

0398

Declassified E.O. 12355 Section 3.3/NND No. 785016

ACC

10000/142/339
(VOL.9)

APPOINTMENTS, PROMOT
PERSONNEL
JUN., JULY 1944

0399

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

10000/142/339
(VOL.9)

APPOINTMENTS, PROMOTIONS, TRANSFERS, ETC., JUDICIAL
PERSONNEL
JUN., JULY 1944

0400

Declassified E.O. 12356 Section 3.3/NND

No.

785016

FILE CLOSED - SEE VOLUME 10

137

0401

Pink

Ex. 478525

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

GGH/ap

712

ACC/4039/L

19 Jul 44

SUBJECT : Consiglio Notarile Lanciano.

TO : H. E. the Minister of Pardon and Justice.

1. Copy of letter from Region V is forwarded to Your Excellency for information and general observations on both the procedure adopted and the personality of the temporary Commissario.

G. G. Hannaford

G. G. HANNAFORD,
Lt. Colonel,
Officer i/o Italian Branch,
for Acting Chief Legal Officer.

136

1 encl.

ES/PA

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

711A

Tel. No. 478525.

REFERENCE : ACC/4019/L.

19 Jul 44.

SUBJECT : Pretura of Viterbo.

TO : H.S. The Minister of Pardon and Justice.

1. Enclosed herewith a letter No. 7096 of the Procuratore Generale of Rome concerning Dott. GIORGINA Emanuele.

2. The Regional Legal Officer Region IV feels that it would not appear to be of much use to order ~~him~~ ^{the above officer} to go back to Viterbo. On the other hand, actually there are at Viterbo only one Pretore - RAZZA Felice - and a young "uditore" acting as a Vice-Pretore - BRACCI Vincenzo - , while the Pretore has to sit also at Soriano nel Cimino, Tuscania and Vetralla (normally), and for the time being also at Ronciglione where the proper Pretore is missing. As Viterbo itself is an important place, it would not appear that those two magistrates can do all that work.

3. It is suggested that another official be designated by the Ministry for the above Pretura.

135

Ally
A. R. THACKRAI,
Lt. Colonel,
Italian Branch,
for Acting Chief Legal Officer.

Enclos.: 1 letter.

0403

File

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

Tel. Ex. 476525

GGH/ap

710A

ACC/4039/L

19 Jul 44

SUBJECT : Consiglio Notarile Lanciano.

TO : Regional Legal Officer (thru RG) Region 5.

1. The temporary appointment of Cav. Uff. Carlo MARIANI as Commissario is approved in principle, ~~being~~ understood that he is a notary and that the Procuratore del Re is in agreement.

2. However for many obvious reasons it is not desirable to concentrate the powers of the Consiglio in the hands of one person, especially exercising the same profession as the members of the association in spite of the fact that the ~~suspension~~ and discipline of notaries is Controlled by the Pubblico Ministero.

3. Your letter has been communicated to the Minister for his further comments.

134

G. G. HANNAFORD,
Lt. Colonel,
Officer i/c Italian Branch,
for, Acting Chief Legal Officer.

TO C.L.O. H.Q. A.C.C.
 FROM H.Q. Region 5, A.M.G.
 SUBJECT Dott. PASCASIO Michelangelo, Pretore of PROSCONE.
 REF R5/511/12.
 DATE 19th July 1944.

HEADQUARTERS
 22 LUG 1944
 A. C. C.

709A

1. The above named magistrate completed 4 years service as a judge on 23 Sept 43 and became eligible for promotion to the 7th grade on that date.
2. On 1 May 1944 he applied to the President of the Tribunale CAMPO-BASSO for the appropriate increase of pay. This was approved by the President on the understanding that Dott. PASCASIO could produce the necessary documents to substantiate his promotion. The President's decree expressing this approval was, as a matter of routine, countersigned by Provincial H.Q.
3. Dott. PASCASIO has not however been able to produce the necessary documents so that the President has felt compelled to revoke his decree and the Provincial H.Q. to approve the revocation.
4. It is not understood why the necessary documents are not available and it may be that Dott. PASCASIO is suffering an injustice. It would be appreciated if the matter could be referred to the Ministry of Pardon and Justice.

133

WEB/EP

LEGAL SUB-COMMISSION	
C.O.	
Chief of Office	
CJO	
Italian	
CL RKS	

W. E. BEHRENS
 Colonel, R.L.O.
 for Regional Commissioner

IF The Minister of Justice
 Subject: Dott. Pascasio, Pretore
 di Prose.

1/- The enclosed copy of a letter from
 Region V is forwarded to your
 Excellency for submission where
 may be deemed necessary.

564

File 4051

HEADQUARTERS REGION IV
Allied Control Commission
A.P.C. 394

Legal S. C.
115704
(708A)

TO : Chief Legal Officer, Allied Control Commission,
(for Officer i/c Italian Courts).

FROM : Regional Legal Officer, Region 4.

SUBJECT: 1st Pretore of Viterbo.

REF : R4/Le/Reg/3/03.

DATE : 17 July 1944.

1. A copy of a letter received from the Procuratore del Regno of the Court of Appeal Rome, is sent for your information.

2. As this official is nearly deaf, [it would not appear to be of much use to order him to go back to Viterbo. On the other hand, actually there are at Viterbo only one Pretore - Mazza Felice - and a young "uditore" acting as a Vice-Pretore - Bracci Vincenzo -, while the Pretore has to sit also at Soriano nel Cimino, Tuscania, and Vetralla (normally), and for the time being also at Ronciglione where the proper Pretore is missing. As Viterbo itself is an important place, it would not appear that those two magistrates can do all that work.]

3. Could you take this matter up with the Ministry with a view to a new nomination.

Chief Counsel
CJO
Italian Section
CJ RK5

W. R. Duffell
Colonel,

for Regional Legal Officer
Region IV.

Printed Name: [illegible]

file *4039* *legal* *45-785* *707A*

TO C.L.O. H.Q. A.C.C.
 FROM H.Q. Region 5, A.M.G.
 SUBJECT Consiglio Notarile LANCIANO.
 REFERENCE R5/511/5.
 DATE 17 July 1944.

1. The Procuratore del Regno, LANCIANO, reports that in view of the suppression of the Syndacates there is no supervising authority, according to Italian requirements, over the LANCIANO notaries.
2. He has therefore requested the appointment of a Commissario with the functions and attributes of a Notarial Council until this Council can be reconstituted.
3. The Procuratore regards the matter as extremely urgent and P.C. CHIETI concurs in this view.
4. The name of Cav. Uff. CARLO MARIANI has been put forward for this office, and this H.Q. has temporarily appointed him.
5. From a purely personal point of view it has not been possible to obtain a detailed check on Cav. Uff. CARLO but he is believed to be entirely satisfactory.

1.61 It would be appreciated if you would advise in due course whether you approve the appointment.

WEB/EP

Wardlaw

LEG & L SUB-COMMISSIONER	V. E. BEHRENS Colonel, R.L.O. Regional Commissioner
CLO	
CCLO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	

19 JUL 1944

10674

HEADQUARTERS
ALLIED CONTROL COMMISSION
REGION 2.

776 2386
706A

ref. : 2201/79/B

27 June 1944

SUBJECT : Procuratore Generale at Potenza

TO : CIO Legal Subcommittee ACC, Salerno.

1. Consequent upon the departure of Major Backhouse, it will be possible for the Legal Division to exercise only the barest supervision over Lucania.
2. While only few cases occur in it, which affect Allied interests, too large a proportion of these have lately received inadequate and suspended sentences. Moreover during the Amassi, Potenza will have considerable importance.
3. The Procuratore Generale (Rocco Marino) is well meaning but of great age and decrepitude, and in the above circumstances, it is submitted to be essential that he should be replaced by trustworthy and vigorous official, more especially since the President of the Corte di Appello is mentally and physically obese and inert, while the Procuratore del Re is indifferent.

139

D.E.S. Cousins
D.E.S. COUSINS, Lt.Col.,
R.L.O.
REGION 2.

RS/pa

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

7050

REFERENCE : AGC/4039/L.

19 Jul 44

SUBJECT : Judicial Officials- Cav.MARCACCHIO.

TO : H.E.The Minister of Pardon and Justice.

1. Transcribed below for any action Your Excellency may wish to take a letter received here from the Regional Legal Officer Region 5.

2. The above named Cav. MARCACCHIO, formerly President of the Tribunale of CAMPOBASSO, was seconded from duty as such and acted as Questore of Campobasso Province from early in the Allied occupation until 9 June 1944 when a new Questore was appointed.

3. Cav.MARCACCHIO is now suffering from illhealth- internal trouble and injury to one knee. He has consequently been unable to resume duty as president of the Tribunale, but he has indicated that he hopes to be fit for fully duty in September.

4. During his absence the duties of president have been most efficiently performed by Dott.MARTINO Carlo and there is not the slightest objection to the present situation being allowed to continue. It should also be stated that Cav.MARCACCHIO himself has rendered valuable service as Questore.

129 5. It is understood however that in the event of prolonged absence from duty an official in the position of Cav.MARCACCHIO requires leave of absence, so that the matter is brought to your attention for such action as may be necessary. Any application for such leave has the full concurrence of this HQ."

Def
A.R. THACKRAH,
Lt.Colonel,
Italian Branch,
for Acting Chief Legal
Officer.

file 4039

TO CLC REAR HQ ACC
 FROM HQ REGION 5 AMG
 SUBJECT Judicial Officials - Cavv MARCACCIO.
 REF R5/511/12



1. The above named Cavv MARCACCIO, formerly President of the Tribunale of CAMPOBASSO, was seconded from duty as such and acted as Questore of Campobasso Province from early in the allied occupation until 9 July June 1944 when a new Questore was appointed.
2. Cavv MARCACCIO is now suffering from illhealth - internal trouble and injury to one knee. He has consequently been unable to resume duty as president of the Tribunale, but he has indicated that he hopes to be fit for full duty in September.
3. During his absence the duties of president have been most efficiently performed by Dott MARTINO Carlo and there is not the slightest objection to the present situation being allowed to continue. It should also be stated that Cavv MARCACCIO himself has rendered valuable service as Questore.
4. It is understood however that in the event of prolonged absence from duty an official in the position of Cavv MARCACCIO requires leave of absence, so that the matter is brought to your attention for such action as may be necessary. Any application for such leave has the full concurrence of this HQ.

For the Regional Commissioner.

W.E. BRIMES
 W.E. BRIMES
 Colonel
 R.L.O.

SUB-COMMISSION	
Chief Clerk	
CIO	
Italian Section	
CL RK5	

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394.

19 July 1944.

ACC/4039/L.

SUBJECT : Judicial Officials.

TO : H.E. The Minister of Pardon & Justice.

1. Reference is made to the Ministry's two notes of 22 June (DE JULIO Dante). Judicial functions have been conferred upon DE JULIO at Tribunale di Foggia.

2. Reference Ministry's prot. No. 16949 of 15 June 1944, the Procuratore del Regno and President of FOGGIA Tribunale state that LEZZI Aldo is well acquainted with his duties and the only cancelliere who is authorized to attend the Assize Court hearings. They request that he be permitted to remain. This objection seems somewhat frivolous and this Sub-Commission would appreciate Your Excellency's advice on this matter.

3. Reference Ministry's list of 18 June 1944 (BOSCO-SERRANO), Procuratore del Regno LUOGERA objects to the transfer of BOSCO to APRIGENA. He was formally assigned there, but he has influential relations in the area and it was because of difficulties arising from this situation that he was transferred to S. NICA-NEIRO.

The transfer of SERRANO to SAN NICA-NEIRO is acceptable and if this is desired it is suggested that BOSCO could be transferred to S. TERNUOVO DELLA DAUNIA or VOLTURARA APPULA both of which are at present in charge of Vice Pretore.

4. This will still leave APRIGENA vacant and under the direction of the Pretore of TROIA unless a further Candidate is nominated.

G. G. HANNAFORD.
Lieutenant-Colonel.
Officer i/c Italian Branch,
for Acting Chief Legal Officer.

ES/wcw.

file 4039

TO C.L.O. REAR H.Q. A.C.C.
 FROM H.Q. REGION 5, A.M.G.
 SUBJECT JUDICIAL OFFICIALS, FOGGIA PROVINCE.
 REF R5/511/12.
 DATE 11th JULY 1944.



2. Ref your letter ACC/4039/L of 24 June (2 lists enclosed) 22 June 44 (List No. 16949) and 22 June 44 (enclosing note transferring BOSCO Gaetano and SERRANI Ruggiero).

1. The conference of judicial functions upon DE JULIO has been effected. FERRARA, DINI CIACCI and MARINO are awaited with eager anticipation from Region 3.

2. The Procuratore del Regno and President of FOGGIA state that LEZZI Aldo is "well acquainted with his duties and the only Cancelliere who is authorised to attend the Assize Court hearings." They request that he be permitted to remain.

573/26 waited. This objection seems somewhat frivolous but your instructions are

4. Procuratore del Regno LUCERA objects to the transfer of BOSCO to APRICENA. He was formally assigned there, but he has influential relations in the area and it was because of difficulties arising from this situation that he was transferred to S. NICANDRO.

The transfer of SERRANO to SAN NICANDRO is acceptable and if this is desired it is suggested that BOSCO could be transferred to CASTELNUOVO DELLA DAUNIA or VOLTURARA APPULA both of which are at present in charge of Vice Pretore.

5. This will still leave APRICENA vacant and under the direction of the Pretura of TROIA unless a further Candidate is nominated.

For the REGIONAL COMMISSIONER:

Referencia

8/570

8/571

WEB/EP

W. E. BEHRENS
 W. E. BEHRENS
 Colonel
 R.L.O.

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
ATO 394

ACC/4039/L.

703A
/rlp.
18 July 1944.

SUBJECT : Pretore of Anagni (Trosinore).

TO : H.E., the Minister of Pardon and Justice.

1. Further to this sub-commission's letter ACC/4039/L of 13 July 44 informing Your Excellency of the removal of the Sig. CHIAPPI Umberto from the above office.
2. May another official please be designated to fill the above vacancy?

ay
A. R. THACKRAH,
Lt. Col.,
Italian Branch,
for Acting Chief Legal Officer.

4139 *file*
HEADQUARTERS REGION IV
Allied Control Commission
A.P.O. 394 *0703B*

TO : Officer i/c Italian Courts, Legal
Sub-Commission, A.C.C.
FROM : Regional Legal Officer, Region 4.
SUBJECT: Pretore of Anagni, Province of
Frosinone.
REF : R4/LE/Reg/Fros/C/03.
DATE : 16 July 1944.

124 Reference my letter of 9 July 1944.
reference as above, it is now requested that
a new appointment be made to fill the above
vacancy, caused by the removal from office of
Umberto Chiappi. Will you please take this
up with the Ministry of Justice and inform
me of the result.

H. L. Wilner
Colonel,
Regional Legal Officer
Region IV.

Reference

9/687.

W-64
 Tel Ext - 478421.

HEADQUARTERS
 ALLIED CONTROL COMMISSION
 LEGAL SUB-COMMISSION
 APO 394

702A

ACC/4039/L.

/rlp.
18 July 1944.

SUBJECT : CAPPIELLO Dott. Luigi.
 (Formerly Judge at Tribunale of Cassino).

TO : M.E., the Minister of Justice.

1. The attached petition from the a/a magistrate, temporarily applied to the unified Pretura of Naples, is forwarded for Your Excellency's information and advice.

2. It will be noted that the petition to remain at Naples is supported by the first President of the Court of Appeal, and that therefore it would seem that Dott. Cappiello should remain in his present employment, unless urgently required to go to the present seat of the Cassino Tribunal at Sora (Frosinone).

3. This sub-commission's letter of 4 July 44 reference ACC/4039/L with attached report (for perusal and return) from our legal officer of Frosinone Province deals with the situation of the Tribunale at Cassino, on the subject of which we await your Excellency's observations.

123

1 Incl: Petition.

Copy to: RLC (TRU MC) Region IV (ref
 R4/IE/Fros/C/03-30 Jun 44).

Cey
 A. R. THACKERAN,
 Lt. Col.,
 Italian Branch,
 for Acting Chief Legal Officer.

File
 HQC/IC 4039 ✓
 HEADQUARTERS
 REGION 3, ALLIED CONTROL COMMISSION
 APO 394, U.S. ARMY
Legal
 075289
 Naples, Italy
 14 July 1944

SUBJECT : CAPPIELLO Dott. Luigi.
 TO : C. I. C., Legal Subcommittee, Headquarters Allied
 Control Commission, ROME (Attention officer i/c
 Italian section).

1. The a/m giudice of the Tribunale of CASSINO, temporarily
 applied to the unified Pretura of Naples, has been ordered by the
 President of the Tribunale at CASSINO to return to his duties.

2. Attached hereto is an application received from
 CAPPIELLO Dott. Luigi requesting his assignment to Naples, together
 with covering letter received from The First President of the Court
 of Appeal, Naples.

3. Your ruling is requested on the action to be taken
 with respect to this petition.

122

15 JUL 1944

A. C. C.

M. C. Holt
 M.C. HOLT Major
 Officer i/c. Italian Courts
 A. C. C. REGION III.

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

GCH/jpl
701A

AOC/4039/L

18 July 44

Subject: Transfer of Notary Dr. PICCINI Felice from S. MARTINO
in Pensili (Campobasso) to EBOLI (Salerno.)

To : His Excellency the MINISTER of PARDON and JUSTICE.

1. Ref Ministry's note 22965 of 4 July 1944.

2. The above Notary was instructed to proceed to Eboli some
three weeks ago.

121

Deef
G.S. HANNAFORD
Lt. Colonel
Officer i/c Italian Branch
for Chief Legal Officer.

File 4039

TO C.L.C. H.Q. A.C.C.
 FROM H.Q. Region 5, A.M.G.
 SUBJECT Notary PICCINI.
 REFERENCE R5/511/5.
 DATE 15th July 44.

1. The consent of this H.Q. to the transfer of Notary PICCINI to EBOLI is so whole hearted that instructions were sent to him some 15 days ago to proceed there.

Your ACC/4039/L of 6 July 1944 refers.

For the REGIONAL COMMISSIONER:

120

LEGAL SUB-COMMISSION
CLO
COLO
Chief Counsel
CJO
Italian
C. RKS

WEB/EP

W. E. DENTREIS
 W. E. DENTREIS
 Colonel
 R.L.C.

References

8/603 AB

9/643.

10289

HEADQUARTERS
ALLIED CONTROL COMMISSION ON
Legal Sub-Commission
APO 394

ART/pa *726*

REFERENCE : AGC/4039/L.

17 Jul 44.

SUBJECT : Dott. Flavio COSSU.

TO : RLO (thru RC) Region 7.
(Attn. Capt. D.S. Little).

Your report and recommendation dated 12 July 1944 regarding the services and retention of the above-mentioned magistrate as Sostituto Procuratore Generale at the Catanzaro Court of Appeal has been forwarded to the Minister of Justice with a request that it be favourably considered and an early reply given.

119

Copy
A.R. THACKRAH,
Lt. Colonel,
Italian Branch,
for Acting Chief Legal Officer.

ART/pa

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

REFERENCE : ACC/4039/L.

17 Jul 44.

SUBJECT : Promotion of Dott. Flavio COSSU.

TO : H.E. The Minister of Pardon and Justice.

1. This Sub-Commission has received from its legal Officer at Catanzaro the attached report and recommendation in the matter of the above-mentioned magistrate, Sostituto Procuratore Generale at the Court of Appeal at Catanzaro.

2. It would be a matter of considerable satisfaction to this Sub-Commission if Capt. Little's recommendation could be acted upon, and the useful services of this magistrate could be retained within the limits of the rules applicable to his case.

3. Your Excellency will no doubt desire to investigate this matter before taking a decision thereon, but an early reply will greatly oblige.

118

Alp
A.R. THACKERAY,
Lt. Colonel,
Italian Branch,
for Acting Chief Legal Officer.

4039
Legal
HEADQUARTERS REGION VII ✓-5296

ALLIED CONTROL COMMISSION

File Ref: VII/L/727

Date: 12 July 44

SUBJECT: Record of Sostituto Procuratore Generale Flavio Cossu.
 TO: CLO Legal Sub-commission ACC HQ Rome.
 (attention Lt.Col.G.G.Hannaford)

1. Attention is invited to record and present status of acting Procuratore Generale Flavio Cossu, who has performed the duties of Procuratore Generale of the Court of Appeal of Catanzaro for a period of over 1 year, which matter was discussed with the CLO and with Lt.Col.Hannaford at the Regional Legal Conference in Naples on 1 May 44.
2. This official, although only Sostituto Procuratore Generale and receiving 4500 Lire per month, has, under the most difficult of war time circumstances, performed both his own duties and the duties of the Procuratore Generale of Catanzaro for the period 3 July 43 to 12 July 44.
 - a. During period 12 Sep.43 to 22 Feb.44, he served under the direct supervision of Major A.W.L.Franklin to whom he was of great assistance; since that time he has been of invaluable help to the present RLO of Region VII.
 - b. Avv.Flavio Cossu has been a legal civil servant since 1902. This RLO feels that a great injustice would be done acting Procuratore Generale if the attention of his superiors was not invited to his tireless and splendid cooperation with all AMG and ACC officials from September 43 to July 44. Although handicapped by lack of communication, transportation and other war time impediments, he has managed to perform the work of two men and aid AMG - ACC legal officials in reorganizing the badly disorganized Calabrian Legal System.
 - c. It is the opinion of the RLO that Avv.Cossu is probably more responsible than any other single Italian Legal Official for the present progress and functioning of 7/8 of the Calabrian Courts. In this connection it must be remembered that for a period of 5 months his was an independent operation covering 7/8 of Calabria, and the first communication received by him from the Italian Government was about 20 Feb.44.
 - d. His record of performance during this period and prior thereto and his anti-fascist sentiments are well and

1. Attention is invited to record and present status of acting Procuratore Generale Flavio Cossu, who has performed the duties of Procuratore Generale of the Court of Appeal of Catanzaro for a period of over 1 year, which matter was discussed with the CLO and with Lt. Col. Hannaford at the Regional Legal Conference in Naples on 1 May 44.
2. This official, although only Sostituto Procuratore Generale and receiving 4500 Lire per month, has, under the most difficult of war time circumstances, performed both his own duties and the duties of the Procuratore Generale of Catanzaro for the period 3 July 43 to 12 July 44.
 - a. During period 12 Sep. 43 to 22 Feb. 44, he served under the direct supervision of Major A.W.L. Franklin to whom he was of great assistance; since that time he has been of invaluable help to the present RLO of Region VII.
 - b. Avv. Flavio Cossu has been a legal civil servant since 1902. This RLO feels that a great injustice would be done acting Procuratore Generale if the attention of his superiors was not invited to his tireless and splendid cooperation with all AMG and ACC officials from September 43 to July 44. Although handicapped by lack of communication, transportation and other war time impediments, he has managed to perform the work of two men and aid AMG - ACC legal officials in reorganizing the badly disorganized Calabrian Legal System.
 - c. It is the opinion of the RLO that Avv. Cossu is probably more responsible than any other single Italian Legal Official for the present progress and functioning of 7/8 of the Calabrian Courts. In this connection it must be remembered that for a period of 5 months his was an independent operation covering 7/8 of Calabria, and the first communication received by him from the Italian Government was about 20 Feb. 44.
 - d. His record of performance during this period and prior thereto and his anti-fascist sentiments are well and favourably known by Ministro Pietro Mancini, Ministro Fausto Gullo of Cosenza, and members of the Calabrian bench and bar, regardless of party or political opinion.
3. It appears that under Italian system for promotion of public legal officials, unless this official aged 69 is advanced in grade before Aug. 45, he may be released from active service.

RECEIVED

15 JUL 1944

A. C. C.

HEADQUARTERS REGION VII

ALLIED CONTROL COMMISSION

File Ref:

Date:

SUBJECT:

TO:

4. Recommend that the record of 10 months of tireless cooperation with AMG - ACC officials and conscientious performance of duty by acting Procuratore Generale Flavio Cossu be favourably presented to the Minister of Justice so that the same may be incorporated in his official record.

(1 enclosure)

*Donald C. Little*DONALD C. LITTLE
Captain CMP AUS
RLO Region VII

28/DA

H. ABOLAZZINI
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 39A

REFERENCE : AGO/4039/L.

15 Jul 44.

SUBJECT : M. PETRONI, Dr. PESIO, Dr. NESTI and others.

TO : H.H. The Minister of Pardon and Justice.

1. Ref. Ministry's Prot. No. 1226-m/1227-m/1520-m/1000, Off. Sup. Pers., of 1, June 1944.

2. The appointments by A.C.G. of the above officials were of a temporary character dictated by an emergency. The same goes for appointments listed in letter No. 482 of the President of the Court of Appeal Section a copy of which is enclosed herewith. As these appointments do not conform to the principles of the Italian laws there is no objection on the part of this Sub-Commission against their termination or regularization. It is trusted, however, that this shall be done without in any way impairing the effectiveness of the administration of justice in the Potenza area.

cey
A.R. THACKERAY,
Lt. Colonel,
Italian Branch,
for Acting Chief Legal Officer.

Translation

4029
COUNT OF APPEAL OF POTENZA

N. 482

Oggetto:

Dr. Stolfi Erberto.

1 copy
Potenza, 30 June 1944

TO Lt. Col. D.E.S. COUSINS
R.L.O.

REGION 2

Sir,

In answer to your letter 2201/79/B dated 27 June 1944 I beg to inform you as follows:

1. Dr. STOLFI Erberto was appointed deputy pretore of the Pretura at Potenza by order of AMGOT dated 6.12.43. He was active lawyer and honorary vice-pretore of Potenza, and could not, therefore, be appointed deputy pretore of the same Pretura at Potenza.
2. Dr. SACCHI Adolfo, appointed Presidente of the Tribunale of Nelfi by order of AMGOT dated 7 Oct. 43. But he was only deputy pretore at the Tribunale of Nelfi and could not be appointed President of the same Tribunale.
3. VENTURA Felice appointed judge of the Tribunale at Matera by order of AMGOT dated 9 Oct 43. But he was active lawyer and is not entitled to be appointed as judge.
4. The following judicial auditors: PALEMO Vincenzo, THIESO Pasquale, AMBROSINI Nicola, Major Maurizio and MAIMIMI Pompeo were appointed judicial adjuncts by order of AMGOT dated 7 Jan 44. Since they had no taken the examination as by law, their appointment is illegal.
5. QUARANTA Domenico, appointed Vice Procuratore del Re at the Procura in Matera by order of AMGOT of 29.10.43. But he was active lawyer at Matera and honorary Vice Pretore of that town. Therefore he was not entitled to be appointed Vice Procuratore del Re.
6. RUGGERI Nicola was appointed pretore of Rotondella by order of AMGOT dated 4.2.44, but he was simply an active lawyer and had therefore no right to the appointment.
7. RUSTI Vittorio, IEDIO Tommaso, RUTONE Ignazio were appointed judicial auditors at the Pretura of Potenza by order of AMGOT dated 16.1.44, 4.2.44, and 14.1.44, but they had no right to the appointment, since they had not taken their examination as by rule.
8. PALEMO Antonio appointed judicial auditor with the functions of pretore at Calvello by order of AMGOT dated 30.12.43 but he had not taken the examinations as by law and could therefore not be appointed.

Sir,

In answer to your letter 2201/79/B dated 27 June 1944 I beg to inform you as follows:

1. Dr. STORIEL Eberardo was appointed deputy pretore of the Pretura at Potenza by order of AMGOT dated 6.12.43. He was active lawyer and honorary vice-pretore of Potenza, and could not, therefore, be appointed deputy pretore of the same Pretura at Potenza.
2. Dr. SACCHI Adolfo, appointed Presidente of the Tribunale of Melfi by order of AMGOT dated 7 Oct. 43. But he was only deputy pretore at the Tribunale of Melfi and could not be appointed President of the same Tribunale.
3. VENTURA Felice appointed Judge of the Tribunale at Matera by order of AMGOT dated 9 Oct 43. But he was active lawyer and is not entitled to be appointed as Judge.
4. The following judicial auditors: TALEMIO Vincenzo, TRINSCA Pasquale, AMBROSINI Nicola, Major Maurizio and LAFFIERI Pompei were appointed judicial adjuncts by order of AMGOT dated 7 Jan 44. Since they had no taken the examination as by law, their appointment is illegal.
5. QUARANTA Domenico, appointed Vice Procuratore del Re at the Procura in Matera by order of AMGOT of 29.10.43. But he was active lawyer at Matera and honorary Vice Pretore of that town. Therefore he was not entitled to be appointed Vice Procuratore del Re.
6. RUGGIERI Nicola was appointed pretore of Rotondella by order of AMGOT dated 4.2.44, but he was simply an active lawyer and had therefore no right to the appointment.
7. NESTI Vittorio, IEDIO Tommaso, PETTONE Ignazio were appointed judicial auditors at the Pretura of Potenza by order of AMGOT dated 16.1.44, 4.2.44, and 14.1.44, but they had no right to the appointment, since they had not taken their examination as by rule.
8. TALEMIO Antonio appointed judicial auditor with the functions of pretore at Calvello by order of AMGOT dated 3.12.43 but he had not taken the examinations as by law and could therefore not be appointed.

THE PRESIDENT
(sgd) ROGGO

File
HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APC 394

ES/ap

ACC/4039/L

15 July 44

SUBJECT : Pretori Campobasso Province.

TO : H. E. the Minister of Pardon and Justice.

1. The following is reported by the Regional Legal Officer of Region 5.

113

2. Last June Dott. NARDACCHIONE Giuseppe was assigned as pretore to RICCIA. It now appears that the work at RICCIA was brought almost entirely up to date. As repeated requests to the Ministry for designation of pretori in Campobasso Province met with an indifferent response and a great number of arrears has been accumulating at CANTALUPO, the Provincial Legal Officer of CAMPOBASSO transferred Dott. NARDACCHIONE to the last mentioned pretura where he has done and still is doing valuable work. It is hoped that Dott. NARDACCHIONE can be permitted to remain as preture of CANTALUPO.

3. Furthermore the Regional Legal Officer emphasizes again the urgent need for pretori at Campobasso Province, a fact which has been frequently mentioned to the Ministry of this Sub-Commission; unless the designations are made without the delay it will be necessary to post some local advocates temporarily to the vacant preture. For this reason an early action by the Ministry would be appreciated.

all

A. R. THACKRAH,
Lt. Colonel,
Italian Branch,
for Acting Chief Legal Officer.

0 4 2 7

Handwritten initials

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
AGC 394

GOH/ep

14 July 44

AGC/4019/5

SUBJECT : Pretura di Roccamare
TO : H. E. the Minister of Pardon and Justice
for Director of Personnel & General Matters.

1. Copy of a letter from Region 4 is enclosed.
2. Could a Pretore be appointed to the above judicial office.

112

G. G. HANNAFORD,
Lt. Colonel,
Officer i/c Italian Branch,
for, Acting Chief Legal Officer,

file

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ES/pa

REFERENCE : AGC/4039/L.

14 Jul 44.

SUBJECT : Leave of absence for notaries VIGNOL
and SOLIMENE.TO : H.E. The Minister of Pardon and Justice.
(Attn. Dir. General Affairs Civ. e Not.)

1. Ref. Prot. no. 22767-8 of 3 July 1944.

2. There is no objection to granting the above leave.

ay

A.R. THACKERAY,
Lt Colonel,
Italian Branch
for Acting Chief Legal Officer.

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommission
APC 394

ES/gmf

ACC/4039/L

14 Jul 44

SUBJECT: Movement of Officials.

TO : H.E. the Minister for Pardon and Justice.

This Subcommission has the honour to inform Your Excellency that there is no objection against the transfers proposed in Ministry's 1 list dated 5 July 1944 (without reference number - MARINELLI, BIANCHI) and 1 list of the same date prot. no. 18831.

110

cep
A. R. THACKERAY, Lt. Col.
Italian Branch
For Acting Chief Legal Officer.

46391
HEADQUARTERS REGION IV
Allied Control Commission
APO 394

TO : Officer i/c Italian Courts, Legal Sub-Commission, A.C.C.
FROM : Regional Legal Officer, Region IV.
SUBJECT: Judicial Appointments, Rieti Province.
REF : R4/IE/Rie/C/03.
DATE : 12 July 1944.

1. On the taking over by Region IV of Rieti Province it was reported by the Provincial Legal Officer that in the Pretura of Roccaseinibelde no work has been done for about three months, owing to the fact that there was no pretore and no other member of the judicial staff except the Cancelliere.

139 2. As there were found to be ten civil cases and some three hundred penal cases awaiting trial the Provincial Legal Officer, after consultation with the Procuratore del Regno, made an order (which was expressed to be provisional and subject to confirmation by higher authority) appointing Avvocato Luigi Gualdi as "Vice-Pretore Onorario", suspending the previous "Ufficiale Giudiziario" and appointing Alessandri Francesco in his stead.

3. I ask that the above appointments made by the Provincial Legal Officer be provisionally confirmed. At the same time I request that you consult with the Ministry of Justice with a view to the appointment of the earliest possible date of a permanent Pretore for this Pretura.

LEGAL SUB-COMMISSION

CLO

DCLO

Chief Counsel

CJO

Italian Section

CL RKS

H. L. Wimmer
Colonel,
Regional Legal Officer
Region IV.

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
ATO 394, U.S. ARMY

Legal (9)
Naples, Italy
11 July 1944

100/10

4039

SUBJECT : Notaries VIGNOLA and SOLIMENE.

TO : C. L. O., Legal Subcommittee, Rear Headquarters Allied
Control Commission (Attention Lt. - Col. THACKRAH).

1. Reference is made to your letter of 6 July 1944,
ACC/4039/L.

2. There is no objection to the granting of one year's
and six month's leave of absence respectively to the a/a notaries.

Reference.

9/644

138

M. C. Holt

M.C. HOLT Major
Officer i/c. Italian Courts
A. C. C. REGION III

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
APO 394, U.S. ARMY

139/SC

Legal
Naples, Italy
10 July 1944 *690 A*

4059
SUBJECT: Transfer officials.

TO: C. I. O., Legal Subcommittee, Allied Control Commission.
(Attention Lt. - Col. THACKRAH).

1. Reference is made to your letter of 7 July 1944,
ACC/4039/L.

2. There is no objection to the proposed transfers
contained in the enclosed lists of 5 July 1944. *9/546 A*

References
139/646A, B & C

M.C. Holt?
M.C. HOLT Major
Officer i/c. Italian Courts
A. C. C. REGION III

4039 *file*

TO C.I.O. REAR H.Q. A.C.C.

FROM H.Q. REGION 5, A.M.G.

SUBJECT PREFORI CAMPOBASSO PROVINCE.

REF R5/511/12.

DATE 8th JULY 1944.

Legal

689A

4/32
5/559

1. By letter, reference Div. III No. 870 of 14 June, the Procuratore Generale at NAPLES has written direct to the Procuratore del Re CAMPOBASSO appointing Dottore NARDACCHIONE Giuseppe as pretore of RICCIA.
2. It is presumed that this letter was written as a mere formality to regularise the position of Dottore NARDACCHIONE as notified to you in this H.Q. letter of 17 May 1944 and list attached. Unless this is the case it is hoped that for future appointments a more regular channel of communication will be followed.
3. With regard to Dottore NARDACCHIONE the position is that the work at RICCIA was brought almost entirely up to date. You will recall that Dottore NARDACCHIONE was placed at the disposal of this Region (see the list attached to your ACC/4039/L of 9 May) and you are probably aware that many requests for pretors in Campobasso has so far met with an indifferent response. In fact the pretura at CANTALUPO was becoming so much in arrears that P.L.O. CAMPOBASSO transferred Dottore NARDACCHIONE to CANTALUPO where he has done and still is doing valuable work. There is however much still to be done.
4. It is regretted that you were not advised of this situation but this H.Q. was unaware of it.
5. It is hoped in the circumstance, that Dottore NARDACCHIONE can be permitted to remain as pretore of CANTALUPO and that the Ministry (or the Procuratore Generale at NAPLES) can be persuaded not to transfer him back to RICCIA.
6. There is of course still the urgent need for pretori which has frequently been mentioned to you but it is not ~~impossible~~ that the Procuratore Generale was attempting to alleviate this situation, since Dott NARDACCHIONE was already working in that capacity in the Province.
7. It may be possible to find some pretori from the refugee officials who are believed to be returning in some numbers, but sufficient details are not yet available to enable concrete proposals to be put forward. Otherwise it may be necessary to propose the names of some local advocate who could temporarily be posted to the vacant preture.

For the REGIONAL COMMISSIONER:

W. E. MEHRENS

W. E. MEHRENS
Colonel
R.L.O.

Copy to:- P.L.O. (through R.C.) CAMPOBASSO Province.

HEADQUARTERS
ALLIED CONTROL COMMISSION
REGION 2

ACC ADV. HQ

Legal

2741

SSA

REF: 2201/79/B

7 July 1944

SUBJECT : In re Dr. Stolfi Roberto and others.

TO : C.I.C., Legal Subcommittee ACC, ~~Salerno~~

1. Ref ACC/4039/1 of 22.6.44, attached please is copy of a reply that has been received from the Presidente of the Potenza Section of the Court of Appeal.
2. It will be seen that Capt. Paty was active in making temporary appointments to judicial functions.
3. The Presidente has been advised that such were only operative during the period of AMG, and that he is naturally free to terminate the appointments as from 12.2.44.

References

8/562/A.B

8/562/A

105

D.E.S. COUSINS Lt. Col.
R.L.O.,
REGION 2

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

E/gaf
687Afile
ACC/4039/L

13 July 44

SUBJECT: CHIAPPI Umberto, Pretore of Anagni (Frosinone).

TO : H.E. the Minister of Pardon and Justice.

This is to inform Your Excellency that the above Pretore was ordered removed by the Regional Commissioner Region 4 because he was a "squadrista".

Copy

10 G. G. HANNABOND, Lt. Col.
Officer i/c Italian Branch
for Acting Chief Legal Officer.

Copy to: ACC/4082/3/L

0436

CONFIDENTIAL

687B

HEADQUARTERS REGION IV
Allied Control Commission
APO 394

TO : Officer i/c Italian Court, Legal Sub-Commission,
A.C.C., Advance H.Q. (for attn. Lt. Col. Hannaford).
FROM : Regional Legal Officer, Region IV.
SUBJECT: Chiappi Umberto, Pretore of Anagni, Province of Frosinone.
REF : R4/Le/Fros/c/03.
DATE : 9 July 1944.

1. The Regional Commissioner has ~~ordered~~ that the above-mentioned official be dismissed.
2. The reasons of this action are that it appears from his Scheda Personale and from the P.S.S. Report that this official was a "Squadrista".
3. Copy of my letter of instructions to the Provincial Legal Officer is attached hereto.
4. I will report further if a new appointment is desired to fill the vacancy.

133

H. G. Linnner
Colonel,
Regional Legal Officer
Region IV.

CONFIDENTIAL 687cHEADQUARTERS REGION IV
Allied Control Commission
APO 394

TO : Provincial Commissioner, Frosinone (for Legal Officer).
FROM : Regional Legal Officer, Region IV.
SUBJECT: Chiappi Umberto, Pretore of Anagni.
REF : R4/Le/Frs/C/3.
DATE : 9 July 1944.

132

1. The Regional Commissioner, having seen the Scheda Personale and F.S.S. Report in respect of the above-named official, has asked that he should not be continued in employment.
2. You will therefore take steps to have this official dismissed and report to this H.Q. when you have done so.
3. The order for dismissal should be signed personally by the Provincial Commissioner.
4. Please report promptly whether a new appointment is desired, and whether you have any recommendations to put forward.

H. L. Liskner

Colonel,
Regional Legal Officer
Region IV.

Copy to:- Officer i/o Italian Courts, Legal Sub-Commission, A.C.O.

HEADQUARTERS
ARMED FORCES COMMISSION
Legal Subcommittee
APO 324

8/8/64

13 JUL 64

NR/4039/1

SUBJECT: Protest at Campobasso Province.

TO : AFM (then RC) Region 5.

1. Ref your DS/511/12 of 21 June 1964.
2. Enclosed a copy of Ministry's letter No. 20226 of 7 July 1964 received here in response to this Subcommittee's representations.

11

ccf
C. C. PARSONS, Lt. Col.
Officer i/c Italian Branch
for Acting Chief Legal Officer.



MINISTERO DI GRAZIA E GIUSTIZIA

UFFICIO SUPERIORE DEL PERSONALE
E DEGLI AFFARI GENERALI

Salerno, li 7.7.44

104

ALLA COMMISSIONE ALLEATA
DI CONTROLLO - Sottocommissione
Legale - S A L E R N O

Ufficio III°

Prot. N. 20226

Risposta al foglio del 24/6/44

Div. Sez. N. 400/4039/L

Oggetto: Personale giudiziario provincia di Campo-
basso. 587A

1. Con riferimento alla nota sopra distinta
si comunica che con D.M. del 22/5/44 il Dott.
Pascasio Michelangelo, giudice addetto al Mi-
nistero di Grazia e Giustizia in Roma, è sta-
to applicato alla pretura di Frosolone, e che
con nota in data 23/6/44 della Procura Genera-
le di Napoli è stato disposto, in seguito a
richiesta di questo Ministero, il ritorno alla
pretura di Forlì del Sannio del titolare dott.
Parrace Alessandro, attualmente residente a
Piedimonte d'Alife.

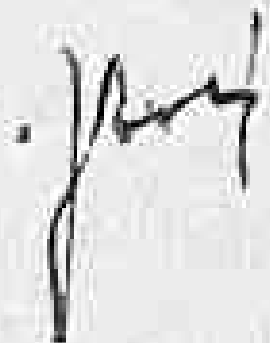
39 Per quanto concerne la pretura di Cantalu-
pe nel Sannio si propone che vi sia destinato
il dott. Riccitelli Gabriele, uditore giudizia-
rio del tribunale di Roma, applicato temporanea-
mente con provvedimento dell'A. M. G. O. T. al-

:/:

la pretura di Forlì del Sannio, in sostituzione
del titolare dott. Farrace Alessandro.

Questo ufficio si riserva, infine, di prov-
vedere alla nomina del titolare nel mandamento
di Riccia, non appena vi sarà maggiore disponi-
bilità di personale giudiziario.

Pel MINISTRO



HEAD QUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommis' in
APO 394

ES/gaf

ACC/4039/L

13 Jul 44

SUBJECT: Dott. CAICAGNI (not CARA CAGNI) Eleuterio, aggiunto giudiziario,
Tribunale di Terni.

TO : RLO (thru EC) Region 4.

1. Enclosed a copy of a decree whereby the above official has been temporarily attached to the Tribunale di Roma.

2. For the time being he will not be able to return to Terni.

G. G. HAMMARD, Lt. Col.
Officer i/o Italian Section
for Acting Chief Legal Officer.

0442

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

ES/gaf

ACC/4039/L

13 Jul 44

SUBJECT: Personnel at Aquila Province.

TO : H.E. the Minister of Pardon and Justice.

1. This Subcommittee has the honour to enclose an extract from a report received from the Regional Legal Officer, Region V.
2. An early action by Your Excellency would be appreciated.

98

C. C. HARTFORD, Lt. Col.
Officer i/c Italian Branch
for Acting Chief Legal Officer.

TO C.L.C. REAR H.Q. A.C.C.
 FROM H.Q. REGION 5, A.M.C.
 SUBJECT ITALIAN JUDICIAL OFFICIALS.
 REF RS/511/12/AQ.
 DATE 4th JULY 1944.

1. From a preliminary tour of AQUILA Province it appears that there are various deficiencies in the judicial personnel there, and it is requested that early steps may be taken to fill the vacancies.

2. In the Court of Appeal there is no Procuratore Generale, as S. E. MIGLIUCCI Emilio is understood to be in Naples.

Of the 3 Sostituti Procuratori, DE NOTARISTEFANI Vito has not arrived there, and it is believed that SANTORO Giovanni is not available but this is subject to confirmation.

3. The first president has temporarily appointed (under Art. 109 of R.D.L. 30 January 1944 No. 12) Consigliere Dott. Giacomo BARESI (5th Grade) to be Procuratore Generale, but this appointment leaves only 5 Consiglieri present in the Court of Appeal as Comm. DI DEDDA Cesare is believed to be in Rome, while Comm. DE CRESCIO PARLADORE Giovanni, DI CRESCENZO Berardino, and D'APOLITO Giuseppe have never taken their seats.

4. It is felt that the Court of Appeal should start to operate as soon as possible so that the provision of personnel requires consideration.

5. The Tribunale of AQUILA appears to be in order, and will start work as soon as the judges have been screened by F.S.S. All the members are however approved by the local committee of Liberation so that no difficulty is anticipated in this respect.

6. Of the Preture dependent on the Tribunale of AQUILA, BARISCIANO, CAPESTRANO, MONTEPALE, and PIZZOLLI are without pretors - and immunity they appear to have enjoyed for some considerable time. The Procuratore del Re advises me that there is considerable need for pretors in these communes.

7. Details are not yet available of the tribunali of AVEZZANO and SULMONA, although it appears that there is likely to be a shortage of judges at Sulmona.

For the REGIONAL COMMISSIONER:

W. E. BEFRENSI,
 Colonel,
 R.L.C.

1. From a preliminary tour of AQUILA Province it appears that there are various deficiencies in the judicial personnel there, and it is requested that early steps may be taken to fill the vacancies.

2. In the Court of Appeal there is no Procuratore Generale, as S. E. MIGLIUCCI Emilio is understood to be in Naples.

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7. Details are not yet available of the tribunali of AVEZZANO and SULMONA, although it appears that there is likely to be a shortage of judges at Sulmona.

W. E. HEERENSL

For the REGIONAL COMMISSIONER:

W. E. HEERENSL
Colonel,
R.I.C.O.

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

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ES/pa

REFERENCE : ACC/4039/L.

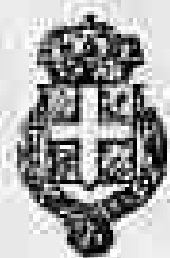
11 Jul 44

SUBJECT : Approval of promotion of Dr. CURCIO.

TO : H.E. The Minister of Pardon and Justice.

1. In reply to Ministry's note No. 17904 of 6 July 44 it is confirmed that the authorization contained in this Sub-Commission's letter ACC/4039/L of 31 May 1944 was intended to extend to the above promotion as Salerno Province is considered a part of Region III.

Clap
A.R. THACKERAN,
Lt. Colonel,
for Acting Chief Legal Officer .



MINISTERO DI GRAZIA E GIUSTIZIA

UFF. 3 Superiore del Registro SVBProt. N. 17904Risposta al foglio del 31-5-44Div. Sez. N. AC/4039/2

ALLA COMMISSIONE ALBERA

IN CONTROLLO (Sottosegretario)

Sione Legale) SALENOOGGETTO: promozione di promossi e trasferimenti.

95 Con riferimento alla nota n. 400/479/
 T. del 31 maggio u.s., con la quale codesta Com-
 missione autorizzava, relativamente alla Regione
 95 lre, la proposta di promossi di magistrati, di
 cui alla lista del 25 maggio ultimo di questo
 Ministero, si prega di voler prendere in l'ap-
 provazione codesta si riferisce anche alla no-
 mina del dr. Giulio Francesco, Consigliere di Ca-
 merale, a Presidente nella sezione di Corte di
 Cassazione di Salerno.

no reference

del 12.11.44

6/413 B - list - 23/5/44

6/443 -

list 21062 P III
3.2.4

ALLA COMMISSIONE ALLEATI DI CONTROLLO
Sottocommissione Legale

SALERNO

6818

COGNOME E NOME	POSIZIONE	VARIAZIONE	ASSIGNAZIONI
PERRELLA Dr. Giovanni	Uditore con funzioni di Giudice nel Tribunale di Frosinone	è trasferito alla Pretura di Napoli con funzioni di uditore Vice-Pro- tore.	Si trasferisce un uditore per esigenza di servi- zio e di famiglia

Salerno, 6 Luglio 1944.

93

Pel MINISTRO

(sgd)

0449

Post. 2062, P. III
4 7.44

581C

COMMISSIONE ELETTA DI CONTROLLO
Sottocommissione Legale
SALERNO

COGNOME E NOME	POSIZIONE	VARIANTE	ANNOTAZIONI
FRARELLA Dr. Giovanni	Uditore con funzioni di giudice nel Tribunale di Frosinone	È trasferito alla Pretura di Napoli con funzioni di uditore vice pretore	Si trasferisce un uditore per esigenze di servizio e di famiglia.

Salerno, li 3 luglio 1944

Per il MINISTRO

[Signature]

0450

File

ES/pa

630A

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

REFERENCE : ACC/4039/L. 12 Jul 44.
SUBJECT : Transfer of officials - DE SIMONE and RAVEGGI.
TO : RLO (THRU: Regional Commissioner) Region 3.

1. Would you please see to it that the movement proposed in the enclosed list n.18919 of 6 July 1944 be made effective.

91

G.G.HANNAFORD,
Lt.Colonel,
Officer i/o Italian Branch,
for Acting Chief Legal Officer.

Prot. No. 18919

Alla Commissione Alleata di Controllo
Sottocommissione Legale
Salerno

Richiesta di consenso per trasferimenti.

Cognome e nome	Posizione	Variazione	Annotazioni
DE SIMONE Paolo	Ufficiale giudiziario addetto alla Pretura di Pignataro Maggiore (Napoli)	alla Pretura di Portici (Napoli)	Nei confronti del De Simone ricorrono speciali condizioni che non gli consentono l'ulteriore permanenza nella Pretura di Pignataro Maggiore, ove ha subito la distruzione della casa e dei mobili ad opera dei tedeschi, ed è ora ospite dei parenti a Napoli.
RAVAGLI Giuseppe	Ufficiale giudiziario della Pretura di Portici.	alla Pretura di Pignataro Maggiore.	Il Ravagli è gerente in ospedale per tubercolosi polmonare ed è in corso pratica per aspettativa. Le sue condizioni di salute lasciano prevedere un suo non prossimo ritorno in servizio. Nella Pretura di Pignataro va ripristinandosi il normale svolgimento della vita ed ivi può temporaneamente prescindere dalla sua presenza, provvedendosi ora con l'uscita di Conciliazione.

Salerno, 11. 6. 44

per il MINISTRO

HEADQUARTERS
ARMED FORCES COMMISSION
Legal Subcommittee
APO 394

ART/gaf

619 A

12 July 1944.

AFM/1459/1.

SUBJECT: Dott. Marcel Viscoro.

TO : U.S. Minister of Justice.

In regard to the proposed transfer of the above-named Counsellor from his temporary appointment at the Court of Appeal of Naples to that of Rome, dated 19 June 1944 and to Your Ministry's letter No. 12453 dated 15 April 1944 with attached confidential note No. 1039 S.M. of 27 March 1944 from the Ministry of War, it is regretted that this movement cannot be executed to, and it is now considered that Dott. Viscoro should not hold any official position.

Further enquiries have been made by this Subcommittee which amplify and confirm those already instituted by Your Excellency's Ministry. It will be recollected that this magistrate's transfer from Potenza Court of Appeal to that of Naples was authorized prior to the receipt of the information regarding his political activities.

89

G. G. HANNAFORD, Lt. Col.
Officer i/c Italian Branch
for Acting Chief Legal Officer.

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

ART/ap

ACG/4939/L

12 July 44

SUBJECT : TRANTA Gennaro, Cancelliere.

TO : Regional Legal Officer (thru RC) Region 3

1. The Ministry has designated the above official to the Tribunale of Benevento. Kindly make this transfer effective.

Op
A. R. THACKERAY,
Lt. Colonel,
for, Acting Chief Legal Officer.

SECRET

HEADQUARTERS
ALLIED CONTROL COMMISSION
SECURITY BRANCH
APO 394

5 July 1944

REF. : SB/LAO.I.1.

SUBJECT : MARCHI, Vittore.

TO : Col. A. A. Young, Security Branch.

1. With reference to Public Safety Sub-Commission Letter
ACG/LA.760/31/PS dated 25 June 1944.

2. MARCHI was born at Potenza on 6 September 1892. He is blind in both eyes and sustains a wound in his right hand. It is claimed on one hand that these afflictions are the result of service in World War I but reliable information is to the effect that his blindness is the result of venereal disease and he has only been blind since 1926, it is stated.

3. He was a Lieutenant colonel in the Italian Army during World War I and promoted to the rank of Colonel and later a General in the Reserve (after 1920). It is reliably reported that his promotions were due to his Fascist Party activities. At one time he was invited to Germany to represent Italian war veterans.

4. MARCHI was a highly esteemed Fascist so much so that during the conquest of the Italian Empire he was sent to East Africa as a propagandist.

5. Prior to the Armistice he was a Counsellor of the Court of Appeals at Rome and also taught philosophy at the University of Rome.

6. As he was unable to return to Rome he was attached to the Court of Appeals at Potenza. He attended only occasionally and preferred to travel a good deal making propaganda on behalf of "CLOWING ITALIA".

7. He has been associated with Riodotti GARIBOLDI in what they purport to be a republican political movement, "CLOWING ITALIA". It is claimed by its promoters to have been started by Giuseppe MAZZINI many years ago, and to have been actively anti-Fascist during the Fascist regime.

8. It is said that he has attempted to set up a section of this party in Picerno (Potenza), which he considers to be his permanent residence with little success as the public have no confidence in him they rather hold him in contempt. The population distrust him owing to his former Fascist activities.

9. On 12 March 1944, MARCHI spoke at the mass meeting of the various political parties in Calabria.

1. With reference to Public Safety Sub-Commission letter ACC/14760/31/PS dated 25 June 1944.

2. MARCHI was born at Potenza on 6 September 1892. He is blind in both eyes and sustains a wound in his right hand. It is claimed on one hand that these afflictions are the result of service in World War I but reliable information is to the effect that his blindness is the result of venereal disease and he has only been blind since 1926, it is stated.

3. He was a Lieutenant colonel in the Italian Army during World War I and promoted to the rank of Colonel and later a General in the Reserve (after 1930). It is reliably reported that his promotions were due to his Fascist Party activities. At one time he was invited to Germany to represent Italian war veterans.

4. MARCHI was a highly esteemed Fascist so much so that during the conquest of the Italian Empire he was sent to East Africa as a propagandist.

5. Prior to the Armistice he was a Counsellor of the Court of Appeals at Rome and also taught philosophy at the University of Rome.

6. As he was unable to return to Rome he was attached to the Court of Appeals at Potenza. He attended only occasionally and preferred to travel a good deal making propaganda on behalf of "GIOVINE ITALIA".

7. He has been associated with Ricciotti GARIBOLDI in what they purport to be a republican political movement, "GIOVINE ITALIA". It is claimed by its promoters to have been started by Giuseppe MAZZINI many years ago, and to have been actively anti-Fascist during the Fascist regime.

8. It is said that he has attempted to set up a section of this party in Piacenza (Potenza), which he considers to be his permanent residence with little success as the public have no confidence in him they rather hold him in contempt. The population distrust him owing to his former Fascist activities.

9. On 12 March 1944, MARCHI spoke at the mass meeting of the various political parties in Galleria Umberto I, Naples. He appeared to have been sponsored by the Socialist party. He was violently anti-monarchical. He was dressed in uniform which he is not authorized to wear, being of reserve status.

10. MARCHI is also an active member of the Grand Orient Masonic Lodge and it is alleged that he plans to dissolve all the masonic lodges which have been reestablished in liberated Italy and to set them up again on a new basis in which no open political character will be allowed to exist. The Grand Orient Lodge is not recognized by Masons of England and the United States.

11. His activities are exclusively political and the sentiments expressed in his numerous speeches, pamphlets as well as in the newspaper "NUOVA ITALIA" are all evidence of his ambition to constitute a republic inspired by the doctrines of MUSSOLINI,

12. MARINI has been a Fascist of some significance and always a prominent and ardent propagandist.

13. He has impressed some heads of the various political parties in Naples as an opportunist, but too stupid to be taken seriously. He is a definite anti-monarchist.

14. Biocchetti CARIBALDI referred to above is now interned.

Callahan's report:

A.H. HILL,
Captain,
SECURITY BRANCH.

1st Incl.

Hq. A.C.C., Security Branch, A.P.O. 394. 5 July 1944.

To : Public Safety Sub Commission, Rear Hq. A.C.C.,

1. But for the fact that MARINI is almost blind and partially maimed, I am of opinion he would have been interned for security reasons.

2. It is, therefore, undesirable that he should hold any official position.

3. This report is submitted to you in duplicate for any recommendation you may wish to make to the Legal Sub-Commission.

For the Director:

John A. McKeen
JOHN A. MCKEEN,
Major,
SECURITY BRANCH.

✓
(52)
17039
2,4039
HEADQUARTERS REGION IV.
ALLIED CONTROL COMMISSION
A.P.O. 394.

TO : C.L.O. ACC. HQ. Advance (for Lt. ^{Col.} Hanna-
ford O. i/c Italian Courts)
FROM : R.L.O. Reg. 4.

SUBJECT: Judicial Officials in Littoria.

REF. : R4/Le/Litt/C/3.

DATE : 5 July 1944.

1. Further to our letter of 29 June 44 with the above Reference and Subject.
2. Enclosed herewith a further list of personnel, with grades.
3. All the Pretori are present in their districts and working except for the Pretore of Minturno, who reported at this office yesterday, and was told to report back here after seeing the Procuratore Generale.

85
H. L. Wimmer

Colonel,
Regional Legal Officer
Region 4.

See by Lt. Hanna- 11/7/44

PRELIMINARY LIST OF TRIUNALE'S DISTRICT:

PRESTURA	NAME AND FAMILY-NAME OF THE PERSONNEL	OFFICE	GRADE	LAST
CAETA	{1. Salvatore Lopez	Pretore	7th	£
	{2. Giovanni De Simone	1st Chancellor	8th	£
	{3. Amedeo Luto	Chancellor	10th c	£
FONDI	{1. Dott. Antonio Bitonto	Pretore	8th	£
	{2. Carmelo Curtò	1st Chancellor	9th	£
	{3. Fortunato Della Calce	Chancellor	12th c	£
TERRACINA	{1. Dott. Carlo Caputo	Pretore	7th	£
	{2. Giovanni Cerasò	1st Chancellor	9th	£
	{3. Tullio Testi	Chancellor	Voluntarily	£
MINTURNÒ	{1. Dott. Grazio De Stefano	Pretore	6th	£
	{2. Teodoro Firrò	1st Chancellor	9th	£
	{3. Guido Russo	Chancellor	12th c	£
PRIVERNO	{1. Dott. Paolo Caruso	Pretore	9th	£
	{2. Francesco Motta	1st Chancellor	9th	£
	{3. Giov. Battista Minotti	Chancellor	12th c	£
SEZZE	{1. Dott. MarianoETRANGOLI	Pretore	7th	£
	{2. Antonio Grisaldi	1st Chancellor	9th	£
	{3. Alessandro Rondoni	Chancellor	Voluntarily	£

MIRIMANIE'S DISTRICT:

NAME AND FAMILY-NAME OF THE PERSONNEL

OFFICE

GRADE

LAST NET SALARY HAD

Matteo Lopez	Pretore	7th	£ 2914
Giovanni De Simone	1st Chancellor	8th	£ 2595
Edoardo Muto	Chancellor	10th c	£ 1935
St. Antonio Biondo	Pretore	8th	£ 2596,10
Emilio Curto	1st Chancellor	9th	£ 2353
Stefano Della Calce	Chancellor	12th c	£ 1346
St. Carlo Caputo	Pretore	7th	£ 2998
Giovanni Ceramò	1st Chancellor	9th	£ 2350
Ugo Testi	Chancellor	Voluntarily	£ 1162
St. Grazio De Stefano	Pretore	6th	£ 3368
Adolfo Pirro	1st Chancellor	9th	£ 2322
Ugo Russo	Chancellor	12th c	£ 1383
St. Paolo Caruso	Pretore	9th	£ 2087
Francesco Motta	1st Chancellor	9th	£ 2074
Dr. Battista Minotti	Chancellor	12th c	£ 1191
St. Mariano Petrangeli	Pretore	7th	£ 2617
Antonio Grimaldi	1st Chancellor	9th	£ 2219
Alessandro Rondani	Chancellor	Voluntarily	£ 1323



ADMINISTRATIVE
 MILITARY CONTROL COMMISSION
 Legal Subcommission
 APO 394

RS/inf
 675
 A

ACC/1039/1.

11 Jul 44

SUBJECT: Procuratore del Re of the Tribunale di TERAMO.

TO : H.H. the Minister of Pardon and Justice.

1. The competent legal officer has advised this Subcommission that the above Procuratore del Re has refused to leave his home and perform his duties on the ground that he was not to be allowed to carry a pistol. In other respects there seems to be also some doubt as to his political attitude.
2. The Regional Commissioner Region 5 has accordingly advised that he be removed from his office and that the Sostituto SALUTARI Filippo be temporarily appointed to the post. This official is capable and enthusiastic and the appointment was discussed with and approved by Dr. Luigi PISANO from the Ministry of Grace and Justice.
3. May this appointment be confirmed please.

82

See folio 669

C. G. HARRISFORD, Lt. Col.
 Officer i/c Italian Branch
 for Acting Chief Legal Officer.

ES/da

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

REFERENCE : AGC/403/L. 11 July 44
SUBJECT : Transfer of PITTA Lorenzo.
TO : R.E.The Minister of Pardon and Justice.

1. Reference is made to Ministry's note Prot.No.18367 of 1st July 1944.
2. The Procuratore Generale, Naples, reports that there is at present no vacancy in the Pretura of Naples for the a/m ufficiale giudiziario, and that moreover this official has not a good record, in that he has been the subject of disciplinary action in the past.
3. It appears he has made former applications for the same transfer, all of which have been refused.
4. May this Sub-Commission please be informed whether the Ministry wishes to pursue this matter any further.

81

G. G. HANNAFORD,
Lt.Colonel,
Officer i/c/Italian Branch
for Acting Chief Legal Officer.

HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Subcommission
APO 394

ES/inf

AC/1039/1

11 Jul 44

SUBJECT: Pretura at TORRICELLA (LANCIANO) Dott. Cav. PUGLIESE.

TO : H.E. the Minister of Pardon and Justice.

1. This Subcommission is informed that the pretura of TORRICELLA, tribunale of LANCIANO, has been closed for lack of a pretore.

2. Dott. Cav. PUGLIESE Giuseppe has been temporarily reappointed as Vice-Pretore Onorario, his tenure of this office having expired 31 December 1943.

3. It is suggested that his reinstatement be confirmed but that he be appointed Vice-Pretore Reggente. If this is agreed could directions be given as to the salary to be paid to him.

C. C. HARTFORD, Lt. Col.
Officer i/c Italian Branch
for Acting Chief Legal Officer.

0463

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
APO 394, U.S. ARMY

672
A
Naples, Italy
6 July 1944

4039
SUBJECT : Transfer of PITTA Lorenzo.

TO : C. I. O., Legal Subcommittee, Rear Headquarters Allied
Control Commission, SALERNO (Attention Lt. - Col. THACKERAN).

1. Reference is made to your letter of 2 July 1944, ACC/4039/1 and to list of the Ministry Prot. No. 18367 dated 1 July 1944.

2. The Procuratore Generale, Naples, ^{reports} advises us that there is at present no vacancy in the Pretura of Naples for the a/a ufficiale giudiziario, and that moreover this official has not a good record, in that he has been the subject of disciplinary action in the past.

3. It appears that he has made former applications for the same transfer, all of which have been refused.

References.
9/628A & C.

M. C. Holt
M.C. HOLT Major
Officer i/c. Italian Courts
A. C. C. REGION III.

0464

File

4039

8187

*671
A*

TO C.L.O. REAR H.Q.A.C.C.
FROM H.Q. REGION 5, A.M.G.
SUBJECT ITALIAN COURTS.
REF R5/511/12/CH.

5th JULY 1944.

1. ☐ The pretura of TORRICELLA, tribunale of LANCIANO, has been closed for lack of a pretore.
2. Dott. Cav. FUGLIESE Giuseppe has been temporarily reappointed as Vice-Pretore Onorario, his tenure of this office having expired 31 December 1943.
3. It is suggested that his reinstatement be confirmed but that he be appointed Vice-Pretore Reggente. If this is agreed could directions be given as to the salary to be paid to him. ☐

78

For the Regional Commissioners

W. E. Remrens

WEB/EP

W. E. REMRENS
Colonel
R.L.O.

Subject. Pretura of Tauricella.
To. H& Region = Amb.
(For R.L.O.)

CH/legal/A 41

I have arranged for the opening of the above Pretura by the temporary re-appointment of PUBLIESE Dott: Cav: Guiseppe as Vice-Pretore-Orinario, whose term of office expired 31 Dec. '43.

I would suggest that he be appointed Vice-Pretore Reggente & draw a salary as such. Would this be put forward to the Minister & directions asked as to the salary to be paid him?

All 10 Preture dependant on the Tribunale di Lanciano are now open.

2 July 44.
77

G. M. WELSFORD

G. M. WELSFORD

Major, Provincial Legal Officer - Chieti



File
TO C.I.O. REAR H.Q.A.C.C.
FROM H.Q. REGION 5, A.M.G.
SUBJECT ITALIAN JUDICIAL OFFICIALS.
REF R5/511/12/T.
DATE 4th JULY 1944.

403
604

1. This H.Q. has been advised that the Procuratore del Re of the Tribunale at TERAMO-informed Provincial H.Q. that since he was not to be allowed to carry a pistol he would stay at home and do not work. In other respects also he appears lukewarm to the Allied cause.

2. This H.Q. has accordingly advised that he be removed from his office and that the Sostituto SALUTARI Filippo be temporarily appointed to the post. This official is capable and enthusiastic and the appointment was discussed with and approved by Dr. Luigi PISANO from the Ministry of Grace and Justice.

3. It is requested that this be confirmed.

76

For the REGIONAL COMMISSIONER:

W. E. Beirens

W. E. BEIRENS
Colonel
R.L.O.

9275

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
AFC 394

GGE/ap

ACC/4033/L

11 July 1944

SUBJECT : Appointment of Judicial Official.

TO : Regional Legal Officer (thru RG) Region 4

1. Reference your R4/LE/LITT/C/O3 dated 9 July 1944.

2. The temporary appointment of Dr. SAMIS LUIGI as judge of the Tribunale di Littoria is agreed.

75

G. G. HAMMAMFORD,
Lt. Colonel,
Officer i/c Italian Branch,
for Chief Legal Officer.

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
ARI 394

GCH/ap

607A

AGC/4039/L

12 July 44

SUBJECT : Italian Officials
TO : Regional Legal Officer (thru RC) Region V

1. Your R5/512/12/Ad dated 4 July 1944 has been communicated to the Ministry of Justice at Rome in order to trace missing officials in Rome, as it is understood that a number of them took refuge in the capital.

2. As soon as the present addresses of available judges and sostituti will have been found a list will be forwarded to you.

3. Means of transport being scarce, arrangements will have to be made between Regions concerned.

C. G. HANNAFORD,
Lt. Colonel,
Officer i/c Italian Branch,
for Chief Legal Officer.

4039

ADVANCE HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
AFS 394

866 A ROME

ACC/R/40/L.

/rlp.
9 July 1944.

SUBJECT : Tribunale of Frosinone.

TO : Regional Legal Officer (THRU: Regional Commissioner), Region IV.

1. Your letter of 19 June received in duplicate is hereby returned.
2. Also enclosed is a memorandum from the Ministry of Justice stating that Alfredo Ricciardelli will report on Monday, 10th, to Region IV. He has not been screened, but appears from his record to be in order.
3. Riccotti was caught by the German invasion in October in Arezzo and has not given any notice of his whereabouts or drawn any salary since November 1943.
4. Arrangements proposed by PLJ, Frosinone are agreed being understood that Ricciardelli will take up the Presidency if suitable.
5. All appointments are to be temporary as usual. There is no question of arresting anybody yet.

G. O. RANNAFORD.
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Officer.

4-00
4039
065A

HEADQUARTERS REGION IV
Allied Control Commission
APO 394

TO : OFFICER i/c ITALIAN COURTS, LEGAL SUBCOMMISSION, A.C.C.
ADVANCE H.Q. (attn. LT. COL HANNAFORD)
FROM : REGIONAL LEGAL OFFICER REGION IV
SUBJECT: APPOINTMENT OF JUDICIAL OFFICIAL.
REF. : R4/LE/LITT/C/03
DATE : 9 JULY 1944

1. Further to my letters, of 29 June and 5 July, reference as above, I have to report that Dr. Salis Luigi has now been temporarily appointed by the Provincial Commissioner as judge of the Tribunale di Littoria.
2. A copy of the appointment and of the covering letter transmitting the same is attached hereto.
3. Please let me have your instructions as early as possible as to whether the appointment is confirmed, or whether a new appointment will be made to fill the vacancy.

72

W. R. Cate
Colonel,
for Regional Legal Officer
Region IV

LITTORIA PROVINCE
Allied Control Commission
Region IV
Reg. 18994

6 Luglio 1944

Ordine ufficiale
N°

Ritenuto che le Corti Italiane per la Provincia di Littoria sono state riaperte e sono nuovamente in funzione, però non avendo i funzionari giudiziari in misura adeguata,

Ritenuto che in conseguenza della deficienza di tali funzionari e perchè venga assicurato un funzionamento continuo di dette corti, si è reso necessario provvedere alla nomina di un Giudice del Tribunale della suddetta Provincia;

In virtù dei poteri conferitimi, io Edward Morton, LT. COL., Commissario Provinciale per la Provincia di Littoria

Ordino

Che il signor SALIS LUIGI, sia ed est nominato Giudice del Tribunale per la Provincia di Littoria, a decorrere da oggi, con i poteri e doveri inerenti a tale carica e che terrà la stessa fino a nuovo ordine.

Edward Morton
Lt., Col., C.E.,
Provincial Commissioner

LITTORIA PROVINCE
Allied Control Commission
APO 394

7 luglio 1944

R4/LE/N° I4

Dott. Salis Luigi
Giudice del Tribunale,
L i t t o r i a

I. Includo troverete un ordine debitamente firmato dal Commissario Provinciale nominantevi Giudice del Tribunale di questa Provincia.

2. Tale nomina è fatta con la piena comprensione che è soggetta ad "Ulteriori Disposizioni", di conseguenza è provvisoria ed altresì soggetta a conferma delle autorità superiori.

3. Nel frattempo voi assumerete i doveri del vostro ufficio e continuerete ad operare a meno che e fino che non sarete notificato del contrario.

Louis L. Cox, Capt.

F.L.O.

File
4039
603A
ADVANCE HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394
ROME

ACC/H/36/L.

/rlp.
8 July 1944.

SUBJECT : Assessors in Grosinone Province.

TO : Regional Legal Officer (THRU: Regional Commissioner), Region IV

1. Reference yours RH/LE/FRCS/C/3 of 6 July 44.
2. It is suggested before taking any step in this connection that one of your officers should call on the First President of the Court of Appeal of Rome where lists of assessors for Grosinone Province have been prepared in the past and discuss the matter with him.
3. It is certainly undesirable to start a new system for selecting assessors, as the existing legislation has not been abrogated by Allied authorities and is not a specific fascist law. It is felt that a number of non-fascist "assessori" can be drawn from the lists in existence to carry on with the next assizes.
4. Selection lists generally number a few hundred and only five persons are required.

69
G. G. HANNAFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Officer.

0474

File

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4039

ADVANCE HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

ROME
662/A

ACC/N/37/L.

/rlp.
8 July 1944.

SUBJECT : Judicial Officials in Frosinone Province.

TO : Regional Legal Officer (THRU: Regional Commissioner), Region IV.

Instructions have been given to Ricciardelli Alfredo and Mascotti Domenico to report to you as soon as possible. It is suggested that they fill in a Scheda Personale before being sent to their respective posts.

68

G. G. HANNIFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Officer.

K4

661A

✓ 4039

8 July 1944

Inf. of Comm. Emilio Ligabue
 Procuratore Generale del R.
 di L' Aquila

TB: 210 Reg 3

The above off. residing at
 Naples Via Ruvigliani
 (Vomero) no 2

Please inform him & his
 family move to Aquila

0 4 7 6

ADVANCE HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

J-ll 2039
/rlp.
ACG/R/37/L.

660A
8 July 1944.

SUBJECT : Judicial Officials in Frosinone Province.

TO : Regional Legal Officer (THRU: Regional Commissioner), Region IV.

Instructions have been given to Picciardelli Alfredo and Biscotti Domenico to report to you as soon as possible. It is suggested that they fill in a Scheda Personale before being sent to their respective posts.

16
G. G. HANNAFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Officer.

DEPT. OF JUSTICE
 ATTORNEY GENERAL
 Legal Subcommittee
 AGO 394

AM/GE

AGO/1459/3

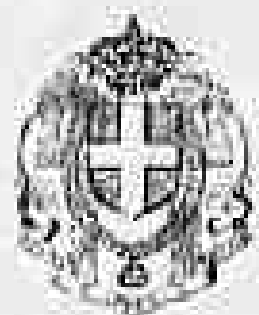
7 Jul 44

SUBJECT: Case of Enrique Acosta.

TO: H. H. the Procurator General, Bari (Max HIO Region 2).

In reply to your enquiry made on behalf of the a/n concerning the possibility of his readmission to Reggio Province, it is regretted that for reasons of security this request cannot be acceded to.

ay
 A. N. TAYLOR, 14. Col.
 for Chief Legal Officer.



file 658A
Roma, 7. 6. 1944.

Ministero di Grazia e Giustizia. Colonel Hanford.

I feel it is my duty towards ~~Comandante~~
Mgo Caldareo, judge, to speak to you
about him.

I know him personally during these
last 12 years.

The 8th of September he left the
ministry, until the 15th of November, where
he refused to Umbria (Spoleto). He assisted
& helped to form the band of patriots.

64 He was also arrested in the street
by a fascist, as he was heard talking to
his friend (Advocate Alberto Lupoi)
about the oath to Mussolini, that all the
Judges had to swear, (he refused to take
it). He was kept in the military fascist
barracks for several hours before he was
released.

He refused to go with the ministry
to North Italy.

I must also state that being an
English Jewess married to an Italian
Jew, I had to escape from Albania to
Rome from the Germans.

Judge Ugo Caldarera helped
me most wonderfully, and kept my
husband and my son for many months
hidden in his house, until he found us
a place more sure.

I cannot appreciate and praise
him enough for all he has done for me.

I sincerely hope that you will do
your utmost that he may regain his
former profession.

Reini Citteri. Alfandary.
born in London. Victoria Hotel
Rome.

Comm. Dott. Caldarera Ugo
Giudice addetto al Ministero della Giustizia
con funzioni di Direttore di Ufficio

4039
HEADQUARTERS REGION IV.
ALLIED CONTROL COMMISSION
A.P.O. 394

ROME

657

TO : OFFICER i/c Italian Courts, Legal Sub-Commission,
A.C.C. Advance H.Q. (Attn. Lt. Col. Hannaford).

FROM : R. L. O.

SUBJECT: Judicial Officials, Frosinone Province.

REF. : R4/Le/Fros/C/3.

DATE : 7 July 1944.

1. Receipt is acknowledged of you ACC/R/29/L, enclosing copy of letter of Minister of Justice to the Procuratore del Re of Cassino.

2. The Pretore of Alvito has since reported to this office, and having interviewed him I have submitted a recommendation to the R.C. that he be continued in Employment. Subject to the R.C.'s approval and the exigencies of transport, I will get this Official back to work as soon as possible. Meanwhile I withdraw my previous request for a new appointment

63 to be made to this pretura.

3. The Pretore of Atina has not so far reported to this office, and I have no knowledge of his whereabouts. Have you any information?

4. Have you any further information with regard to Ricciardelli Alfredo and Biscotti Domenico, respectively President of the Tribunale and Procuratore del Re of Frosinone? I understood from you that these Officials were in Rome, and that you were arranging to have them screened. So far they have not reported here.

H. L. Wimmer

Colonel,
Regional Legal Officer
Region 4.

HEADQUARTER REGION IV
Allied Control Commission
APO 394

ROME

856A

TO : OFFICER i/c ITALIAN COURTS, LEGAL SUBCOMMISSION, A.C.C.
ADVANCE H.Q. (FOR ATTN. OF LT. COL. HANNAFORD)
FROM : REGIONAL LEGAL OFFICER REGION IV
SUBJECT : ASSESSORS
REF. : R4/LE/FROS/C/3
DATE : 6 JULY 1944

1. Attached copy letter from Provincial Legal Officer, Frosinone Province, is forwarded to you for your comment on the suggestions put forward. To me they seem reasonable suggestions. Do you see any objection?

2. Is there any hope of getting from the Court of Appeal of Rome a list of existing assessors for all the circuits within Region IV, as previously requested?

H. G. Wilmer

Colonel,
Regional Legal Officer
Region 4

62

ALLIED MILITARY GOVERNMENT
FROSINONE PROVINCE
REGION IV

SUBJECT: ASSESSORI.

TO : R.L.C., REGION IV.

1. Reference is made to our conversation of yesterday relating to existing lists of Assessori, and to your letter of 20 June (Ref: 24/LE/LITT./FROS./3/3.)

2. I am advised that the existing lists are in Rome, and that there are no copies of them extant here.

3. I am further informed that the men whose names appear on these lists are fascists in almost every instance, and that they would not be considered to be suitable persons to serve under existing circumstances.

4. It appears that although there were separate courts of appeal for Frosinone and Velletri, the Assessori for both were drawn from one list.

5. There was a separate list for the district of Cassino.

6. It appears from the foregoing that new lists of Assessori should be prepared, and it is suggested that the Sindaco be asked to submit names for that purpose.

7. It is also suggested that the district of Frosinone should have a list containing only the names of persons residing within the district, and that it should be wholly independent from Velletri.

8. It is further suggested that the lists of Assessori for the district of Cassino and Frosinone should each contain twenty names.

William F. Wagon, Major, A U S
Provincial Legal Officer.

655A

0483



CORTE SUPREMA DI CASSAZIONE
IL PRIMO PRESIDENTE

Roma 4 luglio 1944

file -
4039654A

Hoyle
with the
1/1/44

ALLA COMMISSIONE ALLEATA DI CONTROLLO
Sottocommissione Legale
SALERNO

Oggetto: Richiamo di magistrati alla sede di Roma.

In riferimento alla richiesta fatta dal sig. Col. Thackrah al mio segretario ed in conformità degli accordi verbali intervenuti, prego codesta On. Commissione di voler consentire che i seguenti magistrati, muniti del prescritto permesso di viaggio, raggiungano la sede di Roma, per riprendere le rispettive funzioni sottoindicate:

- 1) Comm. Mario Sagna = Consigliere, addetto al servizio dell'Ufficio del Massimario presso questa Suprema Corte.
- 2) Comm/ Biagio Incoronato = Consigliere, segretario del Consiglio Superiore della Magistratura e

della Corte disciplinare della Magistratura, ambedue da me presieduti.

Gradirei che, data l'importanza e la delicatezza delle funzioni attribuite ai suddetti funzionari, il loro ritorno ai rispettivi uffici avvenisse con ogni possibile urgenza.

IL PRIMO PRESIDENTE

Enrico

0485

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

4039
TO C.L.O. REAR H.Q.A.C.C.
FROM H.Q. REGION 5, A.M.G.
SUBJECT Case of PALUMBO Paolo.
REF R5/511/19.
DATE 3 July 1944.

Reyal (Rear)
U 4324
6538

610 ft & B

Ref your ACC/4039/L of 28 June 1944:-

The correspondence referred to consisted merely of a personal note from Colonel UPJOIN which was brought to me by ~~Colonel~~ CAMPBELL.

W. E. HEHRENS
Colonel
R.L.O.

9177

4039 Legal Sec.
 HEADQUARTERS REGION IV
 Allied Control Commission
 APO 394

179 (35)
 - 1 11/16 1944 ROME
 652A

TO : Chief Legal Officer, (for attention of
 Officer i/c Italian Courts, A.C.C. HQ)
 FROM : Regional Legal Officer, Reg. IV.
 SUBJECT: Province of Frosinone, Italian Courts.
 REF : R4/LE/Fros/C/3.
 DATE : 29 June 1944.

1. Reference previous reports on the above Province.
2. Herewith is copy of further report modifying
 the previous one sent to you in our letter of 24th
 June 44.

W. R. Giff
 Colonel,
 for Regional Legal Officer, Region IV.

A time
 A limit

ALLIED MILITARY GOVERNMENT
Hq. Frosinone Province A.C.C.

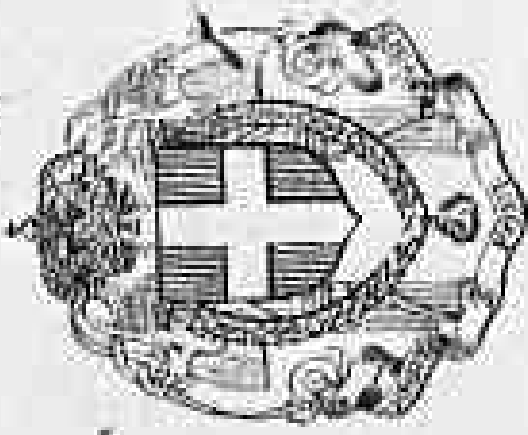
26 June 1944.

SUBJECT: Pretura di Circondario di Frosinone.

TO : R.L.O., Region IV.

1. Pretore De Angelis, Giuseppe, has returned to ALATRI and will resume the holding of court there forthwith.
2. Pretore Virgilio, Stefano, who formerly presided at both ALATRI and FROSINONE, will preside henceforth at FROSINONE only.
3. Pretore Bamonte, Teodoro has returned and will preside at Ferentino.
4. The return of the above named Pretori will make it unnecessary to designate Vice Pretore Cenorario Finocchiaro, Raffaele as Acting Pretore at FERENTINO, and Vice Pretore Valchera, Paolo as Acting Pretore at FROSINONE, as previously recommended.
5. It will also be unnecessary to transfer Pretore Virgilio, Stefano from FROSINONE to ALATRI.

William F. Waugh,
Major AUS.
P.L.O.



Ministero della Cooperazione

29

My dear Chief,

I am arrived last night, Ed. smashed his leg and broke his arm and is in 38 Evac. Hospital where we are going to see him this morning; Charles P. issued his purgation order yesterday. These are the latest news. The printing of the gazette is proceeding slowly and I am going to the "Popolo" to see the progress.

The newspapers reacted strongly to Charles Poletti's "denial". The extreme left were jubilant, liberals, Democrats & Christians complained that the law was different in Rome with no special reason, and that "a person holding the same position would be either retained or dismissed according to his geographical position". This is what the "Risorgimento" says & most are of the same opinion and claim identical provisions for the whole of Italy is so far as politics are concerned. Cielli leaves at one o'clock and ought to be in Salerno this evening. He has commandeered a villa

My dear Chief,

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face and broke his arm and is in 38 Evac. Hospital where we
are going to see him this morning. Charles P. issued his
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holding the same position would be either retained or
dismissed according to his geographical position".
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same opinion and claim identical provisions for the whole
of Italy is so far as politics are concerned.

Ciampi leaves at one o'clock and ought to be in
Salerno this evening. He has encountered a villa
and he has found some more. Romans are very
reluctant to part with them as you very well
know.

If he is not absolutely needed in Salerno, he will
be most useful here to organize the preliminary

installation of both offices & residence - transport.
No furniture has yet been pinched here!

Zito has received the "no-requisition" order, but Captains & even lieutenants have been taking over villas & flats with the apparent consent of General Robertson, who says that A.C.C. is occupying much too many buildings already and that after all the army is running this show!

I enclose a further note on Messina. It seems to leave him out altogether as he does not fall under any of the provisions of the Decree.

I understand his training and legal activities seem to have been on far away from fascism as it was possible for us, Stalin, to do.

So, with me now minus any direct transport and our towns to North & South will be seriously hampered until some good car is made available.

Security has not only produced nothing, but I am afraid, has lost the lots of "military judges" which I entrusted to them.

Arthur has gone North with Swan on this Partisan question which Lord S. is also observing.

Communists are getting difficult and are the only party to refuse to give up their arms.

I understand that ACE will have a partisan sub-committee with Brig. Manning & Lt. Macready at the head!

As you know Saltelli has resigned!

It will be that the great difficulty

Robertson, who says that A.C.C. is occupying much too many buildings already and that after all the money is running thin now!

I enclose a further note on Mervine. It seems to leave him out altogether as he does not fall under any of the provisions of the Decree.

I understand his training and legal activities seem to have been on far away from prison as it was possible for in Station to be.

So and I was minus any direct transport and on tour to North & South will be seriously hampered until some good car is made available.

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Arthur has gone North with Cavan on this Partition question which Lord S. is also discussing.

Communists are getting difficult and are the only party to refuse to give up their arms.

I understand that A.C. will have a partition sub-committee with Brig. Manning & Co. Macready at the head!

As you know Saltelli has resigned!

Grafton, tells me quite rightly that the great difficulty with the new Ministry is that there are no experts.

It is formed like a normal democratic cabinet with a Sir John Anderson at the Exchequer, a Cripps at Aircraft Production etc. These people are parliamentarians & know nothing of their own department. Tarpini may be an exception.

Hence work with the Heads of S/Coms. becomes increasingly

4039



Minister of the Interior

difficult. Ad, Tony, John are all working for Jung.
on even points of interest.

This proves once more the urgency of the transfer
of the Ministry to Rome, where it least can be
found people who know what they are
talking about.

The General Court will not sit for some days.
I hope to visit Orvieto, Spello & Terni before
the end of the week. Jan has a date at
Civita Vecchia.

That is all.

Hoping to see you up here soon

55

Yours ever
you

P.S! Harold tells me that London is now
definitely in favour of the present way.

P.S. I found excellent jackets at 50/ each.

on even quite a painter.

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That is all.

Hoping to see you up here soon

55

Yours ever
you

P.S. Harold tells me that London is now definitely in favour of the present way.

P.S.2 I found excellent jackets at 50/ each -
Does Dick want one?

P.S.3 New balls however cost 15/ each -
I have four -

P.S.4. Found some good Italian silver for your gift. Suggest price be discussed by a local not a stranger -

0493

IL TENENTE COLONNELLO G.G. HANNAFORD
P. RAPPRESENTANTE " S. FORCE "5th ARM

ha oggi, 6 giugno 1944, ricevuto in udienza i Sigg. Magistrati qui sotto elencati:

- good* 1°) COSENTINO Gaetano Procuratore Generale presso la Corte d'Appello di Roma
- good* 2°) DELLE DONNE Michele Primo Presidente della Corte d'Appello di Roma
- good* 3°) CONFORTI Leopoldo Avvocato Generale Proc. Generale Corte di Cassazione di Roma
- 4°) VOLPE Gabriele Procuratore del Re presso il Tribunale di Roma
- 5°) PETRUZZI Giovanni Presidente del Tribunale di Roma
- good* 6°) MIRABILE Guido Presidente di Sezione Corte di Cassazione Roma
- good* 7°) MESSINA Salvatore Presidente di Sezione Funzionate Primo Presidente Cassazione Roma.
- good* 8°) SALTELLI ? Carlo Procuratore Generale Corte Cassazione Roma
- 9°) MANGINI Alcibiade Presidente di Sezione Corte Cassazione Roma
- 10°) VENEZIANI Alessandro Presidente Sezione Corte Cassazione Roma
- 11°) MACEDONIO Vincenzo Presidente Sezione Corte Cassazione Roma.
- but in a letter he says he is present* 12°) - CIPOLLA Ettore - Avvocato Generale presso la Corte di Cassazione di Roma
- 13°) - ROSATI Domenico - già Primo Presidente della Corte di Appello di Brescia ora in aspettativa
- 14°) - *organti* - Ministro della Giustizia del governo di Badoglio in Roma.
- 15°) - *Pan Association - (anti fascist)*
G. B. Rizzo - Saverio - Nicolo.
1 of them were shot in Rome by fascists "Mantecelli"

MINISTERO DI GRAZIA E GIUSTIZIA

ELENCO

dei Magistrati, funzionari di cancelleria ed ufficiali giudiziari degli uffici giudiziari dell'Italia Meridionale bloccati a Roma. -

1)- BELLANCA	Guido	-	sostituto procuratore Regio Tribunale Trapani, risiede a Roma Piazza Torre Argentina presso fotografo Belardi.
2)- BOZZI	Pasquale	-	pretore a Randazzo (Catania) risiede a Roma, Via Varrone, 9
3)- CAROSIO	Carlo		aggiunto giudiziario ff.pretore di Pozzuoli, risiede a Roma Viale Giulio Cesare 61
4)- CCIAGROSSO	Ettore		Consigliere appello Napoli - residente a Roma Via Moreni n.18.
5)- D'ALESSANDRO	Gaetano		Consigliere Corte Appello Bari, risiede a Roma, Piazza Vittorio Emanuele, 2.
6)- DEL GROSSO	Alfonso		giudice tribunale Benevento, risiede a Roma Via Duilio 13
7)- DE STEFANO	Grazio		Pretore Minturno-residente Roma Piazza San Giovanni di Dio n.2 presso Antonelli.
8)- GABRIOTTI	Saverio		aggiunto giudiziario Procura Regia Nicotia, risiede a Roma, Via Manin, 58 A.
9)- GALANTI	Salvatore		Consigliere Corte Appello Catanzaro, risiede a Roma, Piazza le delle Provincie, 8 int. 2

10)- GROSSETTI	Carlo	giudice tribunale Lucera, residente Roma Medaglie d'Oro n.399
11)- LA BUA	Niccolò	pretore di Torremaggiore, residente Roma, Via Etruria, 44
12)- MARINO	Aurelio	pretore Venafrò, risiede Roma, Via Severano 25 int.4
13)- MATHERI	Paolo	giudice tribunale Napoli, risiede Roma Viale del re 44 presso Colaizcomo o Via Muzio Clementi 51 presso Risi
14)- MIRABILE Eec.	Guido	Primo Presidente di Corte di Appello Palermo-Via Po 49 presso Vallillo
15)- MUCCI	Italo	pretore Scigliano (Cosenza) risiede Roma, Via Polesine 5
16)- PAPA	Eugenio	Consigliere Corte Appello Napoli, risiede Roma, Lungotevere delle Navi, 18 presso Nardone
17)- PANNONE	Ottorino	aggiunto giudiziario tribunale Santa Maria Capua Vetere, internato civile in Germania per il servizio del lavoro, rientrato in Italia per malattia, risiede in Roma presso il Prof. Guido De Lillo- Via Viminale 38.
18)- PARLAVECCHIO	Antonino	uditor giudiziario presso il tribunale di Napoli, risiede Roma, Via Duchessa di Galliera, 10, presso Cattaneo
19)- PIZZILIO	Giovanni	pretore Patti, risiede Roma, Via Arenula, 11
20)- SABELLI	Guglielmo	Consigliere Corte Appello Napoli, risiede Roma, Via Zanardelli 28.

- 3 -

21)- SABELLI	Rodolfo	pretore Avellino, risiede a Roma, Via Alessandro Poerio, 54
22)- SANSONE	Carlo	aggiunto giudiziario presso il tribunale di Salerno, risiede Roma, Via Pendolfo, 10
23)- SETTE Ucc.	Francesco	Primo Presidente Corte Appello Catanzaro, risiede Roma, Via Ciro Menotti, 24
24)- SIRAVO	Nicandro	sostituto procuratore generale presso la Corte Appello Napoli risiede Roma, Via S. Angela Meri- ci, n. 40 Tel. 863-274.
25)- SULIMENE	Ugo	presidente sezione tribunale Napoli, risiede Roma, Via S. Meri- no 28, int. 8

FUNZIONARI DI CANCELLERIA E SEGRETERIE GIUDIZIARIE

1)- CAPORASO	Vincenzo	cancelliere pretura Castel S. Vincenzo, residente Roma, Via Carlo Felice, 95
2)- DI BENEDETTO	Federico	cancelliere tribunale Catania, residente a Roma Albergo Fontana
3)- FUNARI	Paolo	cancelliere pretura Cosenza, residente Roma, Corso Umberto I 20
4)- IACQUANITI	Vito	cancelliere pretura Messina, residente Roma, Viale Furio Camillo, 23, int. 10
5)- MARGARITI	Pietro	Cancelliere tribunale Foggia, risiede Roma, Via Zucchelli 27 presso Giordani.
6)- PREVEDELLO	Luigi	cancelliere pretura Mesagne, risiede Roma, Via Memorensis 15
7)- RIGANO	Domenico	cancelliere tribunale Brindisi residente a Roma, Vicolo d'Orfeo 22.
8)- SANTILLO	Luca	Cancelliere Corte Appello Napoli, risiede Roma, Via Arco dei Ginnasi 3, presso Di Gregorio
9)- PALLADINO	Saverio	cancelliere pretura S. Marco in Lamis, risiede Roma, Albergo Massimo d'Azeglio
10)- MARA	Vittorio	volontario aiutante cancelleria tribunale Trapani, residente Roma, Via Candia 25
11)- FERRANTE	Archimede	cancelliere pretura Napoli, applicato pretura Roma.

UFFICIALI GIUDIZIARI

1)- RADDI

Bernardino

pretura Isernia (Campobasso) re-
sidente Roma, Viale Margherita
123.

SYNOPSIS.

I. Court of Cassation from September 1943 to June 1944.

Court was directed by President of the 1st Civil Section, Dr. Salvatore Messina. Most important events are as follows :-

1. Request of the Republican Government for setting up several sections at Brescia. This Government has not succeeded in obtaining voluntary transfer of magistrates or in spicing them obey an authoritative order; therefore the Government retired the presidents and councillors of three Sections of the Court and several magistrates of the Procura Generale; none of these officials has resumed active service.
2. Request of the Republican Government to take oath of Allegiance to the new regime. The Court - in a letter of Dr. Messina dated 14 April - refused to take such oath.
"In the name of Law" for
3. Order of the Republican Government to modify the heading of the sentences by substituting "In the name of the King". Court refused to obey respective circular - suspended publication of sentences. Order then repeated by "Decree Law". The Court had to obey them.
4. Office of First President offered to Dr. Salvatore Messina. Acceptance was made on two conditions (a) repeal of order to take new oath (b) repeal of the order retiring magistrates who refused to go to Brescia. The Government accepted the first in full, the second partly only. However full compliance was insisted upon and the offer was therefore rejected.

II. Urgent provisions to be made under the present conditions of the Courts of Cassation.

1. Magistrates who have been retired or compelled to resign by Republican Government should be at once recalled back to service.
 - (a) Any delay would be humiliating - would shake faith in real change of regime. If some undesirable element should take advantage of such speedy action he could easily be eliminated.
 - (b) Delay would hamper administration of justice. The Court has not two civil Sections any more to form plenary sessions.
 - (c) The form of recall into service will depend upon general attitude towards republican legislation: If it will be considered non-existent, the magistrates just may return de facto to their office; otherwise a royal decree would be necessary for re-admission.
 - (d) The above recall would affect about 60 magistrates and should be extended to 5 to 6 officials of Cancelleria who are in the same situation.

- 2 -

648A

2. The magistrates should be paid their allowances due to them in addition to basic pay. They have not received their tri-monthly indemnity since January 1. In view of the enormous cost of living low salaries and general condition of magistrates, the above causes most serious hardship.
3. Immediate decision should be taken as to the headings of the sentences. I suspended publication of all sentences pending instructions. I think the former heading "In the name of the King" should be preserved.
4. Laws published in Southern Italy should at once be brought to knowledge of the public in liberated territory.
5. The first President of the Supreme Court should immediately take charge of his office.
6. There should be in Rome especially during these first weeks an authority with ministerial powers to issue directives and give solutions in respect to the difficulties arising out of the change of regime.

S. MESSINA.
Directing the First Presidency
of the Supreme Court of Cassation.



CORTE SUPREMA DI CASSAZIONE

IL PRIMO PRESIDENTE

I R O - M E M O R I A

I. The "Corte di Cassazione" from september 1943 to June 1944.-The Supreme Court has been governed by the President of the First Division for Civil Affairs, Dr. Salvatore Messina. The most important facts which have taken place during this period are the following:

1) The Republican Government requests the institution of some Divisions of the Supreme Court in Brescia.

Failing to obtain the voluntary agreement of the Judges, and failing in its attempt to compel them by force of authority, the Government placed in retirement the Presidents the Counsellors of three Divisions of the Supreme Courts, and some Judges of the "Procura Generale". They are all of them still out of duty.

2) The Republican Government requests the taking of an oath in favour of the new régime. The Supreme Court, by means of a letter by Dr. Messina, dated April 14, refused to take the oath as requested. The Government, by means of a personal statement by Mr. FISENTI (Minister in charge) to Dr. Messina (telephone conversation dated May 9) relinquished its claim.

3) The Republican Government requests to alter the heading of the judgments by substituting the words : "In the name of the King" with the words: "In the name of the Law".

The order was first issued by means of a circular: the Supreme Court refused to comply with it, and delayed issuing the judgments. The order was then issued by means of a Decreto-legge, and the Court was compelled to conform to it.

4) The appointment of First President was offered to Dr. Salvatore Messina, who refused to accept it, unless the Government agreed to two conditions, i.e. ;

to revoke the order concerning the taking of a new oath;

to revoke the discharge of all the judges who had refused to transfer themselves in Brescia.

The Government agreed fully to the first condition; and only in part to the second.

Under these circumstances the offer was therefore refused.

II.

Measures to be taken in the actual conditions of the Supreme Court.

1) It is of the utmost urgency to call back in duty the Judges who have been discharged, or have been compelled to resign by the Republican Government.

a) Any delay would in the first place prove humiliating, and would then shake the full confidence in an actual change of the régime.

If any objectionable person should derive any advantage from this prompt measure, a well pondered clearing action would soon put this to right.

2

b) A delay would in the second place prove harmful to the administration of justice. The Supreme Court has no longer two Civil Divisions in order to constitute the "Sezioni Unite Civili".

c) The manner of calling back in duty the discharged Judges should be ruled by a general principle:

If the whole bulk of the republican laws were to be considered as non-existent, it would then be enough that the Judges should "de facto" reoccupy their places;

If, on the contrary, a specific revocation of some particular republican laws were to be proceeded to, a royal decree of readmission should be required.

d) This measure, which concerns nearly 60 Judges, should of course include 5 or 6 "funzionari di cancelleria" who find themselves in the same conditions.

2) It is urgent to attend to the regular payment of the allowances due to the Judges. No quarterly indemnity has been paid since January 1st, 1944.

Considering the high cost of life, the low salaries, and the general difficult circumstances of the Judges, this delayed payment causes great uneasiness.

3) It is urgent to decide at once in which way to make the heading of the judgements.

Awaiting instructions, I have caused the publication of the judgments to be delayed. I suppose anyhow that the former heading: "In the name of the King" should be maintained, because the King has retained his quality, and because it is prescribed that all acts of the State should be performed in His name.

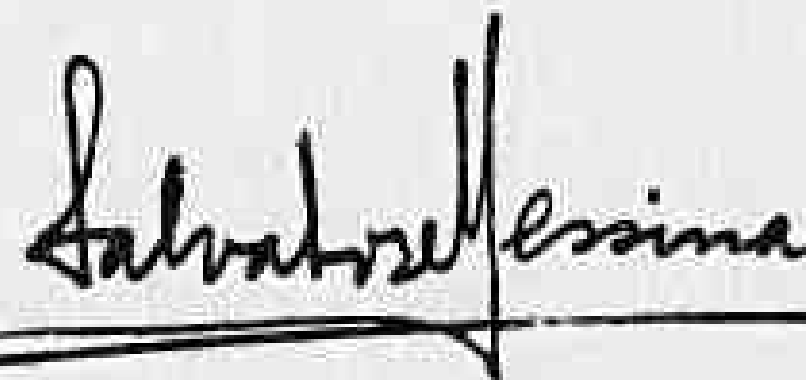
D 4

4) It is urgent that the Laws of the Kingdom issued in Southern Italy should be made known to the public in the territories which have now been liberated.

5) It is urgent that the First President of the Supreme Court should come to take charge of his high duties.

6) It is urgent, specially during these first weeks, that there should be in Rome an authority invested with ministerial powers, so as to be able to give unified directions and solutions in the many difficulties arising from a change of régime.

Roma, 8 giugno 1944



Acting as President of the
Suprema Corte di Cassazione

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

/pa

REFERENCE : ACC/4039/1.
SUBJECT : Transfer of Officials.
TO : RLO (then RC) Region 3.

7 July 44

1. Will you please inform this Sub-Commission if you have any objection to the proposed transfers of officials as contemplated in the attached lists, or not.

W. H. Thackeray
A. H. THACKERAY,
Lt. Colonel,
for Chief Legal Officer.

Encloe. : 1 list dated 5 July 44
1 list No. 18831, dated 5 July 44.

*By Secretary
no copies of
lists sent*

COMUNICAZIONE E DISPOSIZIONI
 RELATIVE A MAGISTRATI DEL DISTRETTO AMMINISTRATIVO
 DAL GOVERNO MILITARE ALLEATO

6463
 Milano 5 luglio 1944

COGNOME E NOME	GRADO	PROPOSTA DI TRASFERIMENTO	MOTIVAZIONE	NOTE
SARINELLI Armando Reg. 1	Procuratore con funzioni di giudice temporaneamente distaccato al Ministero di Grazia e Giustizia.	Trasferimento al Tribunale di Milano-Vigata Vetere.	Intesa dello Interesato.	
MAIOLI Giovanni Reg. 1	Procuratore con funzioni di giudice temporaneamente distaccato al Ministero di Grazia e Giustizia.	Trasferimento al Tribunale di Napoli.	Intesa dello Interesato.	

DEL MINISTRO

Flu

MINISTERO DI GRAZIA E GIUSTIZIA
Ufficio superiore del Personale

18831
prot. n.

Alle Commissioni Alleate di Controllo
Sotto commissione legale
Salerno

Richieste di consenso per movimento di funzionari di cancelleria .			Annotazioni	
Cognome e nome	Situazione	Variazione		
MIRABELLA Vincenzo	1.° Cancelliere alla Pretura di Isernia, applicato al Ministero di Grazia e Giustizia .	Trasferimento al Tribunale di Napoli	Per esigenze di servizio, non essendo lo organico al completo,	
PETRORE Renato	Segretario alla Procura del Re presso il Tribunale di Cassazione, applicato al Ministero di Grazia e Giustizia .	Trasferimento al Tribunale di Napoli	idem	
LAMANDA Nicola	Vol. di cancelleria alla Corte d'Appello di Genova, applicato al Ministero di Grazia e Giustizia .	Trasferimento al Tribunale di Napoli .	idem	
LILIANO Francesco	Vol. di cancelleria alla Pretura di Portofino, applicato al Ministero di Grazia e Giustizia .	Trasferimento al Tribunale di Napoli .	idem	
GIACOMINI Eli	Cancelliere al Tribunale di Torino, applicato al Ministero di Grazia e Giustizia .	Trasferimento alla Pretura di Cicciano	idem	
GIACOMINI Sebastiano	Cancelliere del Tribunale di Valletta, applicato al Ministero di Grazia e Giustizia .	Trasferimento al Tribunale di S. Maria C.V.	idem	
AMILIO Domenico	Cancelliere al Tribunale di Bologna, applicato al Ministero di Grazia e Giustizia .	Trasferimento al Tribunale di S. Maria C.V.	idem	
AGNONE Ciriaco	Cancelliere al Tribunale di Milano, applicato al Ministero di Grazia e Giustizia .	Trasferimento al Tribunale di S. Maria C.V.	idem	

MIRABELLA
Leopoldo

cancelliere alla Pre-
tura di Rovigo, appli-
cato al Ministero di
Grazia e Giustizia.

applicato alla Pre-
tura di Rozzucchi

idem come prima

CANTORA Rosario

volontario di cancel-
leria alla Pretura
di Torino, applicato
al Ministero di Gra-
zia e Giustizia.

applicato al Tribu-
nale di Napoli.

idem

CANTORA Fran-
cesco Saverio

cancelliere alla Pre-
tura di Isola, appli-
cato al Ministero di
Grazia e Giustizia

applicato alla Pre-
tura di Napoli.

idem

Salerno, li. 5 luglio 44

per il M I S I A P R O

Ros.

ALLIED CONTROL COMMISSION - INCOMING

MESSAGE /hft

SVC/RELAY NO.

M/C NO :

CLASS: NOT GIVEN

REF NO: ADV 253

PREC : PRIORITY

FILED : JUL 05NFT

FROM : ACC ADV

REC'D : JUL 050900B

TO : ACC REAR

via teletype



Azariti refuses nomination Procurement Generale Cassation because fears attacks from press as late president of Racial Committee though he acted there with all possible leniency. Cipolla appears to be the only other choice possible.

DISTRIBUTION:

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LEGAL SUBCOMMISSION	
CLO	
DCLO	
CHIEF COUNSEL	
CJO	
INFORMATION SECTION	
CLERKS	

38

1/13
*Formerly assigned to Costa & Carrington
 to handle cases for Procurement
 from 1945 to 1948. Prof. for to
 Aug.*

ACTION

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

ART/ap

ACC/4039/L

6 July 44

SUBJECT : Notaries VIGNOLA
and SOLIMENE

TO : Regional Legal Officer (thru RC) Region 3
(attention officer i/c Italian Courts).

1. The above named notaries, the first mentioned with seat at Casalnuovo and the second at Naples, with the consent of the Notarial Council, have applied for one year's and 6 month's leave of absence respectively. The Ministry concurs.

2. Will you please signify consent or otherwise to these applications.

A. R. THACKRAH,
Lt. Colonel,
for, Chief Legal Officer.



Salerno,

3 LUG. 1944

194

MINISTERO DI GRAZIA E GIUSTIZIA

~~UFFICIO DIREZIONE DEL PERSONALE~~
~~DIREZIONE GENERALE~~
A ON/LE COMMISSIONE
ALLEATA DI CONTROLLO -
SOTTOCOMMISSIONE LEGALE

P.M. 394

Direz. Gen. Aff. Civ. e Not.

Ufficio

Prot. N.

22761-22768

Risposta al foglio del

Div.

Sez.

N.

OGGETTO Richiesta assenso.-

I notai Vignola Gioacchino della sede di Casalmuovo di Napoli e Solimene Francesco della sede di Napoli, pel tramite del Consiglio Notarile, che ha espresso parere favorevole in merito, hanno chiesto un permesso di assenso a questo Ministero, il primo per la durata di un anno ed il secondo per la durata di sei sei.

Poichè i suddetti notai si trovano in sedi non ancora restituite all'Amministrazione del Governo Italiano, si prega codesta, On/le Commissione di dare, se crede, l'assenso per tale concessione di permesso.

IL DIRETTORE GENERALE

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

ART/ap

ACC/4039/L

6 July 44

SUBJECT : Notary PICCINNI
Transfer to Eboli.

TO : Regional Legal Officer (thru RC) Region 5

1. The Minister of Justice has applied for permission to transfer the a/n Notary from his present seat at St. Martino in Pensilis (Campobasso) to Eboli (Salerno).

2. Will you please signify your consent or otherwise to such transfer.

Q. Q.
A. R. THACKRAH,
Lt. Colonel,
for Chief Legal Officer.


 Salerno ^{643B} 4 luglio 1944

MINISTERO DI GRAZIA E GIUSTIZIA

UFFICIO SUPERIORE DEL PERSONALE
E DEGLI AFFARI GENERALI

Direz. Gen. Aff. Civ. e Not.

Ufficio

Prot. N.

22965

All. On.

COMMISSIONE ALLEATA di
CONTROLLO

SOTTOCOMMISSIONE LEGALE

Risposta al foglio del P.M. 394

Div. Sez. N.

OGGETTO: Richiesta di assenso.

Dovendo questo Ministero procedere al trasferimento del Dr. Piccini Felice dalla sede notarile di S. Martino in Pensilis (Campobasso), situata in territorio non ancora restituito all'Amministrazione del Governo Italiano, alla sede notarile di Eboli (Salerno), si prega codesto On. Commissione di volersi compiacere dare l'assenso per detto trasferimento.

P. IL MINISTRO

ART/da

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 396

REFERENCE : ACC/4039/L.

6 July 44

SUBJECT : Notarial Vacancy, Dr. TRIOLA Antonio.

TO : ALO(thru RC) Region 3.
(Attn. Officer i/c Italian Courts).

1. Subject to your approval the Minister of Justice has agreed to the proposed transfer of the above-named Notary, originally at Portoferraio (Livorno), to a vacancy in Naples.

2. The original application is stated to be already in the hands of the Notarial Council at Naples.

ay
A. R. THACKERAN,
Lt. Colonel,
for Chief Legal Officer.



MINISTERO DI GRAZIA E GIUSTIZIA

UFFICIO SUPERIORE DEL PERSONALE

E DEGLI AFFARI GENERALI

Direz. Gen. Aff. Civ. e Not.

Ufficio

Prot. N.

Salerne, 1 LUG. 1944

All'On/le Commissione
Allegata di Controllo-Sotto-
commissione Legale

P.M. 394

Risposta al foglio del

Div. Sez. N.

e p.c. Al Consiglio Notarile del
Distretto di~~OGGETTO:~~N A P O L IO G G E T T O: Trasferimento notaio Dott. Triola
Antonio fu Guglielmo.-

In data 28 giugno c.m. questo Ministero ha con-
cesso il nulla osta al Dott. Triola Antonio fu
Guglielmo, domiciliato a Napoli alla Via Portalba
19, notaio in Portoferraio (Livorno) per il suo tra-
sferimento in uno dei posti vacanti della città
di Napoli.-

Si prega codesta On/le Commissione di volersi
compiacere, dopo il favorevole accoglimento della
istanza dell'interessato, darne sollecita comunica-
zione a questo Ministero.-

IL MINISTRO

32

*L'originale per il Consiglio Notarile di Napoli
è stato consegnato a mano.*

ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 334

ACT/PA

file
REFERENCE : AGC/403/L.

July 44. *6417*

SUBJECT : Transfer of Notary APICELLA to Rome.

TO : RLO (thru RG) Rome Region.

1. The Minister of Justice has applied to this sub-Commission for permission for the above-named Notary to resume his official functions in Rome, Via del Tritone No. 53. He is at present resident at Cava dei Tirreni (Salerno Province).

2. If there is no objection to his return the necessary permits will be issued to him.

al
A. R. THACKERAY,
Lt. Colonel,
For Chief Legal Officer.

0518



MINISTERO DI GRAZIA E GIUSTIZIA

~~UFFICIO SUPERIORE DEL PERSONALE~~
~~DIREZIONE AFFARI GENERALI~~

Direz. Gen. Aff. civ. e Not.

Ufficio

Prot. N.

22786

4339 6418
Salerno, - 5 LUG 1944

A ON/LE COMMISSIONE
ALLEATA DI CONTROLLO-SOT-
TOCOMMISSIONE LEGALE

P.M. 394

Risposta al foglio del

Div. Sez. N.

OGGETTO: Richiesta autorizzazione trasferimento.

Si prega codesta On/le Commissione di vo-
ler concedere l'autorizzazione al notaio Dr.
Apicella Ferdinando, attualmente residente in
Cava dei Tirreni, di rientrare nella sede di
Roma, via del Tritone, 55, ove egli è titolare.

IL MINISTRO

39

REAR HEADQUARTERS AS
 MILITARY CONTROL COMMISSION
 LEGAL SUB-COMMISSION
 APC 394

/09

6008

REFERENCE : ACC/ 4039/L.
 SUBJECT : Movement of officials.
 TO : RLO (thru RC) Region 2.

5 July 44

1. Kindly take the necessary steps to make effective the movement proposed in the enclosed note of the Ministry of Justice No.18375 of 1st July 1944.

Q
 A. R. THACKERAY,
 Lt. Colonel,
 for Chief Legal Officer.

29

REAR HEADQUARTERS

Prot.n. 18,43

Alla Commissione Alleata di Controllo
Sottocommissione legaleSalerno

Richiesta di consenso per trasferimento.

Cognome e nome	Posizione	Variazione	Annotazioni
TROBACCIA Francesco	Ufficiale giudice ziario della Pre- tura di Tolosa, at- tualmente appli- cato alla Pretu- ra di Portici.	alla Pretura di Morano.	A domanda, per motivi di famiglia.

Salerno, 11.1.1944.

per il MINISTRO.

RUSSIAN HEADQUARTERS
ARMED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 391.

5 July 1944.

REFERENCE : ACC/1039/L.

SUBJECT : Movement of Officials.

TO : RLC (thru R.C.), Region 3.

... Kindly take the necessary steps to make effective the movements proposed in the enclosed notes of the Ministry No.20552 of 1 July 1944 and Nos.18574 and 18579 of 3 July 1944.

/wavy.

27

Ref
A. R. TILLYMAN, Lt. Col.,
for Chief Legal Officer.

Prot. n. 18899/c/956

Alia Commissione A. data di Controllo
Sottocommissione legale
Salerno

Richiesta di consenso per trasferimento.

Cognome e nome	Posizione	Variazione	Annotazioni
BOMBO Ciro	1° cancelliere al Tribunale di Salerno	alla Pr. d. R. di Avellino	Per essere ospitato presso parenti, avendo avuto la propria abitazione distrutta da bombardamento aereo.

Salerno, li. 3 luglio 45.

per il MINISTRO

ALLA COMMISSIONE ALIBATA DI CONTROLLO
Sottocommissione Legale
SALERNO

6396
20552.P.10

1-7-44

COGNOME E NOME	POSIZIONE	VARIATIONE	ANNOTAZIONI
FERRARA dott. Fran- cesco	Uditore giudiziale rio tribunale Na- poli	Uditore vice pro tore Napoli	Si modifica, per esigen- ze di servizio, il pre- cedente movimento con il quale il dott. Fer- rara era destinato al tribunale di Foggia.

Salerno, 11 10 luglio 1944

Per il MINISTRO

[Signature]

pret. n. 18571 / 1156 **Alla Commissione Allcata di Controllo**
Sottocommissione legale
Salerno

Richiesta di consenso per trasferimento .

Cognome e nome	Posizione	Variazione	Annotazioni
FORNATO Cirino	cancelliere al Tribunale di Ariano Irpino, ove non ha assunto possesso.	alla R. Pretura di Benevento .	Trasferimento da effettuarsi per ragioni di servizio .

Salerno, 11. 3 luglio 44

per il MINISTRO

M. M. M.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

/pa
638A

REFERENCE : AGC/4039/L.

5 July 44

SUBJECT : Transfer of Dott. NARDI Mario.

TO : H.E. The Minister of Pardon and Justice.

1. This is to inform Your Excellency that the transfer of the above proposed in your Prot. No. 22188 of 6 June 44 has been approved.

ay
A. R. THACKER,
Lt. Colonel,
For Chief Legal Officer.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394.

5 July 1944.

REFERENCE : ACC/1039/1.

SUBJECT : Proposed transfer of PEMICO Mario,
ufficiale giudiziario to the Pretura NANTES.

TO : H.E. The Minister of Pardon and Justice.

1. Reference is made to Ministry's List No. 13129 of 27 Jun 1944.
2. The Procureure Generale has advised that at present there is no vacancy for the above mentioned ufficiale giudiziario in the Pretura of Naples.

22

/now.

cy
A. D. TUCERAN,
Lt. Col.
For Chief Legal Officer.

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
APO 394, U.S. ARMY

Naples, Italy
3 July 1944

4039
MCH/LC
SUBJECT : Proposed transfer of PERSICO Mario,
ufficiale giudiziario to the Pretura Naples,
TO : C. I. C., Legal Subcommittee, Rear Headquarters
Allied Control Commission, SALERNO (Attention
Lt. - Col. THACKER). (636A)

1. Reference is made to your letter of 29 June 1944,
ACC/4039/L with list pret. No. 18129 attached thereto.

2. The Procuratore Generale has advised that at
present there is no vacancy for the a/m ufficiale giudiziario
in the Pretura of Naples.

M. C. Holt

M. C. HOLT Major
Officer i/c. Italian Courts
A. C. C. REGION III

References

21

8/613A

8/613D

REAR HEADQUARTERS
LIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

/pa

635A

REFERENCE : ACC/4039/L. 5 July 44
SUBJECT : Transfer of Dott. Monica Achille and Reale Alfonso.
TO : H.E. The Minister of Pardon and Justice.

1. This is to inform your Excellency that the transfers of the above proposed in your Prot. No. 22920-22470 of 16 June 44 are approved.

20

Def
A. R. THACKERAY,
Lt. Colonel,
for Chief Legal Officer.

4939
✓
MCH/25HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
APO 394, U.S. ARMYNaples, Italy
3 July 1944SUBJECT: Transfer of Dott. NARDI Mario, MONICA
Achille, and REALE Alfonso.TO : C. I. C., Legal Subcommittee, Rear Headquarters
Allied Control Commission, SALERNO (Attention
Lt. - Col. THACKERAN).1. Reference is made to your letter of 30 June 1944,
ACC/4039/L.2. The a/a transfers have all been authorized by
the Regional Commissioner.

Dott. NARDI on 19 June 1944.

MONICA, and REALE on 26 June 1944

*M. C. Stett*M.C. COLT Major
Officer i/c. Italian Courts
A. C. C. REGION III.NARDI { 7/470
7/480
8/625

19

MONICA { 8/534
9
REALE { 8/555

ALLIED CONTROL COMMISSION
SALERNO PROVINCE
LEGAL OFFICE

4 July 1944

Ref. : ACC/4039/L

Subject: Judicial Personnel, Tribunale, Preture Salerno Province.

To : Legal Sub-Commission, H.Q. A.C.C.

1. Returned herewith are 3 lists of judicial personnel, which lists I have studied carefully.

2. I shall keep the Legal Sub-Commission advised on the progress of the action promise by the Ministri.

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

CCB/ga

18 Incl.

Carl C. Banno
 1st. Lt. A.C.
 Provincial Legal Officer
 Salerno Province

4039

633b

PRINCIPALI DI ALFALFA

PRINCIPALI (11)

1 - ANTONIO VINCENZO

PRINCIPALI DI ALFALFA (11)

1 - TACCHETTI ALFREDO

2 - BIGNARDI PIETRO

3 - VIOLO CARMELO

GIULIO (22)

1 - VILLANI GIULIO

2 - MARTINELLI NARCO

3 - CANTILLO CRESCA

4 - BONACCI GIUSEPPE

5 - GIAMINI ALESSANDRO

6 - SICA ROSSO

7 - GALLIANI GIUSEPPE

8 - AMATO STEFANO

9 - CASCIANO VITTORIO

10 - FERRUZZI GERVASIO

PRINCIPALI

11 - VERDELLA GIULIO

Destinati con decreto in corso

17

12 - VALERIO ALFONSO

13 - CARUSO FRANCESCO

14 - DE VENTIS VINCENZO

15 - GIORDANO GIANFRANCO

PRINCIPALI

16 - COLOMBO FRANCESCO

17 - SANSONE CARLO

18 - DI MAURO VINCENZO

19 - TAVELLI ALESSANDRO

in territorio occupato (Trieste)

in territorio occupato (Roma)

militare

a disposizione dell'Alto Commissariato per
la gestione dei delitti del fascismo

idem

Presidenza del Consiglio (5)

- 1 - VASQUAGLIA Miriam
- 2 - VIGANZI Egidio
- 3 - VIGILIO Ubaldo

Ministero (21)

- 1 - VILLANI Giuseppe
- 2 - VINCIGUERRA Mario
- 3 - CASTELLO Cesare
- 4 - SCHACCI Giuseppe
- 5 - GIANNINI Alessandro
- 6 - LA Roccia
- 7 - GALLIANI Giuseppe
- 8 - AMATO Stanislao
- 9 - ORSOLINO Vittorio
- 10 - FERRUZZIINO Gerardo

Provincia di Milano

- 11 - VERDEROSA Guido

Destinazioni con decreto in corso

17

- 12 - VALLINATA Alfonso
- 13 - CARUSIO Francesco
- 14 - DE BEVEPIRE Vincenzo
- 15 - GIORDANO Giovanni

assenti

- 16 - COLOSTINO Francesco in territorio occupato (Milano)
- 17 - SANSONE Carlo in territorio occupato (Roma)
- 18 - DI LAURO Vincenzo Militare

- 19 - PAMBILLI Alessandro a disposizione dell'Alto Commissariato per la punizione dei delitti nel fascismo
- 20 - LOVERVEDA Antonio idem

posti vacanti

- 21 - MINICCI, Indica... in corso il trasferimento dal Tribunale di Milano

1
PROCURA DEL RE

Blanc

(4338)

PROCURATORE DEL RE (1)

1 - TERRACCIANO Raffaele

Sostituti Procuratori del Re (5)

- 1 - BRUGNOTI Egidio
- 2 - GADDA Giov. Battista
- 3 - PUTANERO Federico
- 4 - ALFIERO Tommaso
- 5 - DE VANDI Gaspare

S I T U A Z I O N E D E L L E R E T U R E

Circondario Tribunale di Salerno

PRETURE	ORGANICO	TITOLARE	POSIZIONE	ANNOTAZIONE
AMALFI	1 Pretore	CUSTO Ignazio	-	-
BUCCINO	1 Pretore	LEONE Guido seppe	-	-
CAMEROTA	1 Pretore	ALBANO Leonardo	Applicato tribunale Frosinone	Con provvedimento in corso vi è destinato al dr. VOSA Salvatore - Uditore giudiziario R. Procura Napoli.
CAPACCIO	1 Pretore	-	-	Vi è applicato saltuariamente il pretore di Montecorvino Rovella DE CATALDIS Orazio
CASTELLABATE	1 Pretore	-	-	Con provvedimento in corso vi è destinato il Dr. CAVALLIERE Raffaele - Uditore giudiziario tribunale S. Maria C.V.
CAVA dei TIRRENI	1 Primo Pretore	FUTATURO Guido seppe	-	-
CEBOLI 13	1 Pretore	TANGARI Vittorio	In servizio militare	Vi è applicato saltuariamente il Pretore di Salerno dr. LIGNOLA Ferdinando
GIOMICILENTO	1 Pretore	GIOMI Sallustio	-	-
LAURINO	1 Pretore	-	-	Con provvedimento in corso vi è destinato l'uditore del Tribunale di Napoli DI MARTINO Guido.
LAVIANO	1 Pretore	MACCHIARELLI Luigi	Applicato tribunale Brescia	Con provvedimento in corso vi è destinato l'uditore del tribunale

AMALFI	1 Pretore	CUSTO Ignazio	-	-	Con provvedimento in corso vi è destinato il dr. VOSA Salvatore - Uditore giudiziario R. Procura Napoli.
BUCCINO	1 Pretore	LEONE Giuseppe	-	-	Vi è applicato saltuariamente il pretore di Montecorvino Rovella DE CALDIS Crazio
CAMEROTA	1 Pretore	ALBANO Leonida	Applicato tribunale Frosinone	-	Con provvedimento in corso vi è destinato il Dr. CAVALLIERE Raffaele - Uditore giudiziario tribunale S. Maria C.V.
CAPACCIO	1 Pretore	-	-	-	Vi è applicato saltuariamente il pretore di Montecorvino Rovella DE CALDIS Crazio
CASTELLABATE	1 Pretore	-	-	-	Con provvedimento in corso vi è destinato il Dr. CAVALLIERE Raffaele - Uditore giudiziario tribunale S. Maria C.V.
CAVA dei TIRRENI	1 Primo Pretore	PUTATURO Giuseppe	-	-	Vi è applicato saltuariamente il pretore di Salerno dr. LIGNOLA Ferdinando
CEBOLI 15	1 Pretore	TANGARI Vittorio	In servizio militare	-	Con provvedimento in corso vi è destinato l'uditore del tribunale di Napoli DI MARTINO Guido.
GIULICILENTO	1 Pretore	CIORPI Saverio	-	-	Con provvedimento in corso vi è destinato l'uditore del tribunale di Napoli PALERMO Domenico.
LAURINO	1 Pretore	-	-	-	Con provvedimento in corso vi è destinato l'uditore del tribunale di Napoli PALERMO Domenico.
LAVIANO	1 Pretore	MACCHIELLI Luigi	Applicato tribunale Brescia	-	Con provvedimento in corso vi è destinato l'uditore del tribunale di Napoli PALERMO Domenico.

:/:

PRETURE	ORGANICO	TITOLARE	POSIZIONE	ANNOVAZIONE
MONTESCORVINO RO VELLA	1 Pretore	DE CATALDIS Orazio	-	-
NOCERA INTERIORE	1 Primo Pretore	-	-	-
	2 Pretori	VERDEROSA Guido	-	-
		LIPILLIO Sa- verio	Non ha ancora preso posses- so	-
	2 Uditori V. Pretori	FONTI Amedeo	Vice pretore onorario no- minato udito- re V. Pretore con provvedi- mento dell'A. M.G.O.T. 22/ 10/1943	-
FISCIOTTA	1 Pretore	-	-	-
POSTIGLIONE	1 Pretore	LUONGO Al- fonso	-	-
ROCCADASPIDE	1 Pretore	SANTOMAURO Amleto	-	-
SALERNO	1 Primo Pre- tore	MANCINI Rug- gero	-	-
	3 Pretori	MANDACCIO Giorgio	-	-
		LIGNOLA Fer- dinando	-	-
		SERVINO Pie- tro	-	-
	2 Uditori V. Pretori	-	-	-

*Applicato al Tribunale di
Salerno. Si sta provvedendo
alla sostituzione.*

*Vi è il vice pretore
onorario Marsicano
Pietro*

*Con provvedimento in
corso vi è destinato
l'uditor del tribuna-
le di Salerno Dr. CIN-
QUE GIUSEPPE*

七

Con provvedimento in corso vi è destinato l'auditore del tribunale di Salerno Dr. CINQUE Giuseppe

PRETURA	ORGANICO	TITOLARE	POSIZIONE	ANNOTAZIONE
SAN SEVERINO RO- TA	1 Pretore	LIGNOLA Enzo	-	-
S. ANGELO A FA- SANELLA	1 Pretore	CAMMARANO Ari- stide	-	-
SAPRI	1 Pretore	POTTA Vincenzo	-	-
SARNO	1 Pretore	DE LISE Paolo	-	-
MORCHIARA	1 Pretore	SILVESTRI Cor- rado	-	-
VALLO della LUCA, NIA	1 Pretore	MAZZARELLA Giovanni	-	-

DEAR HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Subcommittee
APO 594

ART/gf

ADC/1059/L

4 Jul 44

SUBJECT: Transfer of Mr. Saravetti.

TO : H.E. Minister of Justice (Off. Sup. Pers.).

1. Referring to the Ministry's proposed transfer of the a/n magistrate dated 22 June 44 to the post of Sostituto Procuratore Generale at Potenza, it is now advised that this appointment is much approved.

2. It is requested by the Legal Officer in this Region that as the Melfi district is so remote, a reliable and energetic magistrate be likewise appointed to the seat of this Tribunale as Procuratore del Regno.

3. Will Your Excellency please give this matter your early consideration and advise.

See
A. R. THACKER, Lt. Col.
for Chief Legal Officer.

4039
HEADQUARTERS
ALLIED CONTROL COMMISSION
REGION 2

2537
631A

REF: 2201/70/J

2.7.44

SUBJECT : Transfer of ZANNOTTI Attilio.

TO : C.I.C., Legal Subcommittee, ACC, Salerno.

1. Ref. ACC/4039/L of 27.6.44, the transfer of the above official to be Sostituto Procuratore Generale at Potenza is much approved by this HQ.

2. Since however, Melfi is out of the way, and will now seldom if ever be visited by ACC personnel, may representations be made of a reliable and energetic official to be Procuratore del Re there.

DESC/mk

11



D.E.S. COUSINS Lt. Col.
R.I.C.,
REGION 2.

References

8/584A

8/598A

8/608A, B

REAR HEADQUARTERS
MILITARY CONTROL COMMISSION
Legal Subcommittee
APO 594

6308
ART/gmr

File
ACC/4039/L

4 Jul 44

SUBJECT: Capture of Circondario of Cassino.

TO : H.E. Minister of Justice.

1. Attached for Your Excellency's perusal and return is a copy of a report on the above from the Legal Officer of Frosinone Province.
2. From this it will be seen that new Pretori are urgently required to fill the vacancies at Atina and Alivito.
3. With regard to Cassino and Pontecorvo, in view of the fact that these two towns are virtually destroyed, the question arises as to whether there is any point in making new appointments at this juncture. An alternative possibility would be to nominate one magistrate to cover the whole district, but then the difficulty would be one of transport to enable the appointee to cover the area.
4. Would Your Excellency please consider the situation and advise this Subcommittee as soon as possible as to the best means to be taken to meet this difficulty.

Rep

A. R. THACKERAY, Lt. Col.
for Chief Legal Officer.

19

1 Enclosure.

403 ✓
HEADQUARTERS REGION IV
Allied Control Commission
APO 394

Col G. G. Johnson

(33)

629A

TO : Officer i/c Italian Courts, Legal Sub-Commission,
A.C.C. HQ. att. Lt. Col. Hannaford.
FROM : Regional Legal Officer, Region IV.
SUBJECT: Preture of Circondario di Cassino.
REF : R4/LE/Fros./C/03.
DATE : 30 June 1944.

1. Attached copy letter from Provincial Legal Officer, Frosinone Province, is forwarded for your information.
2. It appears to me that new pretori are urgently required for Atina and Alvito, and I therefore request that you take this matter up with the Ministry of Justice.
3. With regard to Cassino and Pontecorvo, in view of the fact that these two towns are virtually destroyed, the question arises whether there is any point in making fresh appointments at the present juncture. An alternative possibility would be to make one appointment to cover the whole of this district--but the difficulty in such case would be one of transport to enable the appointee to cover the area. Perhaps you will discuss this matter also with the Ministry and let me have your instructions.

H. G. Wickner

Colonel,
Regional Legal Officer, Region IV.

Request
Ministry
to action
S.S.H.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

EE/gmf

6288

AGC/1039/L

2 Jul 44

SUBJECT: Transfer of Officials (PITTA, GALLO, SANTANTONIO).

To: : RAO (then RO) Region 3

Would you kindly take the necessary steps to put into effect
the movements proposed by the Ministry in the enclosed Memo of 28 Jun 44 (2)
and 1 Jul 44 (1).

WBF
A. L. MACHIRAN, Lt. Col.
for Chief Legal Officer.

20298.1 II
28.6.44

ALLA COMMISSIONE ALLEA. DI CONTROLLO
(Sottocommissione Legale)

SALERNO

628B

COGNOME E NOME	POSIZIONE	VARIATIONE	ANNOTAZIONI
MIRIO dott. Armando	Ufficiale giudiziario tribunale Avellino	Ufficiale vice-pretura alla Pretura di Avellino	si modifica, per esigenze di servizio il precedente movimento, con il quale il dott. G. le era destinato alla pretura di Galitri.

Salerno, 14 28 giugno 1944

Per il MINISTRO

[Handwritten signature]

prot.n. 18367

Alla Commissione A7 rete di Controllo
Sottocommissione legale
Salerno

628C

Richiesta di consenso per trasferimento .

Cognome e nome	Posizione	Variazione	Annotazioni
PITTA Lorenzo	ufficiale giudiziario della Pretura di S. Anastasia (Napoli)	alla Pretura di Napoli	A domanda dell'interessato, che è ex combattente, annogliato, con 30 anni di anzianità di servizio .
Salerno, 11.1.1944.			

6

per il MINISTRO



20300.P.III
28.6.44

ALTA COMMISSIONE ARLEATA DI CONTROLLO
(Sottocommissione Legale)

SALERNO

COGNOME E NOME	POSIZIONE	VARIANTE	ANNOTAZIONI
SANTANIELLO dott. Luigi	Editore giudiziario tribunale Avellino.	Editore vice-presidente nel mandamento di Calitri (S. Angelo dei Lombardi)	Si modifica, per esigenze di servizio, il precedente movimento con il quale il dott. Santaniello era destinato alla Pretura di Avellino.
Salerno, 11 28 giugno 1944			
5			
FEL MINISTRO			

[Handwritten signature]

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

ES/gmf

(627A)

ACC/4039/L

2 Jul 44

SUBJECT: Transfer of DE SANTIS Francesco.

TO : RHO (thru HC) Region 3 (att. officer i/o Italian Courts).

1. This Subcommittee has relayed to the Ministry the objections of the Procuratore Generale against the above transfer set out in your letter of 22 June 1944. Enclosed a copy of Ministry's reply. Please communicate to this Subcommittee your decision in this matter.

4

W/S
A. R. THACHERAH, Lt. Col.
for Chief Legal Officer.



1 29.6.1941 627B

MINISTERO DI GRAZIA E GIUSTIZIA
SEGRETERIA PARTICOLARE DI S. E. IL MINISTRO
GUARDASIGILLI

ALLA S. E. IL MINISTRO

Ufficio

Prot. N. 107/11

Risposte al foglio del 22.6.1941

Div. Sez. N. 107/11

Oggetto: Dr. DA CARO FRANCESCO

Con riferimento alla nota ministeriale in data 12.6.41 al Dr. DA CARO FRANCESCO, aggiunto al ruolo con le funzioni di sostituto Procuratore del Re presso il Tribunale di Meli, che dal 1.1.43 è applicato alla Procura del Re presso il Tribunale di A. Angelo del Lombardi. Per tale motivo il suo trasferimento non pregiudicherebbe la situazione della Procura di Meli alla quale questo Ministero si riserva di provvedere al più presto destinando altro procuratore del Re al R. G. di Meli.

Referenza 3
8/584
8/598

per il M. I. S. E. R. O.

[Handwritten signature]

NEAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ES/P

(626A)

REFERENCE : ACE/4039/L.

1st July 44

SUBJECT : Transfer of officials.

TO : H.A. The Minister of Pardon and Justice.

1. Reference is made to Ministry's list of proposed transfers No. 18000 of 2 June 1944.

2. Enclosed herewith a letter of the President of the Tribunale di Foggia objecting against the transfer of judge DE VIVO Mario to this Tribunale.

3. ^{agree} The Regional Legal Officer points out that should the Ministry ~~submit~~ to the representations of the Presidente, DE VIVO could be assigned to some other court within Region 5.

4. May this Sub-Commission please be informed of the decision in this matter.

2

WPS
A. R. THACKERAY,
Lt. Col.,
for Chief Legal Officer.

Enclos. 1 letter.

4039 30 JUN 1944 7733
To. CLO. Rear HQ Acc. /
From. HQ Region 5 AMG.
Subject. Italian Judicial Officials
Ref. RS/Su/12. 27 June 1944
(6278)

1. Reference your Acc/4039/L of 16 June 1944 and the Ministry's List No. 18000, which included the transfer of DE VITO Mario to Foggia Tribunale, there is enclosed herewith a letter of objection from the President of the Tribunale.
2. I know nothing of the incident referred to, but if it is decided that DE VITO should not go to Foggia I have no doubt that I can find other use for him.

I For the Regional Commission

Telephone 103.

W. Scherzer
Colonel
R.H.O.

