden.
11. No one is admitted to the polling station except the officials and electors entitled to vote there. The police may not enter unless requested by the presiding official or in case of disorder.
12. At 1200 hrs on Monday 3 June in all sections (whether containing more or less than 500 electors) the votes are counted and recorded and the results for the section are publicly proclaimed. The ballots for the Constituent Assembly are dealt with first. These operations must be finished by 1200 hrs on Tuesday 4 June. Separate reports giving the figures for the Referendum are submitted by 1200 hrs on Tuesday 4 June. Separate reports giving the figures for the election of Deputies to the Constituent Assembly are submitted by 1200 hrs on Tuesday 4 June. Separate reports giving the figures for the election of Deputies to the Constituent Assembly are submitted by 1200 hrs on Tuesday 4 June.

Sunday June 2 to stamp the ballot papers. Voting commences at 0800 hrs.

3. The elector must first produce his identity card or otherwise identify himself as the person registered. He must also present his certificate of registration in the electoral list for that polling station. Soldiers, sailors and airmen on active service, however, may vote at any polling station in the Commune where they happen to be stationed. Their names are added to the electoral list for the polling district where they actually vote.

4. The Sindaco distributes the electoral certificates to the electors by May 2. To meet cases of undelivered or lost certificates or to make corrections, the Municipio remains open daily until at least 1900 hrs on June 2 so that electors can apply personally for them.

5. The presiding official tears off and preserves a detachable slip from the certificate of registration. He hands to the electors the ballot for the constituent assembly, that for the Referendum, and a pencil. The elector goes in to one of the curtained polling booths, marks his ballots, folds them, and returns them separately with the pencil to the President. The latter places each ballot in the appropriate urn or ballot box.

6. The official notice containing the lists of the candidates duly nominated for the Constituent Assembly is affixed in the polling station. At the head of each list appears the symbol officially adopted by the party. The ballot paper for the Constituent Assembly contains merely these symbols. The elector votes for a particular list by placing a mark against the appropriate symbol. He cannot alter the list by cancelling or substituting names. He may, however, indicate on the ballot his preference for 2 or 3 of the candidates he wishes to see preferred in his chosen list, depending on the size of the constituency or election district.

7. A notice is also affixed in the polling station showing the symbols officially adopted to signify Monarchy or Republic. The ballot for the Referendum shows these symbols, and the elector votes by placing a mark against the appropriate one.

8. In polling districts containing 200 electors or less the poll closes at 2000 hrs on Sunday 2 June, but electors remaining in the polling station at that time are permitted to vote. In polling stations with more than 500 electors the poll remains open until 2200 hrs on June 2, and it is reopened from 0700 hrs to 1200 hrs on Monday June 3.

9. During the nights of 1/2 and 2/3 June the polling station is placed under police guards, and no one may approach it except the authorized representatives of the parties.

10. All kinds of electioneering within a radius of 200 meters of the polling station and all elections meetings in public places on the election days are forbidden.

11. No one is admitted to the polling station except the officials and electors entitled to vote there. The police may not enter unless requested by the presiding official in case of disorder.

12. At 1200 hrs on Monday 3 June in all sections (whether containing more or less than 500 electors) the votes are counted and recorded and the results for the section are publicly proclaimed. The ballots for the Constituent Assembly are dealt with first. These operations must be finished by 1200 hrs on Tuesday 4 June. Separate reports giving the figures of the voting for the Constituent Assembly and for the Referendum, together with the relative ballots, are then sent immediately to the Court of First Instance ("Tribunale") within whose jurisdiction the Commune lies.

13. The Court of First Instance immediately forwards these documents to the "Central Office". The "central office" is the Court of Appeal or Court of First Instance having its seat at the capital city of the constituency or election district. For these capital cities, see Appendix C.

14. The central office immediately proceeds to count the votes from all polling districts within the constituency, as they come in. The number of Deputies to be elected by a constituency are distributed between the various lists of candidates in proportion to the total votes cast for each list. To determine which candidates shall fill the seats so allotted to a list, regard is had to the number of preference votes given to each candidate or, failing these, to the order in which the names are printed in the list.

15. The central office proclaims the results for the whole constituency of the Constituent Assembly and the Referendum.

308

APPENDIX "C"

List of Colleges (i.e. Election Districts or Constituencies)

College and Provinces comprised in each		No. of Deputies	Seats of Con- stituent Offices
<u>1</u>		<u>2</u>	<u>3</u>
I.	Torino - Novara-Vercelli	28	Torino
II.	Cuneo - Alessandria-Asti	18	Cuneo
III.	Genova - Imperia-La Spezia-Savona	20	Genova
IV.	Milano - Pavia	36	Milano
V.	Como - Sondrio-Varese	14	Como
VI.	Brescia - Bergamo	18	Brescia
VII.	Mantova - Cremona	10	Mantova
VIII.	Trento - Bolzano	9	Trento
IX.	Verona - Padova-Vicenza-Rovigo	29	Verona
X.	Venezia - Treviso	16	Venezia
XI.	Udine - Belluno	12	Udine
XII.	Trieste o Venezia Giulia-Zara	13	Trieste
XIII.	Bologna - Ferrara-Ravenna-Forlì	24	Bologna
XIV.	Parma - Modena-Piacenza-Reggio Emilia	20	Parma
XV.	Firenze - Pistoia	14	Firenze
XVI.	Pisa - Livorno-Lucca-Apuania	15	Pisa
XVII.	Sienna - Arezzo-Grosseto	10	Sienna
XVIII.	Ancona - Pesaro-Macerata-Ascoli Piceno	17	Ancona
XIX.	Perugia - Terni-Rieti	12	Perugia
XX.	Roma - Viterbo-Latina-Frosinone	33	Roma
XXI.	L'Aquila - Pescara-Chieti-Teramo	16	L'Aquila
XXII.	Benevento - Campobasso	9	Benevento
XXIII.	Napoli - Caserta	30	Napoli

I. Torino - Novara-Vercelli	28	Torino
II. Cuneo - Alessandria-Asti	18	Cuneo
III. Genova - Imperia-La Spezia-Savona	20	Genova
IV. Milano - Pavia	36	Milano
V. Como - Sondrio-Varese	14	Como
VI. Brescia - Bergamo	13	Brescia
VII. Mantova - Cremona	10	Mantova
+ VIII. Trento - Bolzano	9	Trento
IX. Verona - Padova-Vicenza-Rovigo	29	Verona
X. Venezia - Treviso	16	Venezia
XI. Udine - Belluno	12	Udine
- XII. Trieste e Venezia Giulia-Zara	13	Trieste
XIII. Bologna - Ferrara-Ravenna-Ferli	24	Bologna
XIV. Parma - Modena-Piacenza-Reggio Emilia	20	Parma
XV. Firenze - Pistoia	14	Firenze
XVI. Pisa - Livorno-Lucca-Apuania	15	Pisa
XVII. Siena - Arezzo-Grosseto	10	Siena
XVIII. Ancona - Pesaro-Macerata-Ascoli Piceno	17	Ancona
XIX. Perugia - Terni-Rieti	12	Perugia
XX. Roma - Viterbo-Latina-Frosinone	33	Roma
XXI. L'Aquila - Pescara-Chieti-Teramo	16	L'Aquila
XXII. Benevento - Campobasso	9	Benevento
XXIII. Napoli - Caserta	30	Napoli
XXIV. Salerno - Avellino	15	Salerno
XXV. Bari - Foggia	21	Bari
XXVI. Lecce - Brindisi-Taranto	15	Lecce
XXVII. Potenza - Matera	7	Potenza
XXVIII. Catanzaro - Cosenza-Reggio Calabria	24	Catanzaro

P.T.O.

307

<u>College</u> <u>and Provinces comprised in each</u>		<u>No. of</u> <u>Deputies</u>	<u>Seats of Con-</u> <u>gressual Offices</u>
<u>I</u>		<u>2</u>	<u>2</u>
LIX. Catania - Messina-Siracusa-Ragusa-Linosa	Catania	27	
LXX. Palermo - Trapani-Agrigento-Caltanissetta	Palermo	26	
LXXI. Cagliari - Sassari-Oristano	Cagliari	14	
+ LXXII. Val d'Aosta	Aosta	1	
Totale		573	

Note on College VIII: Only the Province of Trento will vote on 2/3 June and for 5 Deputies, instead of 9.

Note on College XII: No part of this College will vote on 2/3 June.

Note on College XIII: --- Proportional representation does not apply in this College. The candidate obtaining the highest number of votes is elected.

XXI. Cagliari - Sassari - Nuoro	14	Cagliari
+ XXII. Val d'Aosta	1	Aosta

Totale	573	

Note on College VII: Only the Province of Trento will vote on 2/3 June and for 5 Deputies, instead of 9.

Note on College XII: No part of this College will vote on 2/3 June.

Note on College XIII: --- Proportional representation does not apply in this College. The candidate obtaining the highest number of votes is elected.

BEST COPY POSSIBLE

MINISTERIAL AND COUNCIL AND THE LOCAL GOVERNMENT AND COUNCIL

10/10/73/2/10

10/10/73/2/10

10/10/73/2/10

2 May 1946

10/10/73/2/10

1. The Ministerial and Council is informed that the Councils describing the procedure to be followed for voting the referendum has now been signed and will be published shortly. The advance copy of the document has been obtained. It is therefore possible to give an idea of what the procedure will be.

2. The ballot paper for the referendum will be of the same design and color throughout the country. The document describes these symbols to be used to signify majority or minority. A sample of the ballot paper has previously been distributed.

3. Voting for the election of Deputies to the Constituent Assembly and voting on the Institutional referendum will take place simultaneously. The ballot papers will be deposited in two large boxes respectively labelled, and there will be separate sets of ballot boxes also distributed labelled to receive the two respective types of ballot. The provision of the voting station documents both types of ballot papers to the election together, instructs him how to vote, and states that both ballot papers must be returned separately but at the same time.

4. In connection with the treatment of the vote: (a) the number of representatives of each polling station has been raised from 5 to 8, making with the President and the majority a total of 10 officials; (b) the voting hours have been extended in the larger voting districts. In polling districts where there are 100 electors or less the poll opens at 10.00 hours and closes at 2.00 hours, as before. In polling districts where there are more than 500 electors, however, the poll will open at 8.00 hours and will remain at 10.00 hours on Monday 5 June. It will be finally closed at 12.00 hours on that day.

5. The counting of the votes may be briefly described as follows:-

a. The opening of the ballot papers and the counting of the votes is to begin at 12.00 hours on 5 June in all polling districts whether containing more or less than 500 electors. The election ballots are counted first and then the referendum ballots. The officials of the polling station must complete these operations and announce the results for their voting district by 12.00 hours on Monday 5 June.

b. The papers are then sent to the personnel which forwards them immediately to the Central Office of the College (Constitutional or election district).

c. The Central Office signs up first the results from all the polling districts of the College for the election of Deputies and then proceeds to do the same for the referendum. The Central Office then forwards the papers to the Court of Cassation at Paris by special courier.

d. The Court of Cassation sent up figures from all the colleges and forwards the results of the referendum.

1. The 1st Commission is informed that the forms describing the procedure to be followed for voting the referendum has not been signed and will be published shortly. The advance copy of the forms has been obtained. It is therefore possible to give an idea of what the procedure will be.

2. The ballot paper for the referendum will be of the same design and color throughout the country. The forms describing these symbols to be used to identify nationality or locality. A sample of the ballot paper has previously been circulated.

3. Voting for the elections of members to the Constituent Assembly and voting on the constitutional referendum will take place simultaneously. The ballot papers will be deposited in two large brown envelopes separately labelled, and there will be separate uses or ballot boxes also separately labelled to receive the two separate types of ballot. The resultant of the polling station delivery both types of ballot paper to the clerks together, instructing him how to vote, and ensure him that both ballot papers must be returned separately but at the same time.

4. To cope with the increased complexity of the vote - (a) the number of constituencies at each polling station has been reduced from 5 to 3, voting with the prevalent and the secretary a total of 20 officials (b) the voting boxes have been extended in the larger voting stations. In polling districts where there are 500 electors or less the poll opens at 8.00 hours and closes at 8.00 hours, as before. In polling districts where there are more than 500 electors, however, the poll will close at 8.00 hours and will remain open until 9.00 hours on Sunday 3 June. It will be finally closed at 12.00 hours on that day.

5. The counting of the votes may be briefly described as follows -

a. The opening of the ballot papers and the counting of the votes is to begin at 12.00 hours on 3 June in all polling districts excepting those where there are more than 500 electors. The election results are counted and then the referendum results. The officials of the polling stations must complete these operations and ensure the results for these voting districts by 12.00 hours on Sunday 4 June.

b. The papers are then sent to the District which forwards them immediately to the Central Office of the colleges (constituent or election district).

c. The Central Office will then forward the results from all the polling districts of the colleges for the election of members and then proceed to do the same for the referendum. The Central Office then forwards the papers to the Court of Cassation at once by special courier.

d. The Court of Cassation will then forward the results from all the colleges and referendum the results of the referendum.

6. No accurate estimate of the time required to complete these operations can be given. It seems probable, however, that the central offices of all the colleges will have finished their part of the work by Sunday 7 June, leaving in the afternoon to be forwarded to the Central Office. The Central Office will then forward the results to the Court of Cassation. It is also to be borne in mind that the counting of the votes for the election of members at every stage being postponed until the counting of

1. The first part of the document is a list of names and addresses, which appears to be a directory or a list of subscribers. The names are written in a cursive script, and the addresses are listed below them.

[illegible]

Q. Did you observe that the Court of Sessions met after the first adjournment on the 17th day of June 1890? A. Yes, they met after the adjournment, 1-0, and adjourned June 17th. Although this is an unusual time, it does not preclude the fact that the Court is expected to meet.

5. It is estimated, however, that a sufficient reduction of the number of the passengers will be obtained from the London route by reducing or changing 5 or 6 June.

C. R. Temple
Major

THE
JOURNAL
OF
THE
ROYAL
ANTHROPOLOGICAL
INSTITUTE

1990

Local Government Data Collection

© 2000 The McGraw-Hill Companies

17-10000-1

152

1999

10

100

11

100

are sent up to the Court of Appeals for the Second Circuit. The Court of Appeals has the final determination of all objections to the content of the submission and must allow them for them to reach it.

2. The Court also provides that the Court of Appeals must give the final decision on the submission not later than the 25th day after the objection, i.e. not later than 17 June. Although this is an unusual time limit, it gives some indication of the length of the case is expected to take.

3. It is considered, however, that a sufficient collection of the results of the submission will be obtainable from the Italian press by Wednesday or Thursday 5 or 6 June.

R. R. Temple
Major

Major R. Temple
Major
Director
Local Government and Communities

copy/ste

~~CONFIDENTIAL~~

TO: CMB
FROM: CMB
Subject: [illegible]
Date: [illegible]
Place: [illegible]
Status: [illegible]

504

HUMBERT OF SAVOY

PRINCE OF PIEMONTE

LIEUTENANT GENERAL OF THE REALM

Pub. g.u. N. 102
3/5/46

D.L.L. 214
23/4/46

According to the authority bestowed upon us;

Having seen the D.L.L. 10 March 1946, N. 74 containing instructions for the election of the deputies to the Constituent Assembly;

Having seen the D.L.L. 16 March 1946, N. 93, stating changes and additions to the D.L.L. 25 June 1944, N. 151, concerning the assembly for the new constitution of the State, the oath of the members of the Government and the faculty of the Government to issue judicial regulations; having seen the D.L.L. 16 March 1946 no. 99 regarding the convocation of the electoral meetings for the referendum on the institutional form of the State and for the election of the deputies to the constituent assembly; having seen the lieutenantial decree 25 June 1944 no. 151; having seen the decision of the Council of the Ministers, Prime Minister, Secretary of State, in agreement with the ministers of the Constituent and of the Interior;

We have sanctioned and we are decreeing the following:

Art. 1

The cards of polling for the referendum on the institutional form of the State, as per D.L.L. 16 March 1946, no. 18; are of only one type and one color for all the electoral colleges; they are supplied by the Ministry of the Interior with the essential characteristics of the model shown in Tables A and B enclosed with the present decree and signed by the President of the Council of Ministers; they show two branches of oak and laurel around a woman's head as ^{the symbol} emblem of the Republic

for the election of the deputies to the Constituent Assembly;

Having seen the D.L.L. 16 March 1946, N. 98, stating changes and additions to the D.L.L. 25 June 1944, N. 151, concerning the assembly for the new constitution of the State, the oath of the members of the Government and the faculty of the Government to issue juridicial regulations; having seen the D.L.L. 16 March 1946 no. 99 regarding the convocation of the electoral meetings for the referendum on the institutional form of the State and for the election of the deputies to the constituent assembly; having seen the lieutenantial decree 25 June 1944 no. 151; having seen the decision of the Council of the ministers; on the proposal of the President of the Council of Ministers, Prime Minister, Secretary of State, in agreement with the ministers of the Giustizieria and of the Interior;

We have sanctioned and we are decreeing the following.:

Art. 1

The cards of polling for the referendum on the institutional form of the State, as per D.L.L. 16 March 1946, no. 18; are of only one type and one color for all the electoral colleges; they are supplied by the Ministry of the Interior with the essential characteristics of the model shown in Tables A and B enclosed with the present decree and signed by the President of the Council of Ministers; they show two branches of oak and laurel around a woman's head as ^{the symbol} ~~emblem~~ of the Republic and a crown over the coat of arms of Savoy as ^{symbol} ~~emblem~~ of the monarchy. In the background of both symbols the geographical profile of Italy will be shown.

Art. 2

The vote is expressed by drawing a mark in the proper square ^{at the} ~~inside~~ of the ^{symbol} ~~emblem~~ corresponding to the institutional form chosen by the person voting: Republic or monarchy.

Art. 3

The number of the scrutators, foreseen by Art. 27 of D.D.L. 10 March 1946, No. 74, for every electoral section, is increased from 5 to 8; the two senior scrutators have the function of vice presidents.

Art. 4

As soon as the constitution of the electoral office is ascertained, the president of the section takes care of authentication of the cards for the referendum, with the modalities prescribed by the first 5 paragraphs of Art. 37 of D.D.L. 10 March 1946, no. 74; thereafter he takes care, with the same modalities, of the authentication of the cards for the election of the deputies to the Constituent Assembly.

The authenticated cards are put in special cases or boxes in which is clearly stated, respectively: "cards for the institutional referendum" and cards for the election of the deputies to the Constituent Assembly."

Both the urns of the Section must be, during these operations, completely empty, ready to receive, after the expression of the vote, respectively the cards of the referendum and those of the elections.

On the urns must also be put a legend stating in large lettering their respective destination.

Art. 5

The instructions of Art. 38, 2nd paragraph, of D.D.L. 10 March 1946, no. 74, are extended also to the following cards: for the "referendum": both cards, these and those concerning the election of the deputies to the Constituent Assembly are put again, after the application of the seal, in the same box or case from where they were taken off.

Art. 6

As soon as the constitution of the electoral office is ascertained, the president of the section takes care of authentication of the cards for the referendum, with the modalities prescribed by the first 5 paragraphs of Art. 37 of D.D.L. 10 March 1946, no. 74; thereafter he takes care, with the same modalities, of the authentication of the ^{ballots} cards for the election of the deputies to the Constituent Assembly.

The authenticated cards are put in special cases or boxes in which is clearly stated, respectively: "cards for the institutional referendum" and cards for the election of the deputies to the Constituent Assembly."

Both the urns of the section must be, during these operations, completely empty, ready to receive, after the expression of the vote, respectively the ^{ballots} cards of the referendum and those of the elections.

On the urns must also be put a legend stating in large lettering their respective destination.

Art. 5

The instructions of Art. 38, 2nd paragraph, of D.D. L. 10 March 1946, no. 74, are extended also to the ^{ballots} following cards: for the "referendum": both ^{ballots} cards, these and those concerning the election of the deputies to the Constituent Assembly are put again, after the application of the seal, in the same box or case from where they were taken off.

Art. 6

Every time that, ⁱⁿ speaking of D.D. L. 10 March 1946, No. 74, the expressions "first ballot" and "second ballot" are mentioned, ^{box} also by ^{or equivalent} similar expressions, such expressions mean respectively: "proper box or case" and "ballot ^{box} destined to receive the ^{ballots} cards, after the vote has been expressed."

Art. 7

The president of the section delivers to the elector, with the ~~del-~~
^{ballot} ~~ling card~~ for the election of the deputies to the Constituent Assembly,
^{ballot} a card of ~~of~~ ~~votation~~ for the institutional referendum, with the modalities
 foreseen by Art. 44, 1st paragraph of the D.D. L. 10 March 1946, No. 74.

While delivering, the president gives to the elector prior
 instructions regarding the way to vote for the "referendum", avoiding
 any ^{ballot} ~~amplifications~~ and telling him that the card for the "referendum"
 must be closed and given back separately ~~but~~ ^{but} from that of the election
 of the deputies to the Constituent Assembly ~~at~~ ^{at} the same time with it.

The instructions of the last paragraph of Art. 44 ~~above~~ mentioned
 are to be applied.

Art. 8

Art. 8 of D.D.L. 10 March 1946, No. 74, is ^{repealed and} ~~no more in effect~~
 it has been replaced by the following:

Art. 43: The votation must continue until 2000 hours in the
 sections having no more than 500 people inscribed. However, the elec-
 tors still in the hall by that time are allowed to vote.

In the sections having more than 500 people inscribed, the vo-
 tation will go on until 2200 hours. After that time, the president will
 defer the votation to 0700 hours of the following day and, after closing
 the ^{boxes} ~~ballots~~ and the boxes or cases containing the cards and after putting
 in one file all the papers regarding the operations already accomplished
 or to be accomplished, with the modalities ^{described in} ~~as to~~ Art. 50, 1st paragraph,
 no. 4, ^{close} ~~brings up~~ the meeting and takes care of the locking and custody
 of the hall, according to Art. 51. Next day, at 0700 hours, the president,
 after constituting again the office and ascertaining the integrity of

While delivering, the president gives to the elector prior instructions regarding the way to vote for the "referendum", avoiding any simplifications and telling him that the ^{ballot} card for the "referendum" must be closed and given back separately ~~but~~ ^{but} from that of the election of the deputies to the Constituent Assembly ^{at} the same time with it.

The instructions of the last paragraph of Art. 44 aforementioned are to be applied.

Art. 8

Art. 8 of D.D.L. 10 March 1946, No. 74, is ~~no more in effect~~ ^{repealed and} ~~it has been replaced by the following:~~

Art. 48: The votation must continue until 2000 hours in the sections having no more than 500 people inscribed. However, the electors still in the hall by that time are allowed to vote.

In the sections having more than 500 people inscribed, the votation will go on until 2200 hours. After that time, the president will defer the votation to 0700 hours of the following day and, after closing the ^{boxes} ballots and the boxes or cases containing the cards and after putting in one file all the papers regarding the operations already accomplished or to be accomplished, with the modalities ^{described in} as to Art. 50, 1st paragraph, no. 4, ^{close} breaks-up the meeting and takes care of the lacking and custody of the hall, according to Art. 51. Next day, at 0700 hours, the president, after constituting again the office and ascertaining ~~the~~ ^{seals} integrity of the ^{boxes} stages on the doors and on the entrances to the hall and the integrity of the ballots, the files and the seals, declares the meeting reopened; the votation will go on until 1200 hours. After this no one can vote any more.

Art. 9

The operations foreseen by the articles n. 50, 1st par. n. 3, 4 and 52, 1st par. of D.D.L. 10 March 1946 n. 74 are to be accomplished also for the operations regarding the institutional referendum.

In modification of the provision of
~~the law of 10 March 1946~~ by art. 52, 2nd par. of the

D.D.L. 10 March 1946 n. 712, the beginning of the operations foreseen by
 art. 52 of said decree ~~is fixed for~~
 the day following that of the commencement of the voting.....

The packets containing the documents concerning the
 operations of the referendum must always be separate
 from those containing the acts relating to the election
 of Deputies to the Constituent Assembly.

300

of Defection to the Constituent Assembly.

Art. 10

In Sections with more than 500 inscribed persons, the operations referred to in art. 50, first paragraph, number 4, of D.L. 10 March 1946, n. 74, shall not be carried out.

In the Sections indicated in the preceding paragraphs the provisions of art. 52 and 53, first paragraph, n. 1 of said decree shall not be applied.

Art. 11

At the hour indicated in the second paragraph of art. 9, for the sections with more than 500 inscribed persons, as soon as the operation referred to in art. 50, first paragraph, numbers 1, 2 and 3 of D.L. 10 March 1946, n. 74, have been completed, the president shall proceed to ^{opening of ballots} ~~count-the-votes~~ and to the operations of scrutiny referred to in art. 53 of the aforesaid Decree, as far as the election of the members of the Constituent Assembly is concerned.

^{Immediately} ~~after~~ after completion of the scrutiny referred to in the preceding paragraph, and upon completion of the operations referred to in art. 56 of D.L. 10 March 1946, n. 74, the meeting shall proceed with the ^{opening} ~~counting~~ of the votes relative to the institutional referendum.

For that purpose a scrutator, designated by ^{lot} ~~electors~~, extracts from the urn wherein the respective ballots have been deposited after the expansion of the vote, each ballot, unfolds it and hands it unfolded to the President. The latter announces in a loud voice which institutional form (Republic or Monarchy) had been chosen by the electors as a result of the mark placed in the square at the side of the respective countersign or declares that the elector obtained ²⁹⁹ any indication; he then hands over the ballot paper to another scrutator, who, to-
give

art. 52 and 53, first paragraph, n.1 of said decree shall not be applied.

Art. 11

At the hour indicated in the second paragraph of art. 9, for the sections with more than 500 inscribed persons, as soon as the operation referred to in art. 50, first paragraph, numbers 1, 2 and 3 of DIL 10 mar ch 1946, n.74, have been completed, the president shall proceed to ^{opening of ballots} ~~count the votes~~ and to the operations of scrutiny referred to in art. 55 of the aforesaid decree, as far as the election of the members of the Constituent Assembly is concerned. ^{Immediately} ~~after~~ after completion of the scrutiny referred to in the preceding paragraph, and upon completion of the operations referred to in art. 56 of DIL 10 march 1946, n.74, the meeting shall proceed with the ^{opening} ~~counting~~ of the votes relative to the institutional "referendum".

For that purpose a scrutator, designated by ^{lot} ~~chance~~, extracts from the urn wherein the respective ballots have been deposited after the expression of the vote, each ballot, unfolds it and hands it unfolded to the President. The latter announces in a loud voice which institutional form (Republic or Monarchy) had been chosen by the electors as a result of the mark placed in the square at the side of the respective countersign or declares that the elector abstained ²⁹⁹ any indication; he then hands over the ballot paper to another scrutator, who, together with the Secretary, takes note of the number of votes ^{given} ~~expressed~~ respectively to the Republic and to the Monarchy and of the number of abstentions from the "referendum". The Secretary proclaims aloud the votes given to the Republic and to the Monarchy. A third scrutator places the ballot papers, whose vote had already been registered, in the small case or box, from which the unused ballot papers of the "referendum" were taken out. No ballot paper must be extracted from the urn, if the one previously extracted has not been replaced in the small case or box upon registration of the vote. The ballot papers

The ballots papers may be handled only by the members of the sect.

Art. 12

The provisions of art. 53, first paragraph, number 3, 4, and subsequent paragraphs of D.L. 10 March 1946, n. 74, wherever applicable, are extended to the operations of scrutiny of the institutional "referendum".

The minutes relative to the operations of the "referendum" are always kept distinct from those relative to the operations for the elections of the members of the Constituent Assembly.

All the operations referred to in the preceding article and to the first paragraph of the present article must be carried out without any interruption and must be completed within 12 hours of the second day succeeding the day of the beginning of polling.

Art. 13

As soon as the scrutiny of the votes of the "referendum" have been completed, the president declares the outcome and certifies it in the minute which, having been compiled in double exemplar, and signed and subscribed on each sheet, during the meeting, by all members of the office, will be immediately closed in a folder which must be sealed with the seal of the office and signed by the president and by at least two secretaries. On the outside of the folder will be placed the indication: "minutes of the institutional referendum".

The meeting is then declared over and the president takes care of the immediate forwarding of the minutes and of the other documents relative to the "referendum" to the

paragraphs of ML 10 March 1946, n.74, whenever applicable, are extended to the operations of scrutiny of the institutional "referendum".

The minutes relative to the operations of the "referendum" are always kept distinct from those relative to the operations for the elections of the members of the Constituent Assembly.

All the operations referred to in the preceding article and to the first paragraph of the present article must be carried out without any interruption and must be completed within 12 hours of the second day succeeding the day of the beginning of polling.

Art. 13

As soon as the scrutiny of the votes of the "referendum" have been completed, the president declares the outcome and certifies it in the minute which, having been compiled in double exemplar, and signed and subscribed on each sheet, during the meeting, by all members of the office, will be immediately closed in a folder which must be sealed with the seal of the office and signed by the president and by at least two scrutators. On the outside of the folder will be placed the indication: "minutes of the institutional referendum".

The meeting is then declared over and the president takes care of the immediate forwarding of the minutes and of the other documents relative to the "referendum" to the offices contemplated in art.56, para 2, 4, and 5, of ML 10 March 1946 n.74, with the modalities therein established.

Art. 14

The provisions of art.55 of ML 10 March 1946 n.74, shall be applied in the event that the operations of scrutiny are not completed within 12 hours of the second day subsequent to the day of the beginning of polling.

Art. 15

The votes of the "referendum" are void when the following papers:

- 1) are not those prescribed by art. 1 and do not bear the seal and the signature of the scrutator, enclosed by arts. 37 and 38 of the Law of March 1946, recalled by arts. 3 and 4 of the present decree;
- 2) present any trace of writing or marks which are believed to be artfully by the voter;
- 3) do not express the vote for anyone of the two contestants, or express it for both, or do not give the possibility of identifying the chosen contestant.

The vote is considered valid if the mark is ^{placed} directly on the corresponding return then in the blank square beside it.

Art. 16

The "Comitato d'Appello" or the Tribunal, constituted in central administrative office, as in art. 15 of the Law of March 1946 n. 47, shall ^{sum up} the results of the "referendum" in all the electoral sections of the college ^{within 24 hours of the receipt of} and in any case ~~within 24 hours of the receipt of~~ after having completed the operation as to art. 37 and following.

In the ~~same~~ hypothesis envisaged by the above said art. 37 paragraph, the provisions of the arts. 3, 11, 12, and 13 of the present decree shall be observed in conformity to the "referendum" whenever applicable.

As to the purposes shown in the preceding paragraph, the central administrative office shall make the total of all the ^{valid} votes ^{given} ~~received~~ respectively to the Republic and contrary in all the sections, and shall also make an official report. This report shall be drawn up in double exemplar; one of which remains ~~in the~~ in the Chancery of the Court of Appeal or Tribunal and the other one should be sent by special courier, in a sealed package along with the official reports and

3. do not deprive the voter for anyone of the only guarantee of safety
 as for voting or do not give the possibility of identifying the voter
 counterfeiting.

considered ~~the~~ ^{placed} directly on the counter-top machine.

The vose is considered valid if the mark is ~~the~~ placed directly on the counter-top machine.

then in the black square machine is.

16

The "Corte d'appello" or the Tribunal, constituted in central circumstances, and acting, as in art. 18 of the 10 March 1846 No. 7, shall proceed to ^{sum up} the results of the within 24 hours of its receipt of the ~~results of the~~ the "referendum" in all the electoral sections of the college, ^{and in any case} ~~within the time of any way at all~~ note relative to the institutional "referendum"; ~~which is~~ and following:

making compliance the operation as to art. 57 and following.
In the ~~hypothesis~~ envisaged by the above said art. 57, paragraph, the provisions of
of the arts. 9, 11, 12, and 13 of the present decree shall be observed in conformity to
whenever applicable.

as to the purpose shown in the preceding paragraph, the Central Government, National Office shall make the total of all the ^{valid} ~~total~~ ^{given} ~~total~~ placed to the Republic and Germany in all the sections, and shall also make an official report. This report should be drawn up in double copy; one of which remains in the Chemistry of the Court of Appeal or Tribunal and the other one should be sent by special courier, in a sealed package along with the official reports of the referees of all the electoral sections of the college, with enclosed documents, to the Court of Cassation.

17

The question of competition in public printing, handled by the first president and attended by six section presidents and twelve Councillors, in the presence of the ^{founder} General Assembly shall proceed to run up the votes given to the Republic and those given to the Monarchy in ~~order~~ all the colleges as soon as the official reports

transmitted by all the circumscriptional central offices ^{as Art. 16} come in, and finally shall proclaim the results of the "referendum".

Within ten days of the issuance of the present decree, the first President of the Court of Cassation shall provide ~~for~~ the appointment of the magistrates who will take part to the meeting, referred to in preceding paragraph, the two section presidents and the three substitute councillors, for the eventual substitution of those first appointed in the case of absence or impediment.

The Chief ^{Registrar} ~~councillor~~ of the Court of Cassation, who is also the secretary of the meeting, shall draw up in triple exemplar the official reports of the performance. Each page of the report shall be signed and undersigned by the First President and the ^{Registrar} ~~councillor~~ himself.

The first exemplar of the report shall immediately be sent to the temporary secretary of the Constituent Assembly; the second one shall remain in the chancery of the Court of Cassation and the third one shall be forwarded to the Ministry of Pardon and Justice which shall provide ~~for~~ publishing it in the Gazette officielle.

Art. 13

Any protests or claims relative to the performance of the "referendum" can be presented to the offices of the sections or to the central circumscriptional offices as long as they operate, or to the chancery of the Court of Appeals, circumscriptional offices or Court of Cassation within five days from the date of polling. Receipts will be issued by the chanceries.

The chanceries of the central circumscriptional offices, at the expiration of the terms envisaged by the preceding paragraph, shall provide for the immediate dispatching of all the protests and claims received to the Chancery of the Court of Cassation through a special courier.

Art. 19

The final sentence on the contests, protests and claims about the development of the ^{operation} ~~performance~~ relative to the "referendum" presented to the offices of each

The Chief Counsellor of the Court of Cassation, who is also the secretary of the meeting, shall draw up in triple exemplar the official reports of the performance. Each page of the report shall be signed and underigned by the first President and the ^{Registrar} ~~Counsellor~~ himself.

The first exemplar of the report shall immediately be sent to the temporary secretary of the Constituent Assembly; the second one shall remain in the chancery of the Court of Cassation and the third one shall be forwarded to the Ministry of Pardon and Justice which shall provide for publication in the Gazzetta Ufficiale.

Art. 18

Any protests or claims relative to the performance of the "referendum" can be presented to the offices of the sections or to the central circumscriptional offices as long as they operate, or to the chancery of the Court of Appeals, circumscriptional offices or Court of Cassation within five days from the date of polling. Receipts will be issued by the chanceries.

The chanceries of the central circumscriptional offices, at the expiration of the terms envisaged by the preceding paragraph, shall provide for the immediate dispatching of all the protests and claims received to the Chancery of the Court of Cassation through a special courier.

Art. 19

The final sentence on the contests, protests and claims about the development of the ^{operation} ~~performance~~ relative to the "referendum" presented to the offices of each electoral section or to the central circumscriptional offices or to Court of Cassation itself, is reserved to the Court of Cassation constituted in accordance to article 17. The votes of the sections in which the ^{operation was annulled} ~~performance is retained~~ do not have any effect.

The Court of Cassations shall pronounce the final sentence, envisaged by paragraph one, after having heard the conclusion of the ^{Prosecutor-General} ~~Prosecutor~~, within the fifteenth day subsequent to the day of the polling.

The provisions of the last two paragraphs of article 13 shall be applied.

Art. 20

The last paragraph of article 27 of D.L. 10 March 46 n. 74 is abrogated and substituted by the following article:

" the president of the electoral office must be recompensed by the Comune in which the office itself is located, with the daily fee of 500 lire; he will also be awarded a special allowance give to state employees of grade V if necessary, in accordance with D.L. 7 June 45 n. 320. State employees of a rank higher than V are not entitled to an allowance for their mission commensurate to the rank held by them.

Art. 21

affiliati in forza di esenzia
The provisions of D.L. 10 March 46 n. 74 are ~~to be~~ ^{envisaged} by the present decree.

Art. 22

The present decree becomes effective the day of its publishing in the official Gazette of the Realm.

We order that the present decree, bearing the state seal, ²⁹⁵ inserted in the official collection of the laws and decrees of the Italian Kingdom. Everybody must obey it as a state law, as far as he is concerned.

5
 U N I T A R I O D I S A V O I

PRINCIPA DI PIEMONTE

LUOGOTENENTE GENERALE DEL REGNO

In virtù dell'autorità a Voi delegata;

Visto il decreto legislativo luogotenenziale 10 marzo 1946, n° 74, contenente norme per l'elezione dei deputati all'Assemblea Costituente;

Visto il decreto legislativo luogotenenziale 16 marzo 1946, n° 98, recante integrazioni e modifiche al decreto-legge luogotenenziale 25 giugno 1944, n° 151, relativo all'Assemblea per la nuova costituzione dello Stato, al giuramento dei Membri del Governo ed alla facoltà del Governo di emanare norme giuridiche;

Visto il decreto luogotenenziale 16 marzo 1946, n° 99 riguardante la convocazione dei comizi elettorali per il referendum sulla forma istituzionale dello Stato e per l'elezione dei deputati all'Assemblea Costituente;

Visto il decreto legge luogotenenziale 23 giugno 1944, n° 151;

Vista la deliberazione del Consiglio dei Ministri;

Sulla proposta del Presidente del Consiglio dei Ministri, Primo Ministro Segretario di Stato, di concerto con i Ministri per la Costituzione e per l'Interno.

ABBIAO SABBIONATO E PROULCHIANO QUANTO SECONDO

Art. 1.

Le schede di votazione per il "referendum" sulla forma istituzionale dello Stato, di cui al D.L.L. 16 marzo 1946, n° 98, sono di tipo unico e di identico colore per tutti i collegi elettorali; sono fornite a cura del Ministero dell'Interno con la caratteristica essenziale del modello descritto nelle tabelle A e B allegata al presente decreto e firmate dal Presidente del Consiglio dei Ministri. Esse riproducono due rami di quercia e di alloro attorno a una testa turrita di donna come contrassegno della Repubblica e una corona sovrapposta allo stemma di Savoia come contrassegno della Monarchia. Nello sfondo di entrambi i simboli compaiono il profilo geografico dell'Italia.

Visto il decreto legislativo luogotenenziale 16 marzo 1946, n. 98, recante integrazioni e modifiche al decreto-legge luogotenenziale 25 giugno 1944, n. 151, relativo all'Assemblea per la nuova costituzione dello Stato, al giuramento dei membri del Governo ed alla scelta del Governo di emanare norme giuridiche;

Visto il decreto luogotenenziale 16 marzo 1946, n. 99 riguardante la convocazione dei comizi elettorali per il referendum sulla forma istituzionale dello Stato e per l'elezione dei deputati all'Assemblea Costituente;

Visto il decreto legge luogotenenziale 25 giugno 1944, n. 151;

Vista la deliberazione del Consiglio dei Ministri;

Sulla proposta del Presidente del Consiglio dei Ministri, Primo Ministro Segretario di Stato, di concerto con i Ministri per la Costituzione e per l'Interno.

ARMANDO SANZONATO E PROMULGANDO QUANTO SEGUE:

Art. 1.

Le schede di votazione per il "referendum" sulla forma istituzionale dello Stato, di cui al D.L. 16 marzo 1946, n. 98, sono di tipo unico e di identico colore per tutti i collegi elettorali; sono fornite a cura del Ministero dell'Interno con le caratteristiche essenziali del modello descritto nelle tabelle A e B allegate al presente decreto e firmate dal Presidente del Consiglio dei Ministri. Esse riproducono due rami di quercia e di alloro attorno a una testa turrita di donna come contrassegno della Repubblica e una corona sovrapposta allo stemma di Savoia come contrassegno della Monarchia. Nelle sfondo di entrambi i simboli comparirà il profilo geografico dell'Italia.

Art. 2.

Il voto si esprime tracciando con la matita copiativa un segno nell'apposita casella a fianco del contrassegno corrispondente alla forma istituzionale prescelta dal votante: Repubblica o Monarchia.

294

- 2 -

Art. 3.

Il numero degli scrutatori, previsto dall'art. 27 del D.L.L. 10 marzo 1946, n° 74, per ogni sezione elettorale, è elevato da cinque ad otto, di cui i due più anziani assumono la funzione di vice presidenti.

Art. 4.

Appena accertata la costituzione dell'ufficio elettorale, il presidente della sezione provvede all'autenticazione delle schede per il "referendum" con le modalità prescritte dai primi cinque comma dell'art. 37 del D.L.L. 10 marzo 1946, n° 74; successivamente provvede con le stesse modalità, all'autenticazione delle schede per le elezioni dei deputati all'Assemblea Costituente.

Le schede autenticate sono deposte in apposite cassette o scatole, sulle quali è a grandi lettere indicato, rispettivamente: "schede per il referendum istituzionale" e "schede per l'elezione dei deputati all'Assemblea Costituente".

Entrambe le urne in dotazione della sezione debbono restare, durante queste operazioni, completamente vuote per essere destinate a ricevere, dopo l'espressione del voto, rispettivamente le schede del "referendum" e quelle delle elezioni. Anche sulle urne deve essere apposta una scritta indicante a grandi lettere la rispettiva destinazione.

Art. 5.

La disposizione dell'art. 38, secondo comma, del D.L.L. 10 marzo 1946, n° 74, è estesa alle schede di votazione per il "referendum": tanto queste, quanto quelle per l'elezione dei deputati all'Assemblea Costituente sono riposte, dopo l'apposizione del bollo, nella stessa cassetta o scatola dalla quale furono tolte.

Art. 6.

Tutte le volte in cui, nel D.L.L. 10 marzo 1946, n° 74, si fa menzione della "prima urna" e della "seconda urna", anche con espressioni equivalenti, tali espressioni s'intendono rispettivamente sostituite da quelle: "apposita cassetta o scatola" e "urna destinata a ricevere le schede, dopo l'espressione del voto".

Art. 7.

Il presidente della sezione consegna all'elettore, insieme con la

- 3 -

scheda di votazione per l'elezione dei deputati all'Assemblea Costituente, una scheda di votazione per il "referendum" istituzionale, con le modalità previste dall'art. 44, primo comma, del D.L.L. 10 marzo 1946, n° 74.

All'atto della consegna, il presidente dà all'elettore preventive istruzioni sul modo di esprimere il voto per il "referendum", attenendosi da ogni esemplificazione e avvertendolo che la scheda del "referendum" dev'essere chiusa e restituita separatamente da quella dell'elezione dei deputati all'Assemblea Costituente, ma contemporaneamente ad essa.

Si applica il disposto dell'ultimo comma dell'art. 44 sopra citato.

Art. 8.

L'art. 48 del D.L.L. 10 marzo 1946, n° 74, è abrogato e sostituito dal seguente:

Art. 48. - "La votazione deve proseguire sino alle ore venti nelle sezioni che abbiano non più di 500 iscritti. Tuttavia gli elettori che a tale ora siano ancora nella sala sono ammessi a votare.

Nelle sezioni che abbiano più di 500 iscritti, la votazione prosegue fino alle ore ventidue. Dopo tale ora, il presidente rinvia la votazione alle ore sette del mattino successivo e, dopo aver chiuso le urne e le cassette o scatole contenenti le schede e dopo aver riposto in un plico tutte le carte relative alle operazioni già compiute ed a quelle da compiere, con le modalità di cui all'art. 50, primo comma, n° 4, scioglie l'adunanza e provvede alla chiusura della sala ed alla custodia di essa a norma dell'art. 51. Alle ore sette del mattino successivo il presidente, ricostruito l'ufficio e constatata l'integrità dei mezzi di segnalazione apposti sulle aperture e sugli accessi della sala, nonché l'integrità delle urne, dei plichi e dei sigilli, dichiara ripresa la votazione, che prosegue fino alle ore dodici. Decorso quest'ora, nessuno può più votare.

Art. 9.

Le operazioni previste dagli articoli 50, primo comma, numeri 3 e 4 e 52, primo comma, del D.L.L. 10 marzo 1946, n° 74, devono essere compiute anche per le operazioni relative al "referendum" istituzionale.

A modificazione del disposto dell'art. 52, secondo comma, del D.L.L. 10 marzo 1946, n° 74, l'inizio delle operazioni previste dall'art. 53 del decreto predetto è fissato, per tutte le sezioni, alle ore dodici del

giorno successivo a quello dell'inizio della votazione.

I pieghi contenenti i documenti concernenti le operazioni del referendum devono essere sempre separati da quelli contenenti gli atti inerenti all'elezione dei Deputati all'Assemblea Costituente.

Art. 10

Nelle Sezioni che abbiano più di 500 iscritti, non si compiono le operazioni di cui all'art. 50, primo comma, numero 4 del D.L.L. 10 marzo 1946, n. 74.

Nelle sezioni indicate nel comma precedente non si applicano le disposizioni degli art. 52 e 53, primo comma, n. 1 del citato decreto.

Art. 11

All'ora indicata nel secondo comma dell'art. 9, o, per le sezioni con più di 500 iscritti, appena compiute le operazioni di cui all'art. 50, primo comma, numeri 1, 2 e 3 del D.L.L. 10 marzo 1946, n. 74, il presidente procede allo spoglio dei voti e alle operazioni di scrutinio di cui all'art. 53 del citato decreto, per quanto riguarda l'elezione dei deputati all'Assemblea Costituente.

Subito dopo l'ultimazione dello scrutinio di cui al comma precedente, e compiuti gli adempimenti di cui all'art. 56 del decreto legislativo luogotenenziale 10 marzo 1946, n. 74, l'adunanza prosegue per lo spoglio dei voti del "referendum" istituzionale.

A tal fine uno scrutatore, designato dalla sorte, estrae dall'urna in cui sono state deposte le relative schede dopo l'espressione del voto, ciascuna scheda, la spiega e la consegna già spiegata al Presidente. Questi enuncia ad alta voce la forma istituzionale (Repubblica o Monarchia) prescelta dall'elettore col segno di voto apposto nella casella a fianco del relativo contrassegno e dichiara che l'elettore si è astenuto da qualsiasi indicazione; passa, indi, la scheda ad un altro scrutatore, il quale, insieme con il Segretario, prende nota del numero dei voti conferiti rispettivamente alla Repubblica e alla Monarchia e del numero delle astensioni del "referendum". Il Segretario proclama ad alta voce i voti dati alla Repubblica e alla Monarchia. Un terzo scrutatore pone le schede, il cui voto è stato spogliato, nella cassetta o scatola, dalla quale furono tolte le schede del "referendum".

O - 5 -

non usate. E' vietato estrarre dall'urna una scheda, se quella precedentemente estratta non sia stata posta nella cassetta, o scatola, dopo spogliato il voto. Le schede possono essere toccate solo dai componenti del seggio.

Art. 12

Sono estese alle operazioni di scrutinio del "referendum" istituzionale le disposizioni dell'art. 53, primo comma, numero 3, 4 e comma successivi del D.L.L. 10 Marzo 1946, n° 74, in quanto applicabili.

I verbali relativi alle operazioni del "referendum" istituzionale, sono sempre distinti da quelli relativi alle operazioni per l'elezione dei deputati all'Assemblea Costituente.

Tutte le operazioni di cui all'articolo precedente e al primo comma del presente articolo debbono svolgersi senza interruzione ed essere ultimate entro le ore 12 del secondo giorno successivo a quello dell'inizio della votazione.

Art. 13

Appena ultimato lo scrutinio dei voti del "referendum", il presidente ne dichiara i risultati e ne fa certificazione nel verbale che, redatto in doppio esemplare, firmato in ciascun foglio e sottoscritto, seduta stante, da tutti i membri dell'ufficio, è immediatamente chiuso in un plico il quale dev'essere sigillato col bollo dell'ufficio e firmato dal presidente e da almeno due scrutatori. Sull'involucro esterno del plico sarà apposta l'indicazione: "verbale del referendum istituzionale".

L'adunanza è poi sciolta e il presidente cura l'immediato inoltro dei verbali e degli altri documenti inerenti al "referendum" agli uffici previsti dall'art. 56, comma 2°, 4° e 5° del D.L.L. 10 marzo 1946, n° 74, con le modalità ivi stabilite.

Art. 14.

230

Le disposizioni dell'art. 55 del D.L.L. 10 marzo 1946, n° 74, si applicano nel caso in cui le operazioni di scrutinio non siano compiute entro le ore dodici del secondo giorno successivo a quello d'inizio della votazione.

Art. 15.

Sono nulli i voti per il "referendum" quando le schede:

1°)- non siano quelle prescritte dall'art.1, e non portino il bollo o la firma della scrutatore, richiesti dagli articoli 37 e 38 del D.L.L. 10 marzo 1946, n°74, richiamati dagli articoli 3 e 4 del presente decreto;

2°)- presentino qualsiasi traccia di scrittura o segni i quali debbano ritenersi fatti artificialmente dal votante;

3°)- non esprimano il voto per alcuno dei due contrassegni, o lo esprimano per entrambi, o non offrano la possibilità di identificare il contrassegno prescelto.

E' valido il voto se il segno è apposto direttamente sul contrassegno anzichè nella casella a fianco di esso.

Art. 16.

La Corte d'Appello o il Tribunale, costituiti in ufficio centrale circoscrizionale ai termini dell'art.18 del D.L.L. 10 marzo 1946, n°74, proceda ~~senza ritardo~~ entro ventiquattr'ore, e in ogni caso dopo aver compiuto le operazioni di cui all'art.57 e seguenti del decreto anzidetto, e con le stesse modalità, a riassumere i risultati del "referendum" in tutte le sezioni elettorali del collegio.

Nell'ipotesi prevista dal citato art.57, primo comma, n°1, saranno anche osservate relativamente al "referendum", in quanto applicabili, le disposizioni degli articoli 9, 11, 12 e 13 del presente decreto.

Al fini indicati nel comma precedente, l'ufficio centrale circoscrizionale effettua la somma dei voti validi attribuiti rispettivamente alla Repubblica e alla Monarchia in tutte le sezioni e ne dà atto in apposito verbale, da redigersi in duplice esemplare, dei quali uno è depositato nella cancelleria della Corte d'Appello o del Tribunale e l'altro è rimesso in piego sigillato, unitamente ai verbali sul "referendum" di tutte le sezioni elettorali del collegio, coi documenti annessi, alla Corte di Cassazione, mediante corriere speciale.

Art.17.

La Corte di Cassazione, in pubblica adunanza presieduta dal Primo Presidente e alla quale partecipano sei presidenti di sezione e dodici consiglieri, con l'intervento del procuratore generale, appena pervenuti i verbali di cui all'art.16 trasmessi da tutti gli

- 7 -

uffici centrali circoscrizionali, procede alla somma dei voti attribuiti alla Repubblica e di quelli attribuiti alla Monarchia in tutti i collegi e fa la proclamazione dei risultati del "referendum".

Entro dieci giorni dalla data di pubblicazione del presente decreto, il Primo Presidente della Corte di Cassazione provvede alla nomina dei magistrati che dovranno partecipare all'adunanza di cui al comma precedente, nonché i due presidenti di sezione e tre consiglieri supplenti, per l'eventuale sostituzione dei primi nominati in caso di assenza o impedimento.

Il cancelliere capo della Corte di Cassazione, che ha le funzioni di segretario dell'adunanza, redige in triplice esemplare il verbale delle operazioni che è firmato in ciascun foglio e sottoscritto dal Primo Presidente e dal Cancelliere stesso.

Un esemplare del verbale è immediatamente rimesso alla segreteria provvisoria dell'Assemblea Costituente, il secondo è depositato nella cancelleria della Corte di Cassazione e il terzo è inviato al Ministero per le grazie e giustizia che ne dispone la pubblicazione nella Gazzetta Ufficiale.

Art. 18.

Le proteste e i reclami relativi alle operazioni del "referendum" possono essere presentati agli uffici delle sezioni o agli uffici centrali circoscrizionali finché questi sono in funzione ovvero alla cancelleria delle Corti d'Appello o dei Tribunali circoscrizionali e della Corte di Cassazione entro il termine di cinque giorni dalla data della votazione. Le cancellerie ne rilasceranno ricevute.

Le cancellerie degli uffici centrali circoscrizionali, alla scadenza del termine previsto nel comma precedente, provvederanno all'immediato inoltre alla cancelleria della Corte di Cassazione, mediante corriere speciale, di tutte le proteste e i reclami ricevuti.

Art. 19.

Alla Corte di Cassazione, costituita come all'art. 17, è riservato il giudizio definitivo sulle contestazioni, le proteste e i reclami presentati agli uffici delle singole sezioni elettorali o agli uffici centrali circoscrizionali, o alla stessa Corte di Cassazione, concernenti lo svolgimento delle operazioni relative al "referendum".

I voti delle sezioni, le cui operazioni siano annullate, non hanno effetto.

La Corte di Cassazione emette il giudizio definitivo, previsto dal primo comma, sentite le conclusioni del Procuratore generale, entro il quindicesimo giorno successivo alla data della votazione.

Si applicano le disposizioni degli ultimi due commi dell'art. 15.

Art. 20.

L'ultimo comma dell'art. 27 del D.L.L. 10 marzo 1946, n° 74, è abrogato e sostituito dal seguente:

"Al presidente dell'ufficio elettorale dev'essere corrisposto dal comune, nel quale l'ufficio stesso ha sede, un onorario giornaliero di lire 500, oltre il trattamento di missione spettante agli impiegati dello Stato di grado V, a norma del decreto legislativo luogotenenziale 7 giugno 1945, n° 380, se dovuto; agli impiegati statali di grado superiore al V spetta il trattamento di missione inerente al grado rivestito.

Art. 21.

Per tutto quanto non è espressamente previsto dal presente decreto valgono le disposizioni del decreto legislativo luogotenenziale 10 marzo 1946, n° 74.

Art. 22.

Il presente decreto entra in vigore il giorno della sua pubblicazione nella Gazzetta Ufficiale del Regno.

Ordiniamo che il presente decreto, munito del sigillo dello Stato, sia inserito nella raccolta ufficiale delle leggi e dei decreti del Regno d'Italia, mandando a chiunque spetti di osservarlo e di farlo osservare come legge dello Stato.

Fatto a Roma, addì

TRANSJANES ALLIED COMMISSION
AIO 394
LOCAL GOVERNMENT SUB COMMISSION

AO/45/B/1/LG.

Tel: 314

SUBJECT : Symbols on Ballot Papers
for Referendum.

29 March 1946

TO : Director

1. Please refer to the extract from to-day's "Unita" at folio 37, with translation. I have conferred this morning with the Ministry for the Constituent Assembly and it was confirmed that this news is authentic.
2. You will note that the Republicans have adopted as their symbol a female head with a mural crown in the form of medieval walls and towers. This symbol has, however, been already adopted as the centrepiece of the official stamp for ballot papers. A sample of this official stamp will be found on the back of folio 14.
3. The design for the symbol on the referendum ballot will no doubt differ in detail from the design on the official stamp e.g. one may show a head in the full face whereas the other ~~may~~ shows it in profile. I consider, however, that they are bound to be sufficiently alike to cause confusion. For instance, electors receiving the ballot paper folded with the official stamp on the back, seeing this crowned head on the back may well put their mark next to it, in which case the ballot paper would be void. Or they may think in their ignorance that the crowned head has some official sanction and may be induced to vote Republican when they otherwise would not.
4. On the other hand it has to be borne in mind that electors have so far shown a high order of intelligence and the number of spoilt ballot papers is surprisingly low.
5. Another point is whether it is proper to use to represent a political party or current of opinion a symbol which has already been used to represent a State as a whole. You will remember that in the recent communal elections several Independent lists had been presented under the symbol of the arms of the commune itself. This would never be permitted in Great Britain.
6. Although I think that this decision of the Council of Ministers is objectionable and that attention ought to be drawn to it, I must also advise that there is no cause for action by AG. The point, though objectionable, is not fundamentally undemocratic; in view of the provisions of FAN 487 as reinforced by minute 14 opposite, no action can be taken.

C. G. R. Williams
C.G.R. WILLIAMS
Major
Executive Officer
Local Government Sub Commission

*12 April 46
no action
RBT*
CGRW/ww
Copies : 45/8/LG.
float

AL CONSIGLIO DEI MINISTRI

L'Italia simbolo della Repubblica

*La corona simboleggerà la monarchia; la testa turrita dell'Italia circondata da fronde di alloro la Repubblica
Un'esposizione di De Gasperi sui rapporti con la Spagna*

Nel 1947 avremo penicillina italiana

Il Consiglio dei Ministri, riunito ieri al Viminale sotto la presidenza dell'on. De Gasperi, ha approvato i simboli del referendum istituzionale. Quale simbolo della monarchia è stata scelta la corona senza nodo di Savoia. Per la Repubblica è stato scelto il simbolo composto dalla testa turrita dell'Italia incorniciata da una fronda d'alloro e una di quercia.

Il Consiglio ha poi approvato alcune norme riguardanti la proclamazione dei risultati del referendum. Secondo tali norme la sezione speciale di Corte di Cassazione dovrà proclamare i risultati provvisori del referendum 5 giorni dopo il suo svolgimento. I risultati definitivi dovranno essere proclamati due giorni prima della convocazione della Assemblea Costituente. Con una speciale disposizione il Consiglio dei Ministri ha anche stabilito che la votazione per la Costituente possa protrarsi, nel caso di eccessivo affollamento delle se-

AT THE COUNCIL OF MINISTERS
ITALY WILL BE THE SYMBOL OF REPUBLIC

The Council of Ministers, which held a meeting yesterday under the Presidency of On. De Gasperi, has approved the symbols for the institutional referendum. The crown without the Savoy knot has been chosen as the symbol of Monarchy; For the Republic the turreted head of Italy surrounded by a bough of laurel and an oak one.

The Council has then approved some regulations for the proclamation of the results of the referendum.....

From the Unità of the 29/3/46.

HUMBERT OF SAVOY
Prince of Piedmont
Lieutenant General of the Realm

By virtue of the authority vested in us;
Considering art. 13 of D.L. 10 March 1946, n. 74, containing the provision for the election of the Deputies to the Constituent Assembly and art. 1 of D.L. 16 March 1946, N. containing integrations and modifications to D.L. 25 June 1944, n. 151, relative to the Assembly for the new constitution of the State, to the oath of the members of the Government and to the faculty reserved to the Government to issue juridical provisions;
Having considered the necessity of calling the electoral meetings for the decision, through a referendum, on the institutional form of the State and for the election of the deputies to the Constituent Assembly;
Considering that at the moment it will be impossible to hold the elections in the Venezia Giulia owing to the present international situation and in the province of Bolzano, where the electoral lists could not be completed since the question of citizenship of the optants for Germany^x has not been settled yet;
x) who carried the option through
Having seen the deliberation of the Council of Ministers;
On proposal of the President of the Council of Ministers, Prime Minister Secretary of State, in agreement with the Ministers for the Interior and for the Constituent;

WE HAVE DECREED AND DECREE :

Art. 1

The electoral meetings will be held on 2 June 1946 to deliberate through a "referendum", on the institutional form of the State and to elect the deputies to the Constituent Assembly.

An exception is made for the electoral College of the Venezia Giulia and for the Province of Bolzano, for which the convocation of the electoral meetings will be arranged by subsequent provisions.

The electoral College Trento Bolzano remains, as far as the applications of the precedent paragraphs is concerned, limited to the single Province of Trento, which will elect five deputies.

Art. 2

The present decree shall become effective on the day of its publication in the Gazzetta Ufficiale of the Kingdom.

We order that the present decree, bearing the seal of the State, be inserted in the Official Collection of the laws and of the decrees of the Kingdom of Italy, directing all whom it may concern to comply with and have it comply with.

provision for the election of the President of the Republic, containing integrations and modifications art. 1 of DLL 16 March 1946, N. 151, relative to the Assembly for the new constitution to DLL 25 June 1944, n. 151, relative to the members of the Government and to the faculty of the State, to the oath of the members of the Government and to the faculty reserved to the Government to issue juridical provisions;

Having considered the necessity of calling the electoral meetings for the decision, through a referendum, on the institutional form of the State and for the election of the deputies to the Constituent Assembly;

Considering that at the moment it will be impossible to hold the elections in the Venezia Giulia owing to the present international situation and in the province of Bolzano, where the electoral lists could not be completed since the question of citizenship of the optants for Germany ^{x)} has not been settled yet;

Having seen the deliberation of the Council of Ministers; ^{through}
On proposal of the President of the Council of Ministers, Prime Minister Secretary of State, in agreement with the Ministers for the Interior and for the Constituent;

WE HAVE DECREED AND DECREE :

Art. 1

The electoral meetings will be held on 2 June 1946 to deliberate through a "referendum", on the institutional form of the State and to elect the deputies to the Constituent Assembly.

An exception is made for the electoral College of the Venezia Giulia and for the Province of Bolzano, for which the convocation of the electoral meetings will be arranged by subsequent provisions.

The electoral College Trento Bolzano remains, as far as the applications of the precedent paragraphs is concerned, limited to the single Province of Trento, which will elect five deputies.

Art. 2

The present decree shall become effective on the day of its publication in the Gazzetta Ufficiale of the Kingdom.

We order that the present decree, bearing the seal of the State, be inserted in the Official Collection of the laws and of the decrees of the Kingdom of Italy, directing all whom it may concern to comply with and have it comply with.

Issued in Rome on 16 March 1946

Trans. AN

REGNO DI SAVOIA

Principe di Piemonte

Luogotenente Generale del Regno

In virtù dell'autorità a Noi delegata;
 Visti l'art. 13 del decreto legislativo luogotenenziale 10 marzo 1946,
 n. 74, contenente norme per l'elezione dei Deputati all'Assemblea Costituente
 e l'art. 1 del decreto legislativo luogotenenziale 16 marzo 1946, n. 74, recante
 integrazioni e modificazioni al decreto legge luogotenenziale 25 giugno 1944,
 n. 151, relativo all'Assemblea per la nuova costituzione dello Stato, al giuramento
 dei Membri del Governo ed alla facoltà del Governo di emanare norme giuridiche;
 Ritenuta la necessità di convocare i comizi elettorali per la decisione,
 mediante referendum, sulla forma istituzionale dello Stato e per la elezione dei
 deputati all'Assemblea Costituente;

Ritenuto che è per ora impossibile lo svolgimento delle elezioni nella
 Venezia Giulia a causa dell'attuale situazione internazionale e nella provincia
 di Bolzano, nella quale le liste elettorali non si sono potute ultimare non
 essendo tuttora regolato la questione sulla cittadinanza degli optanti per la
 Germania che hanno perfezionato l'opzione;

Vista la deliberazione del Consiglio dei Ministri;
 Sulla proposta del Presidente del Consiglio dei Ministri, Primo Ministro
 Segretario di Stato, di concerto con i Ministri per l'interno e per la costitu-
 ente;

ARMANDO DECRETATO E DECRETIAMO:

Art. 1

I comizi elettorali sono convocati per il giorno 2 giugno 1946 per
 deliberare, mediante "referendum", sulla istituzione dello Stato e per eleg-
 gere i deputati all'Assemblea Costituente.

È fatta eccezione per il Collegio elettorale della Venezia Giulia e
 per la Provincia di Bolzano, per i quali la convocazione dei comizi elettorali
 sarà disposta con successivi provvedimenti.

Il Collegio elettorale Trento Bolzano resta, ai fini dell'applicazione
 dei comizi precedenti, limitato alla sola Provincia di Trento, che eleggerà
 cinque deputati.

Art. 2

Il presente decreto entra in vigore il giorno della sua pubblicazione
 nella Gazzetta Ufficiale del Regno.

Ordiniamo che il presente decreto, munito del sigillo dello Stato, sia
 inserito nella Raccolta Ufficiale delle leggi e dei decreti del Regno d'Italia,
 mandando a chiunque spetti di osservarlo e di farlo osservare.

Dato a Roma, addì 16 marzo 1946

F.to Umberto di Savoia
 C.to De Gasperi
 " Forlani
 " Ronni

283

UMBERTO DI SAVOIA
 Prince of Piedmont
 Lieutenant General of the Kingdom
 (DIL 16 March 1946 N.98 - published in Official Gazette 23 March N.69)

By virtue of the authority conferred to us;
 Having seen the Lieutenantcy decree-law 25 June 1944, n. 151,
 relating to the Assembly for the new constitution of the State, to the
 oath of the Members of the Government and to the faculty of the
 Government to enact juridical provisions;

Having seen the DIL 1 February 1945, n. 58, concerning the new
 regulations for the passing, promulgation and publications of Lieutenant-
 cy decrees and other provisions;

Deeming it necessary to complete and amend the a/m Lieutenantcy
 decree-law 25 June 1944, n. 151;

Having heard the opinion of the National Consultative Assembly;

Having seen the decision of the Council of Ministers;

On proposal of the President of the Council of Ministers, First

Prime Minister Secretary of State, and of the Minister for the Consti-

tuent Assembly in agreement with all the Ministers;

Have sanctioned and promulgate the following:

Art. 1

At the same time as the elections for the Constituent Assembly
 the population will be asked to decide, by means of a referendum; about
 the institutional organisation of the State (Monarchy or Republic).

Art. 2

If the majority of the voters will be in favour of the Republic
 the Assembly, after its constitution, shall, as first act, elect the
 temporary Chief of the State, who will exercise his functions, until
 the Chief of the State will be nominated in accordance with the Consti-
 tution deliberated by the Assembly.

The majority of the 3/5 of the members of the Assembly is
 requested for the election of the temporary chief of the State. If
 at the third scrutiny such majority is not achieved the absolute majori-
 ty (maggioranza assoluta) will be enough.

Once the temporary Chief of the State has been elected, the
 Government in charge will present him its resignation and the temporary
 chief of the State shall give the necessary orders for the formation
 of the new Government.

In the case contemplated in the first para from the day of
 the proclamation of the results of the referendum and until the tem-
 porary State is elected, the relative functions are per-

oath of the Members of the Government and to the faculty of the Government to enact juridical provisions;

Having seen the DLL 1 February 1945, n.58, concerning the new regulations for the passing, promulgation and publications of Lieutenantcy decrees and other provisions;

Deeming it necessary to complete and amend the a/m Lieutenantcy decree-law 25 June 1944, n.151;

Having heard the opinion of the National Consultative Assembly;

Having seen the decision of the Council of Ministers;

On proposal of the President of the Council of Ministers, First Prime Minister Secretary of State, and of the Minister for the Constituent Assembly in agreement with all the Ministers;

Have sanctioned and promulgated the following:

Art. 1

At the same time as the elections for the Constituent Assembly the population will be asked to decide, by means of a referendum, about the institutional organisation of the State (Monarchy or Republic).

Art. 2

If the majority of the voters will be in favour of the Republic the Assembly, after its constitution, shall, as first act, elect the temporary Chief of the State, who will exercise his functions, until the Chief of the State will be nominated in accordance with the Constitution deliberated by the Assembly.

The majority of the 3/5 of the members of the Assembly is requested for the election of the temporary chief of the State. If at the third scrutiny such majority is not achieved the absolute majority (maggioranza assoluta) will be enough.

Once the temporary Chief of the State has been elected, the Government in charge will present him its resignation and the temporary chief of the State shall give the necessary orders for the formation of the new Government.

In the case contemplated in the first para from the day of the proclamation of the results of the referendum and until the temporary Chief of the State is elected, the relative functions are performed by the President of the Council of Ministers in charge at the day of elections.

If the majority of electors voting should be in favour of the Monarchy, the present Lieutenantcy Regime shall continue until the decisions of the Constituent Assembly about the new constitution and the Chief of the State come into force.

Art. 3

During the period of the Constituyente and until the convocation of the Parliament in accordance with the new Constitution the

Legislative powers shall remain delegated, exception made for the constitutional subjects, to the Government, and except the electoral laws and the laws for the approval of the international treaties, which shall be decided upon by the Assembly.

The Government may submit to be examined by the Assembly any other matter for which the decision of the Assembly should be deemed necessary.

The Government is responsible to the Constituent Assembly. If a Government proposal is rejected by the Assembly, the resignation of the Government shall not be a necessary consequence. The Government shall obligatorily resign only if a specific motion of distrust is voted, which voting should take place not any earlier than two days after it has been presented and agreed upon by the absolute majority of the Members of the Assembly.

Art. 4

The Constituent Assembly shall hold its first meeting in Rome in Montecitorio Palace, on the 22nd day after the date on which elections have been held.

The Assembly is dissolved by right the very day the Constitution comes into force and however not later than eight months after its first meeting. This limit can be extended for not more than four months.

Until its own internal regulations be decided upon the Assembly shall apply the internal regulations of the Camera dei Deputati dated 1 July 1900 and subsequent amendments until 1922.

Art. 5

Until the new constitution has come into force the powers of the chief of the State shall be subject to the same regulations as are in force inasmuch as they are applicable.

Art. 6

Legislative provisions outside the competence of the Constituent Assembly under first para of art. 3, issued in the period there indicated, shall be submitted to ratification by the new Parliament within one year after it has started functioning.

Art. 7

Within 30 days from the date of the Lieutenantcy decree announcing the elections for the Constituent Assembly all civil and military servants of the State shall engage themselves upon their honour,

The Government shall obligatorily resign only if a specific motion of distrust is voted, which voting should take place not any earlier than two days after it has been presented and agreed upon by the absolute majority of the members of the Assembly.

Art. 4

The Constituent Assembly shall hold its first meeting in Rome in Montecitorio Palace, on the 22nd day after the date on which elections have been held.

The Assembly is dissolved by right the very day the Constitution comes into force and however not later than eight months after its first meeting. This limit can be extended for not more than four months.

Until its own internal regulations be decided upon the Assembly shall apply the internal regulations of the Camera dei Deputati dated 1 July 1900 and subsequent amendments until 1922.

Art. 5

Until the new constitution has come into force the powers of the chief of the State shall be subject to the same regulations as are in force inasmuch as they are applicable.

Art. 6

Legislative provisions outside the competence of the Constituent Assembly under first para of art. 3, issued in the period there indicated, shall be submitted to ratification by the new Parliament within one year after it has started functioning.

281

Art. 7

Within 30 days from the date of the Lieutenantcy decree announcing the elections for the Constituent Assembly all civil and military servants of the State shall engage themselves upon their honour, to respect and make respect, in the performance of their duties, the result of the institutional referendum and the relative decisions of the Constituent Assembly.

None of the engagements previously accepted by them, even if under oath, limits the freedom of opinion and vote of the military and civil servants of the State.

Art. 8

By decree of the President of the Council of Ministers,

- 3 -

113

after having heard the Council of Ministers; the regulations will be issued for the referendum itself, for the proclamation of its results and complaints lodged against the operations of the referendum, with the faculty of varying and completing the provisions contained in D.L. 10 March 1946, n. 74 for the election of the Deputies of the Constituent Assembly and of ordering that the state-ballot, referred to in the s/m decree, be modified as it will be necessary.

For the answer to the referendum two different symbols shall be indicated.

Art. 9

The present decree shall come into force on the day of its publication on the Official Gazette of the Kingdom.

We order that the present decree, bearing the seal of the State shall be inserted on the official collection of the laws and decrees of the Kingdom of Italy, and order to all concerned to observe it and have it observed as a law of the State.

Issued at Rome the 16 March 1946.

280

0516