

ACC

10000/142/27

10000/142/27

EXPENSES OF WITNESSES AT A.M. COURTS
MAR. - NOV. 1944

FILE CLOSED 20 November 1944



PARTITO FASCISTA REPUBBLICANO
FEDERAZIONE DELL' UNITA

IL COMMISSARIO FEDERALE

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

21

AG/4002/6/L.

/mt.
20 Nov. 1944.

SUBJECT : AMG Courts - citation of witnesses in restored territory.
TO : Regional Commissioner ABRUSCI-LANCINI Region.
(for Regional Legal Officer).

Ref. AMR 511/12 of 17 Nov. 1944.

1. AMG Courts in Military Government Territory have NO power to issue a citation to a witness in Italian Government Territory: if, therefore, an AM Court purports to issue such a citation and the witness refuses to obey it, that witness cannot be punished by an Allied Military Court for two reasons:

- (a) There is no lawful order; and
- (b) Ex hypothesi the witness is not within Military Government Territory.

2. There is no such agreement with the Italian Government as you suggest.

I feel more than confident that, if the question arises, your ingenuity, coupled with the co-operation of Mr. Cl. and others, will find a way round it.

By command of Commodore STONE:

21

W. E. BARRING,
Colonel,
Deputy Chief Legal Advisor.

4002/6

TO : H.Q. ALLIED COMMISSION
(for attention of Legal Sub-Commission)

FROM : H.Q. AMG/AC ABRUZZI MARCHE REGION

SUBJECT : AMG Courts - Citation of witnesses in restored territory.

REF. : AMR/511/12

DATE : 17 Nov. '44

I have been unable to find in Executive Memorandum No 72 or elsewhere any ruling on the above question. Are witnesses in unoccupied territory bound to obey such citations by AMG Courts, and can they be punished for failure to do so? I assume that this is covered by agreement with the Italian Government but may this be confirmed, please?

For the Regional Commissioner

R. G. S. Alexander
R. G. S. ALEXANDER, Major
R.L.O.

NOV 1944

233

20

RESTRICTEDRegal E/c
RHF/bar

(2)

HEADQUARTERS
NORTH AFRICAN THEATER OF OPERATION
UNITED STATES ARMY
APO 534CIRCULAR)
:
NUMBER 79)

17 May 1944

RHF

Orders for Personnel Returned to United States I
 Witness Fees and Mileage II
 Recording Results of Favorable Loyalty Investigations and Checks III

I -- ORDERS FOR PERSONNEL RETURNED TO UNITED STATES

1. All orders issued in this theater covering personnel returned to the United States by reason of transfer, rotation, or for hospitalization will include the following instruction:

Personnel will immediately notify correspondents and publishers to discontinue mailing letters and publications to them until further advised as to new address. WP AGO Form No. 971-1, 9 October 1943 (V-Mail Notice to Correspondents and Publishers) may be used for this purpose.

2. The foregoing instruction will be included in orders issued by organizations transferring personnel to replacement centers for return to the United States as well as in orders issued by the replacement centers. Orders covering personnel returning to the United States on special missions or leave for short periods will not contain such instructions.

3. It is essential that all personnel be instructed to notify their correspondents and publishers immediately when they receive their first orders relative to transfer to the United States. Change of address cards and V-mail forms are available at all APO's in the theater.

II -- WITNESS FEES AND MILEAGE

Section V, AFHQ Circular Number 17, 1943, is being rescinded. The following is substituted therefor:

1. Persons not subject to military law when called as witnesses before courts-martial, military commissions, courts of inquiry or retiring boards of the United States Forces will be allowed the following fees:

a. In French North and West Africa and Corsica, 42 francs for each day or part of a day in attendance.

b. In Italian territory, 80 lire for each day or part of day in attendance.

c. Expert witness, in either territory referred to in a and b, will be procured and paid in the manner provided by paragraph 99, Manual for Courts-Martial, United States Army, 1928.

2. Mileage will be allowed witnesses in going from their place of residence to the place of trial or hearing and in returning to their place of residence, at the following rates:

RESTRICTED

R E S T R I C T E D

Cir # 70, Hq Natousa

- a. In French North and West Africa and Corsica, 1.4 francs per kilometer.
- b. In Italian territory, 2.8 lire per kilometer.
- c. No mileage will be allowed where travel is performed by military conveyance.

III -- RECORDING RESULTS OF FAVORABLE LOYALTY INVESTIGATIONS AND CHECKS

1. To insure against duplicative loyalty investigations or checks to determine the suitability of an individual for a position of trust, an entry will be made on the Service Record of an enlisted man or woman or on the Qualification Card (WD AGO Form 69-1) of an officer or warrant officer, indicating the extent, results, and date of any favorable loyalty investigation or check conducted. The entry must necessarily vary to fulfill the requirements of the particular case, but in general should conform to one of the following examples:

- a. "Favorable loyalty investigation for position of trust completed 25 May 1944. Clearance granted by Assistant Chief of Staff, G-2, NATOUSA, Chief, Counter Intelligence Branch."
- b. "Favorable loyalty check for cryptographic duties completed 25 May 1944. Clearance granted by Assistant Chief of Staff, G-2, NATOUSA, Chief, Counter Intelligence Branch."

2. The commanding officer of the individual investigated will make the above-mentioned entry upon receipt of the results of a favorable loyalty investigation or check. No entry will be made in any case where clearance is denied.

3. No entry will be made to show that a loyalty investigation or check is pending. When an individual being investigated is transferred, his unit commander will advise the new unit commander by letter:

- a. That a check or investigation has been requested and is pending.
- b. The office to which the request was made.
- c. Type of investigation requested (cryptographic or position of trust).

The commanding officer of the unit to which the individual is transferred, upon receipt of advice that the results of the investigation are favorable, will make the appropriate entry.

By command of Lieutenant General DEVERS:

DAVID G. BARR,
Major General, GSC,
Chief of Staff.

OFFICIAL:


H. V. ROBERTS
Colonel, AGD,
Adjutant General.

- 2 -

DISTRIBUTION: "E"
SO - G-2

R E S T R I C T E D

CLO.

(19)

1. Suggest that this is a most unfortunate moment to issue any directive on this point.
2. Everybody has got on quite well for 9 months!
3. If we issue anything now, our directive will probably only reach a proportion of officers concerned: & it means taking "2 bites at the cherry"
4. I recommend holding this back until the situation is more stabilized & then issuing a printed amdt which can be stuck at the end of Art 18.

Agreed, as all R.H.O.s understand their power. See meeting of 1 May para 8.
 G. R. H. P. C.A.

10 18
 12 May.

4002/6

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

(18)

Ref/273/22/CA.

8 May 1944.

SUBJECT: Re-imbursement of Witnesses' Expenses.

TO ✓: Admin Section - For Legal Sub-Commission.

(16) 1/2
With reference to your letter ACC/4002/L of
4 May 1944, the proposed amendment is agreed to.

LEGAL SUB-COMMISSION	
CLO	☒
DCLO	☐
Chief Counsel	☐
CJO	☐
Italion Section	☐
CL RKS	☐

*To both
+ necessary action
Edward Rahn - they*

NORMAN FISCHE,
Colonel,
Deputy Executive
Commissioner.

Copy to: Finance Sub-Commission.
(Ref letter from Legal Sub-Com
addressed this HQ copy to you
ACC/4002/6/L of 4 May 44.)

11

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

Ref/275/20/CA.

8 May 1944.

SUBJECT: Allied Military Courts - Witnesses Fees.

TO : R.C. Region IV.

1. Reference your RL/250.55 of 26 April 1944, the question of re-imbursing witnesses their expenses and outlays for attending AM Courts has been considered.
2. It was the considered general opinion of the conference held on 1 May 44 and attended by all Regional Legal Officers that to make any public announcement that witnesses in Allied Military Courts may claim compensation for "reasonable loss" would be to court disaster and that therefore it is most undesirable to lay down a general scale of costs for witnesses' attendances.
3. The reasons for that opinion are as follows :
 - (a) There would be a strong temptation for accused persons to bring all their family and also, perhaps, friends to testify : thereby earning a few lire each but lengthening the hearing of cases.
 - (b) Re-imbursment would be claimed, doubtless, in a large number of cases in which no "reasonable loss" had been suffered.
 - (c) In large centres it would be necessary to establish a "taxing office" to check the bona-fides of each claim ; to establish the amount of loss sustained (e.g. by verifying with an employer whether a witness, who had spent some hours in Court, had received pay in respect of that period or how much had been deducted from his normal pay or how much his normal earnings had been reduced); and finally paying out the correct amount.
4. It was however considered that there should be power to order in any individual case of hardship, (e.g. where a witness has had to travel a long way and perhaps pay for one, or two, nights lodging) that a proper payment by way of re-imbursment be made.
5. In the circumstances Legal Sub-Commission are issuing as an addition to the loose leaf Allied Military Courts handbook now being distributed an amendment to Article 18 in the form of the attached.

Robert E. Pike
ROBERT E. PIKE,
Colonel,

Dep. Executive Commissioner.

✓ Copy to: Admin Sec - For Legal Sub-Com.

HQS HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

4 May 1944

HQS/1002/6/1.

SUBJECT : Re-Indemnment of witnesses's expenses.

TO : HQ & NC Section.

1. Reference 27/15/CA of 1 May 1944 and enclosures thereto

2. The question of re-indemnment of witnesses's expenses has been the subject of recent correspondence between this Sub-Commission and Regions and was again discussed at a conference on 1 May 1944, which was attended by all Regional Legal Officers.

3. It was the considered general opinion that to make any public announcement that witnesses in Allied Military Courts may claim compensation for "reasonable loss" would be to court disaster and that therefore it is most undesirable to lay down a general scale of rates for witnesses' allowances.

4. The reasons for that opinion are as follows :

- (a) There would be a strong temptation for accused persons to bring all their family and also, perhaps, friends to testify : thereby earning a few lire each but lengthening the hearing of cases.
- (b) Re-indemnment would be claimed, doubtless, in a large number of cases in which no "reasonable loss" had been suffered.
- (c) In large centres it would be necessary to establish a "tacking office" to check the bona-fides of each claim : to establish the amount of loss sustained (eg. by verifying with an employer whether a witness, who had spent some hours in Court, had received pay in respect of that period or how much had been deducted from his normal pay or how much his normal earnings had been reduced); and finally paying out the correct amount.

5. It was however considered that there should be power to order in any individual case of hardship, (eg where a witness has had to travel a long way and perhaps pay for one or two nights lodging) that a proper payment by way of re-indemnment be made.

6. If you agree with the foregoing, I propose to print and publish, as an addition to the loose leaf Allied Military Courts handbook now being distributed, an article in the form of the attached.

G. R. BUSH,
Colonel,
Chief Legal Officer

Draft amendment to Art. 18

(15)
Draft

The Court has power to
Add :-

- (h) To order a proper payment to be made to any witness for costs of attendance. Normally no costs of attendance will be allowed to a witness. In exceptional cases, however, where a witness has been put to substantial expense (e.g. by reason of having been obliged to make a long journey or pay for lodging) or where earning power has been substantially affected, the Court or the Provincial Legal Officer may, on application by the prosecution or defence, order that a payment be made to a witness of a sum sufficient to prevent any real hardship. No scale is laid down. Each such case will be dealt with on its individual merits. The sum ordered to be paid will be sufficient, and only sufficient, to prevent any real hardship.

Payments made under any such order will be debited to the provincial or Communal Funds (as directed by the Regional Finance Officer) and shall be made in such manner as the Regional Commissioner shall appoint.

11

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

1 May 1944.

Ref/273/15/CA.

SUBJECT: Allied Military Courts.

TO : Admin Section - Legal Sub-Commission.

1. There is forwarded for perusal copy of letter from Region IV reference R4/250-55 dated 26 April 1944.
2. The question of re-imbursing ^{witnesses} before AMG Courts for any reasonable loss entailed by their attendance has apparently been discussed between the Regional Legal Officer and the Chief Legal Officer.
3. May this Branch have your comments on the subject matter of the above-mentioned letter please.

Norman E. Fiske

NORMAN E. FISKE
Colonel,
Deputy Executive
Commissioner.

13

C O P Y

HEADQUARTERS REGION 4
ALLIED MILITARY GOVERNMENT
AFO 394

(13)

MEMORADUM

TO : ACC (R.C. & M.G. Section)

FROM : HQ Region 4, AMG

SUBJECT : Allied Military Courts - Witnesses Fees

REF : R4/250.55

DATE : 26 April 1944.

1. The Regional Legal Officer has been asked by the Chief Legal Officer for his views on the question of the payment of the expenses of witnesses attending AMG Courts, and has given views personally to the Chief Legal Officer.
2. The question is an important one of principle and I am strongly of the opinion that provision should be made for witnesses before AMG Courts to be reimbursed any reasonable loss which their attendance entails.
3. The difficulty of persuading reliable Italian witnesses to come forward is well known, and the absence of any provision for reimbursement may well be a contributing factor.
4. In view of the devaluation of the lire, the rates payable under the existing Italian legislation do not provide a satisfactory basis for the payment of witnesses in AMG Courts and it is therefore suggested that AMG Courts should be authorised to order the reimbursement of expenses on a reasonable basis in the light of current rates.
5. Payment could be made through the Provincial Finance Officer or in the case of Rome City, through a Central Courts Cashier. In all cases, payment should be made on a written order of the Court for specified costs.

Regional Commissioner
Region 4, AMG

4002/6 ✓

TO C.L.O. REAR H. J. A.C.C.
FROM H.Q. REGION V A.M.G.
SUBJECT Witness Expenses.
REF R5/511/8.
DATE 26 April 1944. (5)

3638
(12)

1. Ref. your ACC/4002/6/L of 6 April 1944 it is thought that witnesses appearing before A.M.G. Courts should receive adequate compensation ~~involved~~ *for the expenses involved.*
2. It is suggested that the judge be authorized to fix the amount of these expenses in any particular case and to order payment to the witness.
3. The expenses could in appropriate cases, be recovered from defendants by way of costs. In other cases the local financial officer could be authorised to make the payment.

For Regional Commissioner

W. E. Behrens
W. E. BEHRENS
Lt. Col.
R.L.O.

11
3227

0002 ✓ 0-4465 Legal CSC REAR
11

SUBJECT:

Witness Expenses (AMG Courts)

HQ AMG
Rear EIGHTH ARMY

OM/13

19 Apr 44

TO: Legal Sub-Commission,
HQ, Allied Control Commission (Rear),
AFO 394

1. In reply to ACC/4002/6/L of 6 Apr.

2. So far as EIGHTH ARMY territory is concerned, it is not thought necessary or desirable to institute such procedure.

3. This opinion is based upon the following considerations:

(a) No difficulty has been experienced in securing attendance of witnesses.

(b) Any such procedure would of necessity involve added accounting duties on the part of the CAOs.

(c) In the rare cases where payment of fees is expedient, same can be made upon voucher and receipt with existing machinery.

Edwin J. Mercer
EDWIN J. MERCER,
Major, Ord.,
Senior Legal Officer,
AMG EIGHTH ARMY.

RHC

716
NEAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

PRW/ymf

10

16 April 1944

ACC/4002/6/L

SUBJECT: Expenses of Witnesses at A.M. Courts.

TO : Public Safety Subcommittee, ACC.

1. Ref ACC/4002/6/L of 6 April 44.

2. As the result of obtaining the views of RLOs this Subcommittee does not believe that witness fees and expenses should be paid as a matter of course, owing to the likely abuse of that by the Italians, but the Regional and Provincial Legal Officers should have power to authorize payment of expenses in specific cases to avoid undue hardship and if the circumstances otherwise are sufficient to warrant it.

RICHARD E. WILMER
Lt. Col. CAC
Deputy Chief Legal Officer.

3

HEADQUARTERS
ALLIED CONTROL COMMISSION
REGION II

14 PR REC

12 April 44

Ref: 2201/58/1

Subject:- Witness Expenses

To :- C.L.O. Legal Sub-Commission, Salerno ✓

- (5)
1. Ref you ACC/4002/6/L Apl., the principle of establishing the fund referred to is welcomed at this H.Q.
 2. It is suggested that the payments made be the nett amount allowed under the Italian Judicial system.

D.E.S. Cousins
D.E.S. COUSINS, Lt. Col.
R.L.O.
Region II

✓
4002/L
HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
LEGAL DIVISION
APO 394, U.S. Army

12 April 1944

JWC/mo
3/6087/L

Subject: Witness Expenses (AMG Courts).

To : C.L.O. Legal Subcommittee, A.C.C.

1. Reference is made to your letter ACC/4002/6/L, 6 April 1944, subject as above.

2. The question of the payment of fees and expenses to witnesses before A.M.G. courts has not arisen in this Region so far as I know. It has not been brought to the attention of this office at any rate.

3. In most cases the witnesses are either Allied Military personnel or Italian police, and neither class should receive fees or expenses. I see no reason for A.M.G. assuming to pay fees and expenses for defense witnesses.

4. It is my opinion that no action should be taken on this matter.

7
John W. Chapman

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

4002/6

HEADQUARTERS
AMG FIFTH ARMY
LEGAL DIVISION
APO 464 U.S. ARMY.

11 April 1944.
208/CA/81.

SUBJECT: Witness Expenses (AMG Courts).

TO C.L.O., ACC HQ.

1. With reference to your letter ACC/4002/6/L dated 6 April, it does not appear that this question is likely to arise in the Army Areas since most of the smaller cases are tried within the Commune in which the offence is committed and in General Court cases where civilian witnesses are required, transport has to be provided for them.

2. Experiences in Region 1 over a period of 6 months showed that there was no general demand for payment of expenses to witnesses in AM Courts. In a few instances where an important case was likely to last for several days and the witnesses had to be brought in from country districts, arrangements were made through the Police authorities to house and feed them and payment of the bills was authorized by the Finance Division. No payment was ever made for loss of time, as it was felt that this would mean opening the door to innumerable dishonest applications and imposing on the legal staff a further burden of work in checking and settling claims.

3. I consider that witness expenses should be paid as a matter of course but that Regional and Provincial Legal Officers should have the power to authorize payment in specific cases where the circumstances warrant it.

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	

H.M. Dickie
H.M. DICKIE, S/Ldr., R.A.F.,
S.L.O., AMG 5 Army.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 194

6 April 1944

AGC/AGC/6/L

SUBJECT : Witness expenses (AGC Courts)
TO : A.L.C. (thru R.C.) Regions 1, 2, 3, 4, 5.
A.L.C. 4th and 6th Army.

1. A communication has just been received from the Public Safety sub-Commission asking the views of this sub-Commission relative to the payment of the expenses of witnesses attending AGC Courts and establishment of a legal fund for that purpose.

2. Your views are requested as to the desirability of the payment of such expenses and the establishment of such a fund in each Region and Army area. This is primarily a practical matter which you must have had to meet and on which the benefit of your experience will be helpful.

I understand that under the Italian judicial system the clerk to the court gives the witness an order on the Treasury Office (Intendente di Finanza) for the amount of the expenses to which he is entitled according to the scale set out hereunder, and records the amount of the disbursement on the proceedings as part of the costs in the case:

Scale of expenses for witnesses residing outside the Comune of place of trial (Art. 2-5 and 22 R.C. 1/1931 No. 1041):

- a) Ordinary traveling expenses L. 0.50 per Km. for first 3 Km. and for the following L. 0.30 per Km.
- b) Expenses of journey 1st class-refund of ticket.
- c) Daily allowance for each day of journey L. 1.10.
- d) " " " " Detention at place of examination L. 1.10.

The above are subject to tax at the rate of 5% plus a supplementary tax of L. 0.50.

Richard H. Williams
RICHARD H. WILLIAMS
Lt. Col. J. G. S.
Deputy Chief Legal Officer.

MINISTRO DI GRAZIA E GIUSTIZIA

(4)

PRO-MEMORIA PER LA COMMISSIONE AMBITA DI CONTROLLO -

INDEBITATA DOVUTE AI TESTIMONI

(Art. 2 - 3 e SS R.D. 3-5-1923 n. 1043)

Ai testi residenti fuori comune vanno corrisposte le seguenti

indennità:

- a) - compenso su via ordinaria L. 0,40 al Km., per i primi 3 Km., per i successivi 0,30 al Km.;
- b) - spese di viaggio in 3^a classe - (rimborso del biglietto);
- c) - indennità per una giornata impiegata nel viaggio L. 0,40;
- d) - indennità di soggiorno nel luogo dell'esame L. 4,50 per ogni

giornata.

Sulle spettanze va operata la deduzione per imposta di F.M. in ragione dell'10% e per imposte consolidare in L. 0,50%.

Commissione fuoro indagine nominata in the Tribunale
di Firenze omelia the disbursement on the results
as part of the cost of the case.

Ans

- e) - compenso su via ordinaria L.9,40 al Km., per i primi 3 Km., per i successivi 0,30 al Km.;
- f) - spese di viaggio in 3a classe - (rimborso del biglietto),
- g) - indennità per una giornata impiegata nel viaggio L.3,10;
- h) - indennità di soggiorno nel luogo dell'essame L.4,65 per ogni giornata.

Sulle spettanze va operata la deduzione per imposte di R.M. in ragione dell'8% e per imposte complementare in L. 0,50%.

*Causellera gives witnesses resident in the Prefecture
de Ponnep. Besides the documents in the volume
as part of the costs of the case.*

Any



DI

SALERNO

N. del Reg. Gen. della R. Procura
N. del Reg. Gen. dell'Ufficio d'Istruzione
N. del Reg. Gen. della R. Pretura

Procedimento penale
CONTRO

IMPUTAT
di

Mod. N. 3 T p. (Modificato)
Bollett. n. 3) del 2 agosto 1930 Min. Giust.

ORDINANZA DI LIQUIDAZIONE DI INDENNITA'

per un testimonio che si è trasferito a più di due chilometri e mezzo
dal luogo di sua residenza

(Art. 2 e 6 e 22 del R. D. 3 maggio 1923, n. 1043)

Noi Dott. (1) _____, figli
sulla domanda del Sig. _____, op
di _____, di professione _____
pure { impiegato (4) dello Stato o di pubbliche amministrazioni, con assegno fisso
(pensionato) _____, con assegno fisso
annuo netto di L. _____, residente a _____, distante
Km. _____ dal Comune sede di quest'Ufficio giudiziario.

LIQUIDIAMO a favore del medesimo, citato ad istanza (4) _____ del Pubblico Min.
ammissione al gratuito patrocinio, la somma complessiva, risultante dallo spe-
chiato qui appresso tracciato, per essere stato esaminato (4) _____ sterno della dife- con
stimone nel procedimento a margine indicato, nel giorno _____ sa della parte civile
(art. _____ del R. D. 3 maggio 1923, n. 1043).

Indennità e rimborso di spese dovuti

- Rimborso del prezzo del biglietto in _____ el sui proscioli L. _____
id. id. id. id. in sulle ferrate L. _____
per Km. _____ L. _____
id. spesa di viaggio in tramvia, automobile o _____
su altri veicoli a trazione meccanica _____ L. _____
1. Spesa di viaggio
2. Compenso su via ordinaria Km. _____ fino a cinque a L. 9.40 al Km. L. _____
Km. _____ successivi a L. 9.30 al Km. L. _____
3. Indennità per n. _____ giornate impiegate nel viaggio a L. _____ al giorno L. _____
4. Id. di soggiorno nel luogo dell'esame, giorn. _____ a L. _____ per
ogni giornata _____ L. _____
5. Id. di soggiorno forzato durante il viaggio, giorn. _____
a L. _____ al _____ L. _____
6. Altre indennità stabilite _____ seguenti militari _____

N. _____ del Reg. Gen.
della R. Pretura

Procedimento penale

CONTRO

IMPUTAT

di

Km. _____, residente a _____, distante _____ dal Comune sede di questo Ufficio giudiziario.
LIVIDIAMO a favore del medesimo, citato ad istanza (4) (del Pubblico Mi-
stero o della dife-
sa della parte civile
ammissione al gratuito patrocinio, la somma complessiva, risultante dallo spe-
chietto qui appresso tracciato, per essere stata esaminata (4) (in istruttoria come te-
simone nel procedimento a margine indicato, nel giorno _____
(art. _____ del R. D. maggio 1923, n. 1043).

Indennità e rimborso di spese dovuti

Rimborso del prezzo del biglietto in _____ cl. sui piraschi L.	
id. _____	id. _____ in _____
per Km. _____	_____ L.
id. spesa di viaggio in tramvia, automobile o _____	_____ L.
su altri veicoli a trazione meccanica _____	_____ L.
2. <u>Compenso su via ordinaria</u> Km. _____ fino a cinque o L. 9,40 al Km. L.	
Km. _____ successivi a L. 9,30 al Km. L.	
3. <u>Indennità per n. _____ giornate impiegate nel viaggio a L. _____ al giorno L.</u>	
4. <u>Id. di soggiorno nel luogo dell'esame, giorno _____ a L. _____ per</u>	
<u>ogni giornata _____</u>	_____ L.
5. <u>Id. di soggiorno forzato durante _____ viaggi _____ giorni</u>	_____ L.
a L. _____	_____ L.
6. <u>Altre indennità stabilite _____</u>	_____ L.
cui il festino _____	_____ L.
ai testimoni _____	_____ L.
TOTALE AL LORDO L.	

Detrazione per ritenute e per anticipazioni

a) <u>Imposta R.M.</u> in ragione di L. 8 o/o. _____ L.	
b) <u>Imposta complementare stabilita dall'art. 11 R. Dec.</u>	
<u>12 agosto 1927 N. 1463 in ragione di L. 0,50 o/o (2) L.</u>	_____ L.
c) <u>Per anticipazioni sulla indennità di trasferta (art. 145</u>	
<u>e 146, T. P.) _____</u>	_____ L.
e così in totale al netto L.	
e per arrotondamento L.	

Il presente mandato si prescrive
dopo 100 giorni dalla sua data
(art. 24 R. D. 3 maggio 1923 nu-
mero 1043).

RICHIEDIAMO pertanto il Sig.

Procuratore del Registro

Ufficiale postale

(4) di

di pagare al Sig.

la somma netta suindicata di L. (3)

e d'importare il detto importo sul Cap.

del bilancio del Ministero

della giustizia e degli Affari di Culto (3).

Si dà atto che il testimone ha dichiarato di saper sottoscrivere.

Dato a

194 Anno

Il (1)

Registrato il

al N. del Registro Mod. 12.

Il Cancelliere del

Marca

Per quietanza della sopraccennata

Visto: Pagarsi al Sig.

la somma di lire (3)

li

194 Anno

Il

di

4002/16

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Public Safety, Sub-Commission.

2

ACC/14079/ PS.

3 April 1944.

SUBJECT : Witnesses Expenses (A.M.G. Courts)

TO : Legal Sub-Commission.

1. The attached letter dated 29th. March 1944 from the Regional Public Safety Officer, Region III, has been received by the Sub-Commission.

2. In my opinion it is desirable that a fund should be available for the payment of expenses to witnesses attending A.M.G. Courts. It is recommended that the rate of payment should conform to that in operation in Italian Courts.

3. The procedure for paying witnesses' expenses at Court would seem to be a matter for the Legal Sub-Commission, subject to authority from the Finance Sub-Commission.

Paul G. Kirk

PAUL G. KIRK,
Colonel Inf.,
Chief Public Safety
Sub-Commission.

2

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
APO 394, U.S. ARMY
REGIONAL PUBLIC SAFETY OFFICE

PS/8.1

29 March 1944

SUBJECT: Witnesses' Expenses (AMG Courts).

TO : Rear HQ. ACC. (Public Safety Sub-Commission).

1. From time to time the question arises as to the payment of witnesses who are necessarily put to expense in attending to give evidence before Allied Military Government Courts.
2. Occasionally there is a case where a witness has to travel a distance, is away from home a whole day or more, loses wages because of his absence and is generally out-of-pocket by virtue of the fact that he has been summoned to attend to give evidence before one of our Courts.
3. Had his appearance been before an Italian Court I understand travelling and subsistence allowances would be paid him by the Court.
4. I feel that we should not be behind the Italian Courts in this respect and that where it is definitely a case of hardship it should be possible to pay the witness a reasonable sum.
5. Might I please be advised as to whether it is possible to make these payments and the procedure.



C.T. FRANCIS
Lieut. Colonel, G.L.,
Regional Public Safety Officer.

CTF/tp.

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