

ACC

10000/142/343
(VOL. 13)

APPOINTMENTS, PROMOTIONS,
SEPT., OCT. 1944

10000/142/343
(VOL. 13)

APPOINTMENTS, PROMOTIONS, TRANSFERS, ETC., JUDICIAL PERSONNEL
SEPT., OCT. 1944

1010

FILE CLOSED - SEE VOLUME 14

141

10224

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

ACC/4039/L.

ES/ap.

20 October 1944.

SUBJECT : Detached Section Court of Appeal, Lucera.

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

1. This is to confirm today's telephone conversation with Dott. Bonelli on the above subject.

2. It is regretted that when finally and after innumerable interventions the decree continuing the legal existence of the above Court was published the personnel situation at Lucera appears to be such as not to permit the Court to sit.

3. Enclosed a copy of an extract from the report of the competent legal officer which it is hoped might serve as a basis for the speedy remedy of the situation.

140

ce
A. R. THACKRAH,
Lt. Colonel,
Italian Branch,
for Chief Legal Advisor.

1 Encl.

HEADQUARTERS
SOUTHERN REGION, ALLIED CONTROL COMMISSION
LEGAL DIVISION
APO 394, U. S. ARMY

1021A

L-5000
N. 189 Prot. 17 October 1944
SUBJECT: Detatched Section Court of Appeal, Lucera.
TO : Legal Sub-Commission, HQ, ACC.

1. A recent visit to Lucera and Foggia Zone of Southern Region, reveals that the detatched section Court of Appeal, Lucera, cannot begin functioning because it does not have a sufficient number of magistrates to compose the Court.
2. In order to constitute a proper Court a President and four Consiglieri are necessary. At present, there are three Consiglieri only. The President Chieffo Raffaele, we understand is in Rome and suspended from his position and, therefore, cannot sit with the Court.
3. We are advised that under Italian law the senior Consiglieri may be appointed acting President and that 1 Tribunale judge may be appointed acting Consigliere. Two judges may not be taken from other sources such as the Tribunale; Hence it is necessary that at least a President or a Consigliere be appointed by the Ministry of Justice in order that a full Court of Appeal may be had in Lucera.
4. Approximately 350 cases are waiting for a hearing before said Court. Accordingly your advice and action is respectfully requested.

For LT. Col. L.F. DAWSON, R.C.L.O.:

CCB/ea

LEGAL SUB-COMMISSION
CLO
D.O.
Chief Counsel
CJO
Italian Section
CL RKS
20 OCT 1944

Carl C. Bannò
Carl C. Bannò
1st. Lt. A.C.
Officer i/c Italian Courts

In the absence of Lt. Dawson, I informed the President of the Court, regarding for any emergency action.
20/10/44 *[Signature]*

DP. A. DE VITO - NAPOLI


 1020A
 Roma 19-10-44
 Ministero di Giustizia
 Uff. Sup. Pers.
 Uff. 3° 3163 / 00201
 Pol. A.
 Alla Commissione Alleata di Controllo
 Sottocommissione Legale
 ROMA
 Dispositivo del 4.X.1944
 Dir. Acc. 4039-L.
 OGGETTO: Procuratore Regno di Avezzano

Con riferimento alla nota sopra richiamata, si comunica che, in sostituzione del Procuratore del Regno di Avezzano, Dr. FERRICONE Antonio, destinato a questo Ministero con funzioni amministrative, è stato designato il Procuratore del Regno di Biella, Dr. CAPPELLANO Luigi, attualmente bloccato fuori sede, per il quale è stato chiesto il gradimento di cotesta Commissione Alleata di Controllo. 138

LEG. SUB.COMMISSION	PEL MINISTRO
CLO	
DCLO	
Chief Counsel	
→	✓

W. Mancy

4639

1019A

UNITED STATES COMMISSION
 VIRGINIA REGION HEADQUARTERS
 APC 394

FILE: REC 413.001/10

19 October 1944

SUBJECT: Judicial Appointments - Comm. SANDUCCI.

TO : Legal Sub-Commission - A.C.C. HQ., APC 394.
 (Italian Courts Branch)

1. With further reference to your letter AGO/4039/I of 12.10.44 I have discussed this matter since the return from Rome with Col. JORDAN who informs me that he discussed the position informally with Brigadier WISDOM and Colonel WILDER. As the position is still not quite clear I am taking the liberty of writing you again.

2. As previously pointed out there is of course no objection so far as A.C.C. Region I is concerned to the appointment of the A/M to replace the A/C Appointee CAPPALANI but the latter is taking up a very difficult attitude and causing us considerable trouble as he alleges there is no intention to re-appoint him to a position of the same standing as he holds at present.

3. I have pointed out that his view may be entirely incorrect and he then asked us to obtain an assurance from the Minister.

137. I do not know whether you will consider it proper to take this step but some such assurance would greatly ease what is at the moment a most difficult and unsatisfactory state of affairs.

5. The CAPPALANI aspect of the matter was not dealt with in your letter referred to above.

For the Regional Commissioner:

Ref. 12/891, 12/892, 12/895
 12/907, 12/126, 12/929
 13/942, 13/972A, 13/971
 13/970
 H. K. Matthews

H. K. Matthews, Capt.
 H. K. MATTHEWS, Captain,
 Regional Legal Officer.

22 OCT 1944

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

(1018A)

AGC/4039/L.

/pe.
19 Oct 44.

SUBJECT : Request for transfer of Carlo PENICO, Acting President
of Tribunale of Litteria.

TO : Regional Commissioner, LACIO Region.
(Attention Regional Legal Officer).

1. Reference your Latt/C/03 of 9 September 1944.
2. You will be interested in the reply of the Ministry to the pro-
memoria concerning the above request transmitted with your favourable
recommendation. An extract from the reply is enclosed herewith.

BY COMMAND OF COMPOSITE STAFF

Qep

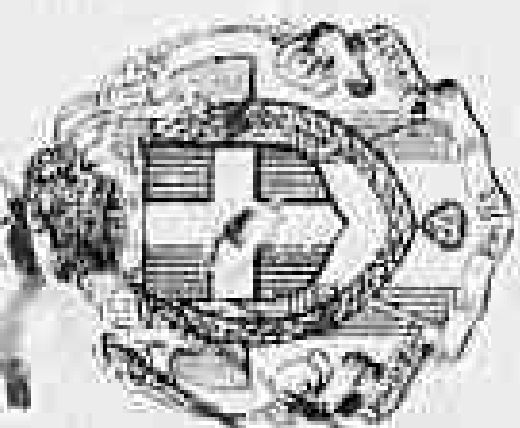
A. R. Thachanh,
Lt. Colonel,
Italian Branch,
for Chief Legal Advisor.

136

1 Incl.

1017A

4039



Ministero di Grazia e Giustizia

UFFICIO SUPERIORE DEL PERSONALE

Ufficio 3°

Prot. n. 2061/2027Roma, 10.10.1924

Alla Sottocommissione Legale
della Commissione Alleata di Con-
trollo

ROMA

OGGETTO: Dott. Carlo FELLICÒ - Giudice del Tribunale di
Littoria.

Si comunica che è stata presa particolare nota del pro-memoria del magistrato in oggetto, trasmesso da codesta Sottocommissione.

In proposito si fa presente che attualmente risultano complessivamente coperti i posti previsti dall'art. 114 dell'ordinamento giudiziario per l'applicazione di magistrati con funzioni del grado superiore; e che, pertanto, non è possibile destinare il Dott. FELLICÒ alla Corte di Appello di Napoli con le funzioni di Consigliere.

Anche al Tribunale di Napoli non vi sono per il momento posti vacanti; ma l'aspirazione del giudice FELLICÒ sarà tenuta in speciale considerazione qualora si verificassero vacanze in quel Tribunale.

PEL MINISTRO

Alfano

10/760

10/765

Ufficio 3°
Prot. n. 2061/0001

Roma, 16.10.1964

Alla Sottocommissione Legale
della Commissione Alleata di con-
trollo

ROMA

OGGETTO: Dott. Carlo FELLICO - Giudice del Tribunale di
Littoria.

Si comunica che è stata presa particolare nota del pro-
moria del magistrato in oggetto, trasmesso da codesta Sotto-
commissione.

In proposito si fa presente che attualmente risultano com-
pletamente coperti i posti previsti dall'art. 114 dell'ordina-
mento giudiziario per l'applicazione di magistrati con funzio-
ni del grado superiore; e che, pertanto, non è possibile de-
stinare il dott. FELLICO alla Corte di Appello di Napoli con
le funzioni di Consigliere.

Anche al Tribunale di Napoli non vi sono per il momento
posti vacanti; ma l'aspirazione del giudice Fellicò sarà te-
nuta in speciale considerazione qualora si verificassero va-
canze in quel Tribunale.

PEL MINISTRO

Alfano

10/760

10/765

11/867

1018

File

1016A

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

ACC/4059/L.

ES/pa.
19 Oct 44.

SUBJECT : Petition of Dott. GRECO Salvatore, Pretore di PALMA
MONTICILIANO (Agrigento), removed by the Ministry of
Justice.

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

1. Enclosed the above petition for your consideration and return please.
2. Could this Sub-Commission please be informed on what ground and under which law Dr. GRECO was removed and what is his present standing so as to be able to advise the petitioner accordingly.

134

Only
A. R. THACKERAY,
Lt. Colonel,
Italian Branch,
or Chief Legal Advisor.

The applicant states
that he was removed
by the division.

May be he was only suspended
pending the decision of the
Suspension Commission.

Has the petition to be sent
to the division for conference?
R.D.S. m. 34 quoted by the applicant has
nothing to do with the case

Legal 1015A

To A.C.C.

GREGO SALVATORE - ~~born~~ PALMA MONTECHIARO (prov. of Agrigento)
 now living like refugee in Pantelleria, ~~where all~~ that has been evacuated
 in 1943. He has lost there all his ~~personal~~ belongings and the pieces
 of furniture in bombardment of the island. After he has gone in PALMA MONTE
 CHIARO waiting for a job in another town, but Allies conquered this part
 of Italy - and he helped by capt. Philippe of American army, and after
 by Lt. Hobbs of English army, has received by Gen. Frank L.M.C. SHANN
 SUBCHIEF for civil affairs of Sicily region - a place in the District of PALMA
 MONTECHIARO. Now Italian Government has ~~put it away~~ of his a false story
 his group because in 1938 he has been a member of fascist DIRECTOR of LICATA.
 Allied ~~know~~ when has given him the place of Judge of the peace, knowing
 perfectly this fact, and however they give him the work. It is wrong
 what Italian Government is doing now with him.

File

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APC 394.

(1014A)

ACC/4039/L.

19 October 1944.

SUBJECT : TESTONI Onofrio, Tribunale of Salerna.

TO : Regional Commissioner, Abruzzi-Marche Region.
(Attention Regional Legal Officer)

1. Reference your R5/511/12/AQ of 27 September 1944 we are informed by the Ministry that the President of Court of Appeal, ROME, was instructed to order TESTONI to proceed to SULMONA immediately.

By Command of Commodore Stone.

See
A. R. THACKER.
Lieutenant-Colonel,
Italian Branch,
for Chief Legal Adviser.

131

ES/wcw.

10/22



*Ministero
di Grazia e Giustizia*
Uff. Sup. del Pers.

Prot. N. 2286/00225

1013A Mod. 1345 MG.
16-10-1944
Alla Commissione Alleanza di Controllo - Sotto-commissione Legale

ROMA

Resposta al f. del 30/9/1944
Da *Per* ACC/4039/

OGGETTO Aggiunto giudiziario TESTONE Onofrio

920

In relazione alla lettera su indicata, si comunica che, in data odierna, è stato interessato S.E. il Primo Presidente della Corte di Appello di Roma perchè il magistrato in oggetto sia invitato a raggiungere nel più breve tempo la sede di Sulmona, essendo stato trasferito a quel Tribunale con decreto del 20 gennaio 1944.

IL DIRETTORE GENERALE
Capo del Personale

Ref.

12/920

Alfano

1023

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
AO 394.

1012A

ACC/4039/L.

SUBJECT : Dott. MILANO Ugo.

19 October 1944.

TO : Regional Commissioner, Abruzzi-Marche Region.
(Attention Regional Legal Officer)

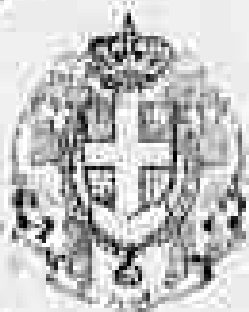
Reference your R5/511/12 of 9 July 1944 and further to our ACC/4039/L of 29 August 1944 the Ministry now advises us that the result of the investigation completed by Royal Carabinieri and the "anagrafe" office is negative. Strange as it may seem, the judge seems to have disappeared. You will be advised as soon as any information is available.

By Command of Commodore Stone.

clp
A. R. THACKRAH.
Lieutenant-Colonel,
Italian Branch,
for Chief Legal Advisor.

129

E/wow.



Ministero
di Grazia e Giustizia
Uff. Sup. del Pers.

Red. N° 5754 / 00226

OGGETTO Dott. MILANO UGO.

Ala Sottocommissione
Alleata di Controllo
Sottocommissione Legale

R O M A

Proposta al f. del 24/7/1944
D. N° 4039/L

832

Sciogliendo la riserva contenuta nella lettera pari numero del 26.8.44, si comunica che S.E. il Procuratore Generale di Bari, interessato di accertare le notizie relative al magistrato indicato in oggetto, ha riferito che le informazioni assunte da quel Comando legione RR.CC. presso i vari Comandi militari e presso l'ufficio anagrafe, hanno dato esito negativo.

128
Ref.
10/720
11/832

PEL MINISTRO

[Signature]

W.L.

HEADQUARTERS
ARMED CONTROL COMMISSION
INTERNAL SUBMISSION
ATO 394

1010A

ACC/4059/L.

GCH/pa.
19 Oct 44.

SUBJECT : Pretore for PANIGEROLA and LAMPEDUSA.

TO : Regional Commissioner, SICILIA Region. (Attn: RIO).

1. With reference to your RLM/013/055/IRM of 14 Oct 44, the Minister of Justice has been requested to take the necessary steps for the appointment of a pretore for PANIGEROLA and LAMPEDUSA and to instruct the Procuratore Generale, Palermo, accordingly.

2. You were perfectly correct in assuming that such designation had to be made by Procuratore Generale.

BY COMMAND OF COMMODORE STONE

127

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

HEADQUARTERS
ARMED CONTROL COMMISSION
LEGAL SUB-COMMISSION
A/C 394

1009A

CCF/pa.
19 Oct 44.

ACC/1009/L.

SUBJECT : Pretori for PANTELLERIA and LAMPEDUSA.
TO : H. S. The Minister for Pardon and Justice.

1. HIS Sicilia Region reports that though the Island of Pantelleria has been for some time without a pretore, the Procuratore Generale at Palermo from whom the judicial personnel of the island depend has taken the view that Pantelleria being AMG territory he has no jurisdiction over it and therefore cannot designate an official for appointment to this post.

2. As the matter is urgent would Your Excellency be good enough to select a suitable pretore for Pantelleria through normal channels in order that he may be appointed by AMG order in accordance with established practice.

3. Could you be good enough to instruct the Procuratore Generale at Palermo to this effect.

126

G. G. HARRINGTON,
Lt. Colonel,
Officer I/c Italian Branch,
for Chief Legal Advisor.

4039
 ALLIED CONTROL COMMISSION
 SICILIA REGION HEADQUARTERS
 APO 394

1008A

File : RLE 013.053/ETM

14 October 1944

SUBJECT : A.M.G. Territory, PANTELLERIA and LAMPEDUSA.

TO : LEGAL SUB-DIVISION (Italian Court Branch) ACC. HQ.

The CAO Pantelleria has informed me that this island has been for some time without a PRETORE and he greatly desires to get one at work there.

This Pretura is normally a dependent of Trapani Tribunale in the Palermo Court of Appeal but the Island is of course still A.M.G. Territory. The same remarks apply to Lampedusa.

I have accordingly discussed the matter today with the Procuratore Generale Palermo and requested him to take steps to have a Pretore nominated, who I assume will have to be appointed or confirmed by A.M.G.

I take the view that these Preture are in exactly the same position as any other Preture during the occupation of Region 1 and that they will be generally administered for the sake of convenience through the Palermo Court of Appeal as during the occupation and prior thereto but subject to A.M.G. control. The Procuratore Generale however takes the view that as the island is ~~an~~ A.M.G., it is to be regarded as a foreign country and that the Palermo Court has no jurisdiction, concern or interest whatever in its judicial administration. I have been unable to convince him to the contrary.

I shall be grateful to receive your views as to whether my opinion is correct and if the answer is in the affirmative may the Minister be requested that some directions been given to the Palermo Court of Appeal.

LEGAL SUB-COMMISSION

The present position is obviously very unsatisfactory.

CLO

For the Regional Commissioner Brigadier M. CARR :

CLO

Chief Counsel

CJO

Italian Branch

CL RKS

18 OCT 1944

E. K. Matthews Capt.
 E. K. MATTHEWS, Capt.
 Regional Legal Officer.

Polity ?

4039
HEADQUARTERS
SOUTHERN REGION, ALLIED CONTROL COMMISSION
LEGAL DIVISION
APO 394, U. S. ARMY

18 October 1944

L-5000

W.199 Prot.

SUBJECT: Tribunale of Lucera.

TO : Legal Sub-Commission, HQ, ACC.

1. Herewith enclosed is a copy of letter W. REF/3040, dated 14 October 1944 from our Legal Officer for Foggia Zone.

2. The judicial personnel situation in Lucera is rather serious and if it is at all possible, urgent consideration of this matter by the Minister should be given.

For Lt. Col. L.F. DAWSON, R.C.L.O:

Carl C. Danno
Carl C. Danno
1st. Lt. A.C.
Officer i/c Italian Courts

CCB/ga

Encl. 4

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	
21 OCT 1944	

(10080)

(Copy)

R.-/304014 Oct. 1944SUBJECT: Tribunale of Lucera.

TO : R.L.G. Southern Region.
From : Legal Officer A.C.C. Foggia Zone.

It is urged that the Italian Government should be asked to appoint a new President of the Tribunale for Lucera immediately.

The handing over to the Italian Courts of all cases in which A.C.C. are interested has necessarily increased the work of these Courts and it is therefore very desirable that the number of Judges should be the maximum allowed.

signed: R.G.J. ROLFE
Major
Legal Officer
A.C.C. Foggia Zone.

123

1030

[Handwritten signature]

(1007)

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ES/rm.

18 Oct. 44.

ACC/A039/L.

SUBJECT : Transfer of Officials, CAGNAZZI Carlo.
TO : Regional Commissioner (attn. RLO)
Southern Region.

1. The Ministry proposes to transfer the above official, Procuratore del Regno at Ariano Tupino to the Procura Generale at the Court of Appeal at Bari.

2. Please advise this Sub-Commission at your earliest convenience whether or not you have any comments.

By command of Commodore STONE

122

[Handwritten signature]

A.R. THACKER, Lt. Colonel,
Italian Branch,
for Chief Legal Advisor.



*Ministero
di Grazia e Giustizia*
Uff. Sup. del Pers.

Uff. 2°
Ret. N° 2650/00186

OGGETTO: Tramutamento di magistrato

La Commissione Alleata
di Controllo (Sottocommis-
sione Legale) ROMA

Registrali del
Dir. Leg. N°

Poichè, per esigenze di servizio, occor-
re provvedere al tramutamento del dott. CAGNAZ-
ZI Carlo da Procuratore del Regno presso il
Tribunale di Ariano Irpino alla Procura Gene-
rale presso la Corte di Appello di Bari, si
chiede a codesta Commissione se nulla osti
all'emanazione del provvedimento che si inten-
de prendere da questo Ufficio nel senso suin-

dicato.

121

Chief Counsel
CIO

Italian Section
CL RKS

17 OCT 1944

PEL MINISTRO

Many

Mod. 1345 M
1006A

Roma 14-10

(1005A)

file

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ES/rm.

18 Oct. 44.

ACC/4039/L.

SUBJECT : Transfer of Officials, Dott. CHIMENTI Stanialao,
Consigliere Corte Suprema di Cassazione.

TO : Regional Commissioner (attn. RLO)
Southern Region.

1. The Ministry proposes to transfer the above official
to Catanzaro as Section President of the Court of Appeal.

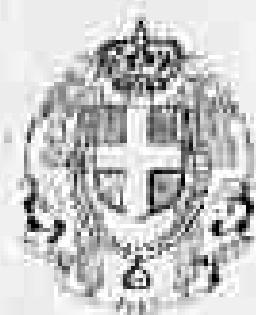
2. Do you have any comments?

By Command of Commodore STONE

123

Dej

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



Roma 12.10

1004A^{mc}

Ministero di Grazia e Giustizia
Uff. Superiore del Pers.
Uff. 2°

Ala Commissione Al-
leata di Controllo
(Sottocommissione Legale)
ROMA

Del. N° 3826/00187

Registrazione

Dir.

Lia.

N°

OGGETTO: Tramutamento Magistrati.

Poichè, per esigenze di servizio, occorre provvedere al tramutamento ed al rimpiazzo di un magistrato di grado 4°, questo Ministero, in conformità delle direttive impartite da codesta Commissione, sottopone all'approvazione il seguente movimento:

CHIMENTI dott. Stanislao, consigliere della Corte Suprema di Cassazione, è tramutato, con funzioni di presidente di Sez., alla Corte di Appello di Catanzaro.

119 Si prega sollecito riscontro.

PEL MINISTRO

119
17 OCT 1961

1034

HEADQUARTERS
ALLIED CONTROL COMMISSION
SARDEGNA REGION

18 October 1944.

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

SUBJECT : Court Personnel from Naples temporarily assigned to Sardinia.

REFERENCE: L/1438.

865A

1. Reference your ACC/4039/L dated 11 September 1944 and my subsequent conversation with the Chief Legal Officer re. this matter when I gave it as my opinion that none of the Magistrates assigned could be spared. I attach a list showing the present position. It will be seen that only two of those originally assigned are still in Sardinia. The remainder have not returned on the expiration of their leave.

2. It should be noted that the list of Magistrates requested by the First President of the Court of Appeal of Naples is inaccurate. It includes the names of three Magistrates i.e. CHILIBERTI Antonio, ALTIERI Antonio and BRUSCHI Guido, who were never at any time employed in Sardinia. Attached list is the correct one.

3. I attribute the present position largely to the weakness of the First President and the Sostituto Procuratore Generale here who apparently have not represented the urgency of retaining the temporary magistrates strongly enough to the Ministry.

4. I do not however think it is necessary to trouble you at this stage to take the matter up with the Ministry because the whole question will be put ¹¹⁴⁸ the Minister personally on his arrival here.

For the Regional Commissioner.

N. G. S. Alexander

R.G.S. ALEXANDER,
Major,
Regional Legal Officer.

RGSA/bcg

LEGAL SUB-COMMISSION

1034

REFERENCE: L/1438.

865A

1. Reference your ACC/4039/L dated 11 September 1944 and my subsequent conversation with the Chief Legal Officer re. this matter when I gave it as my opinion that none of the Magistrates assigned could be spared. I attach a list showing the present position. It will be seen that only two of those originally assigned are still in Sardinia. The remainder have not returned on the expiration of their leave.

2. It should be noted that the list of Magistrates requested by the First President of the Court of Appeal of Naples is inaccurate. It includes the names of three Magistrates i.e. CHILIBERTI Antonio, ALTIERI Antonio and BRUSCHI Guido, who were never at any time employed in Sardinia. Attached list is the correct one.

3. I attribute the present position largely to the weakness of the First President and the Sostituto Procuratore Generale here who apparently have not represented the urgency of retaining the temporary magistrates strongly enough to the Ministry.

4. I do not however think it is necessary to trouble you at this stage to take the matter up with the Ministry because the whole question will be put to the Minister personally on his arrival here.

For the Regional Commissioner.

N. G. S. Alexander

R.G.S. ALEXANDER,
Major,
Regional Legal Officer.

RGSA/bcg

LEGAL SUBCOMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	☒
CL RKS	

23 OCT 1944

HEADQUARTERS
OCT 1944
A.C.C.

List showing appointments and pre-
transferred temporarily to Sardinia

No.	Name	Appointment in Sardinia	Present whereabouts.	Remarks.
1	ANGELONE Dott. Roberto	Procura Cagliari.	Thought to be employed at Procura of Naples.	It is not known whether transferred by the Ministry
2.	VITOLO Dott. Marcello	ditto	ditto	ditto
3.	TROIS Dott Mario	Tribunale, Cagliari	Tribunale Benevento.	Transfer apparently authorized
4.	MANCUSO Dott. Mario	ditto	Thought to be in Naples.	Primo Presidente of Cagliari of Naples that this official extension of leave which is known whether he is to return
5.	BELLUSCI, Dott Giuseppe	Tribunal Sassari	Last heard of in Salerno.	He was granted short leave financial position and not list of officials whose return
6.	TESTI, Dott. Vittorio	ditto	Sassari	} These two officials are of the 7 originally transferred year.
7.	SAMMARTANO, Dott. Giovanni	Procura Sassari	Sassari.	

List showing appointments and present whereabouts of Magistrates transferred temporarily to Sardinia in May 1944.

Appointment in Sardinia	Present whereabouts.	Remarks.
Procura Cagliari.	Thought to be employed at Procura of Naples.	It is not known whether transfer from Sardinia has been authorised by the Ministry or not.
ditto	ditto	ditto
Tribunale, Cagliari	Tribunale Benevento.	Transfer apparently authorised by Ministry.
ditto	Thought to be in Naples.	Primo Presidente of Cagliari informed through Primo Presidente of Naples that this official filed an application for 30 days extension of leave which must now have expired. It is not known whether he is to return.
Tribunal Sassari	Last heard of in Salerno.	He was granted short leave to interview Ministry about his financial position and not returned. His name is included in list of officials whose return to Naples is requested.
ditto	Sassari	} These two officials are the only ones remaining in Sardinia } of the 7 originally transferred here on loan in May of this } year.
Procura Sassari	Sassari.	

4039 *file*

HEADQUARTERS
SOUTHERN REGION, ALLIED CONTROL COMMISSION
LEGAL DIVISION
APO 394, U. S. ARMY

(1002A)

L- 5000

17 October 1944

N.190 Prot.

SUBJECT: Promotions and Transfers of Judicials Officials.

TO : Legal Sub-Commission, HQ, ACC.

1. Reference is made to your letter ACC/4039/L, dated 13 October 1944.

2. Your advice therein contained re De Santis has been communicated to the Legal Officer concerned.

3. Our letter L-5000 and 172 Prot., dated 8 October 1944, contained enclosure in which a question was asked: "New First President of Court of Appeal, Cervelli Giovanni, arrived early in September. Does this mean he is to be posted away?".

4. May we have an answer to that question in order that same may be forwarded to the Legal Officer interested.

For Lt. Col. L.F. DAWSON, R.C.L.C:

116

CCB/ga

Carl G. Bannò
Carl G. Bannò
1st. Lt. A.C.
Officer i/c Italian Courts

*De Santis**12/891**12/895**13/987**Cervelli**13/987A**13/987B(A)*

Bonelli
Days Cervelli
Giovanni is he
Pres Sanin
21 Oct

HEADQUARTERS
A.M.G. P.I.O.
LIVORNO PROVINCE

16 October 1944

SUBJECT : Italian Court
TO : P.L.O. Toscana Region

1. The move of the Tribunale from San Miniato to Livorno was completed at Oct. 15th., 1944/

2. The following officials of the Tribunale are now in Livorno:

President : MARTINI, Lorenzo
Judges : MASSI, Cesare
CARLI, Guido

KAPONE, Pietro
MARTORANO, Michele
LOMBARDI, Giovanni
TINAGLI, Otello
MACCHIA, Mario
FARANDA, Mario
SALVESTRINI, Dino
LOSITO, Andrea

Chancellors:

Substitute Procuratore)
del Regno) LEONE, Giovanni

Procuratore del Regno : CINOTTI, Francesco (will arrive in a few days)

3. Every assistance is being given to the Court so that it may start functioning within the next 10 days.

4. Also find enclosed list which gives the names of all the officials of the Tribunale and Preture in this Province.

5. It may be mentioned that to brings about the opening of the Civil Court, we had to spend considerable time in going to San Miniato to move the officials and trucks leads of records. The same problem existed in connection with the officials of the Pretura. We were required to go to the Province of Florence in order to bring them back to Livorno, also move all the record from Montenero to Livorno.

6. In view of the facts that the Civil Courts were not - functioning from some time, therefore all the officials were told that they must expedite pending matters.

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	

ROBERT M. WOODWARD
Major, AUS. PLO.
Livorno Province

President : ~~MASSINI, Lorenzo~~
Judges : MASSI, Cesare
CARLI, Guido
CAPONE, Pietro
MARTORANO, Michele
LOMBARDI, Giovanni
Chancellors: TINAGLI, Otello
MACCHIA, Mario
FALANDA, Mario
SALVESTRINI, Dino
LOSITO, Andrea

Substitute Procuratore }
del Regno }
Procuratore del Regno : CINCTTI, Francesco (will arrive in a few days)

3. Every assistance is being given to the Court so that it may start functioning within the next 10 days.

4. Also find enclosed list which gives the names of all the officials of the Tribunale and Preture in this Province.

5. It may be mentioned that to brings about the opening of the Civil Court, we had to spend considerable time in going to San Miniato to move the officials and trucks leads of records. The same problem existed in connection with the officials of the Pretura. We were required to go to the Province of Florence in order to bring them back to Livorno, also move all the record from Montenero to Livorno.

6. In view of the facts that the Civil Courts were not - functioning from some time, therefore all the officials were told that they must expedite pending matters.

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
Copy to : CL RKS	
P.O. Livorno	
21 OCT 1944	

ROBERT M. WOODWARD
Major, AUS. FLO.
Livorno Province

c/c = Chief Legal Advisor
Duglio, ACC

For information, OIC Italian Govt.

HEADQUARTERS
A.M.G. F.L.O.
LIVORNO PROVINCE

October 16th, 1944.

LIST OF OFFICIALS OF TRIBUNAL AND PRETURE

Civil and Penal Tribunale

President :
Judges :

MARTINI, Lorenzo
MASSI, Cesare
CARLI, Guido
RAPONE, Pietro
MATTORANO, Michele
LOMBARDI, Giovanni
TIMAGLI, Otello
MACCHIA, Mario
FRANDA, Mario
SALVESTRINI, Dino
LOSITO, Andrea
CINOTTI, Francesco
LECNE, Giovanni

Chancellors:

Procuratore del Regno :
Substitute Procuratore :

Preture dependant on Tribunal of Livorno

CECINA - Pretore : DINI, Mario
LIVORNO - 1st. Pretore : BERNARDINI, Francesco
Pretore : COCHINI, Francesco
PIOMBINO - Pretore : CAMPANELLI, Antonio
PORTOFERRAIO - Pretore : ANTINOZZI, Giovanni

ROBERT M. WOODWARD
Major, AUS. PLO.
Livorno Province.

1042

SUBJECT : Italian Judicial Officials
 TO : CIA LEGAL SUB COMMISSION
 FROM : A/RLO ABRUZZI MARCHE REGION

Legal (1000A)
4039
 AMR/511/12/A
 14 Oct. 44

CONFALONE Ennio

1. It will be remembered that this ~~man~~ man , who was Procuratore del Regno at Teramo, was dismissed.
2. His Scheda Personale is now enclosed, together with his apologium, which may be required by the Ministry of Justice.
3. It is regretted that these papers have not been sent to you before. Apparently the L.O. at Teramo passed the Scheda direct to the F.S. Section which only remained in the district about 14 days. On leaving, the form must have been taken by them with their other papers. On 10 Oct. the Scheda, through some channels, appeared in the office of the Provincial Officer at Teramo.

LEGAL SUB COMMISSION	
CLO	
DELO	
Chief Counsel	
CJO	
Italian Section	
CLERKS	
14 OCT 1944	

HEADQUARTERS
 16011 1944
 A. C. C.

Delivered to Mr. 14 Oct
Backhouse

P. BACKHOUSE
 Major,
 A/RLO ABRUZZI MARCHE REGION

7884

9/10/44

(100DB)

TO : PLO CHIETI (Trough P.C.)
FROM : HQ. Region V A.M.G.
SUBJECT : Suspension of ENRICO CONFALONE
REF : R5/5II/I2/P
DATE : 2 September 1944.

Legal.

1. Ref your T/Legal/AU dated 31 August 44.
2. I return the documents herewith.
3. I entirely agree with your remarks.
4. In the first place I think it is essential that he should be vetted again by the FSS. Will you please arrange this?
5. You might also sound reliable local opinion and give me the "low down"

John Willis

112

J.L. WILLIS
Lt. Colonel
R.L.O.

GLW/LN

6 SEP 1944

4332

DATA 7 agosto 1944

PROVINCIA Zeranu

GOVERNO MILITARE ALLEATO

N. B. - Penalità severissime, di prigione e di ammenda sono previste per chiunque facesse delle dichiarazioni false nella presente scheda.

SCHEDA PERSONALE

SI DEVE rispondere a ogni domanda secondo le indicazioni
Every Question Must be Answered

1. Cognome Corquellone Nome Ennio fu Angelo Antonio

fu Giovanni De Prota

a) Luogo di nascita Castellammare Stabia b) Data di nascita 31 luglio 1889

2. Indirizzo Corso Sforzio 33

3. a) Professione Magistrato b) Posizione attuale Presidente del Tribunale

c) Carica desiderata Presidente del Tribunale o Consigliere di Corte d'Appello

4. Eravate iscritto al P. N. F.? Si a) Da quando? dal dicembre 1932

5. Appartenevate ad uno dei seguenti gruppi (SI o NO): Non iscritto al Partito Repubblicano
Did you at any time belong to any of the following groups (Answer Yes or No):

a) Sansepolcristi NO b) Squadristi NO c) M. V. S. N.? NO

d) Se eravate nella Milizia, in quale delle seguenti unità avete prestato servizio? (Indicare con un SI od un NO l'unità e la data negli spazi rispettivi: NO)
If you belonged to the Militia, in which of the following units did you serve? (Answer YES or NO opposite unit giving the date):

PERIODO DI SERVIZIO (Length of Service)
(Specificare se servizio effettivo o nei quadri)
(Specify whether permanent or temporary Service)

111

Milizia ordinaria? NO

Milizia Ferroviaria? NO

Milizia Postale? NO

Milizia Forestale? NO

Milizia Stradale? NO

Milizia Confinaria? NO

Milizia Universitaria? NO

Milizia Antiaerea? NO

Milizia Artiglieria Marittima? NO

Milizia Artiglieria? NO

Moschettieri del Duca? NO

SCHEDA PERSONALE

SI DEVE rispondere a ogni domanda secondo le indicazioni
Every Question Must be Answered

- Cognome Conquione Nome Ennio Angelo Antonio
fu Giovanni De Rosa
- Luogo di nascita Castellammare Stabia Data di nascita 31 luglio 1889
Place of Birth Corso S. Giorgio 33 Permanent Residence Geranu
Address
- a) Professione Magistrato b) Posizione attuale Presidente del Tribunale
Profession Present Position Presidente del Tribunale di Corte d'Appello
- Carica desiderata Si - a) Da quando? dal dicembre 1932
Position Desired Since when? Non iscritto al Partito Repubblicano
- Appartenete ad uno dei seguenti gruppi (SI o NO): Non iscritto al Partito Repubblicano
Did you at any time belong to any of the following groups (Answer Yes or No):

- Sansepolcristi No b) Squadristi No c) M. V. S. N.? No
- Se eravate nella Milizia, in quale delle seguenti unità avete prestato servizio? (Indicare con un SI od un NO l'unità e la data negli spazi rispettivi: No)
If you belonged to the Milizia, in which of the following units did you serve? (Answer YES or NO opposite unit giving the date):

PERIODO DI SERVIZIO (Length of Service)
(Specificare se servizio effettivo o nel quadri)
(Specify whether permanent or temporary Service)

111

- | | |
|--|--------------------------|
| Milizia ordinaria? <u>No</u> | Ordinary Milizia? |
| Milizia Ferroviaria? <u>No</u> | Railroad Milizia? |
| Milizia Postale? <u>No</u> | Postal Milizia? |
| Milizia Forestale? <u>No</u> | Forest Milizia? |
| Milizia Stradale? <u>No</u> | Road Milizia? |
| Milizia Confinaria? <u>No</u> | Border Milizia? |
| Milizia Universitaria? <u>No</u> | University Milizia? |
| Milizia Antiaerea? <u>No</u> | Antiaircraft Milizia? |
| Milizia Artiglieria Marittima? <u>No</u> | Naval Artillery Milizia? |
| Moschettieri del Duce? <u>No</u> | The Duce's Musketeers? |
| Battaglioni « M »? <u>No</u> | Battalions? |

e) Se avete militato solo in tempo di guerra, siete entrato nella milizia da volontario o in seguito a regolare chiamata?
If you served during the war only, did you volunteer or were you drafted?

No -

6. Avete ricoperto una delle seguenti cariche nel Partito Fascista? (rispondete SI o NO e indicate i periodi di servizio in ciascuna carica negli spazi rispondenti):
Did you at any time hold any of the following positions in the Fascist Party? (Answer YES or NO giving the length of time of each):

PERIODO DI SERVIZIO
LENGTH OF SERVICE

- a) Segretario del P. N. F. ? **No**
- b) Membro del Direttorio Nazionale ? **No**
- c) Segretario Federale ? **No**
- d) Membro del Direttorio Federale ? **No**
- e) Ispettore del Partito ? **No**
- f) Ispettore Federale ? **No**
- g) Segretario Politico di un Fascio ? **No**
- h) Fiduciario di un Gruppo Regionale ? **No**
- i) Membro di un Gruppo Regionale ? **No**
- j) Capo-settore ? **No**
- k) Capo-nucleo ? **No**
- l) Una posizione autorevole nella G. I. L. ? **No**
- m) Una posizione autorevole nel G. U. F. ? **No**
- n) Una posizione autorevole nei Fasci Femminili ? **No**

o) Qualche altra carica nel Partito ? **No**

Quale ?
What ?

- 7. Siete stato in qualche periodo membro dell' OVRA ? **No**
- 8. Avete fatto parte dell' ufficio politico dei CC. RR. ? **No**
- 9. Avete fatto parte di un ufficio politico di P. S. ? **No**
- 10. Siete stato in qualche periodo funzionario in una delle seguenti organizzazioni ?

PERIODO DI SERVIZIO
LENGTH OF SERVICE

- a) In una Corporazione ? **No**
- Quale ?
Which One ?
- Denominazione della carica **No**
- b, In una unione sindacale ? **No**
- In a syndical Union ? **No**
- Quale ?

Federal Secretary

- d) Membro del Direttorio Federale?
Member of Federal Council? **No**
- e) Ispettore del Partito?
Inspector of the Party? **No**
- f) Ispettore Federale?
Federal Inspector? **No**
- g) Segretario Politico di un Fascio?
Political Secretary of a Fascio? **No**
- h) Fiduciario di un Gruppo Regionale?
Fiduciary of a Regional Group? **No**
- i) Membro di un Gruppo Regionale?
Member of the Regional Group? **No**
- j) Capo-settore?
Chief of a Sector? **No**
- k) Capo-nucleo?
Chief of a Group? **No**
- l) Una posizione autorevole nella G.I.L.?
An authoritative position in the G.I.L.? **No**
- m) Una posizione autorevole nel G.U.F.?
An authoritative position in the G.U.F.? **No**
- n) Una posizione autorevole nei Fasci Femminili?
An authoritative position in the women's Fasci? **No**

- o) Qualche altra carica nel Partito?
Some other position in the Party? **No**

Quale?
What?

7. Siete stato in qualche periodo membro dell'OVRA?
Were you at any time a member of the OVRA? **No**
8. Avete fatto parte dell'ufficio politico dei CC. RR.?
Were you a member of the Political Office of the CC. RR.? **No**
9. Avete fatto parte di un ufficio politico di P. S.?
Were you a member of the Political Office of the P. S.? **No**
10. Siete stato in qualche periodo funzionario in una delle seguenti organizzazioni?
Were you at any time a functionary in any of the following organisations?

Quando?
When?

Quando?
When?

Quando?
When?

PERIODO DI SERVIZIO
LENGTH OF SERVICE

- a) In una Corporazione?
In a Corporation? **No**

Quale?
Which One?

Denominazione della carica
Title of Position **No**

- b) In una unione sindacale?
In a syndical Union? **No**

Quale?
Which One?

Denominazione della carica
Title of Position **No**

- c) In un Consorzio Agrario?
In a « Consorzio Agrario »? **No**

Quale?
Which One?

Denominazione della carica
Title of Position **No**

PERIODO DI SERVIZIO
Length of Service

d) In qualche altra organizzazione corporativa o sindacale?
In some other Corporate or Syndical organization?

NO

Quale?
Which One?

NO

Denominazione della carica
Nature of Work Done

NO

11. Indicate le cariche nazionali, provinciali o comunali — governative o parastatali — occupate da voi dal 1921, come segue:
Give the National, Provincial or Communal, government or parastatal, position held by you since 1921:

NOME DELL'ISTITUTO
Name of the Institute

NO

PERIODO DI SERVIZIO
Length of Service

NO

MODO DI ASSUNZIONE
How Acquired

NO

Ministro di Giustizia
e finanzia.

anni 30 e mesi 6

Proprietario

12. Indicate le principali fonti dei vostri introiti durante il regime Fascista:
Show the principal sources of income during the Fascist Regime:

FONTI
Source of Income

Stipendio da magistrato.

MEDIA ANNUALE
Yearly Average

50580=

INTROITO DEL 1942
Income 1942

45605=

13. Avete prestato servizio militare?
Have you rendered military service?

NO

b) Quando? guerra 1915-1918

a) In quale arma?
What branch?

fanteria

c) Quale grado rivestivate ultimamente?
Last rank?

Capitano

d) Dove avete prestato servizio?
Where did you serve?

Terna e successivamente nel Veneto.

e) Siete stato « volontario » nella guerra civile Spagnola?
Where you a « volunteer » in the Spanish civil war?

NO

f) Siete stato « volontario » nella campagna dell'Africa Orientale?
Where you a « volunteer » in the Ethiopian campaign?

NO

Della campagna in Russia?
Russian campaign?

NO

g) Avete goduto di qualche esonero dal servizio militare?
Where you deferred from Military Service?

NO

Per qual motivo?
Why?

NO

Del Nord Africa?
North African campaign?

NO

14. Avete fatto parte dal 1922 in poi di qualche organizzazione politica diversa dal Partito Fascista?
Have you belonged to any political party other than the Fascist Party since 1922?

NO

Nome dell'organizzazione:
Name of the Party or Organization:

Periodo di appartenenza?
How long were you a member?

NO

Io Dichiaro sinceramente e solennemente che tutto quanto ho affermato è vero.
I solemnly swear that all I have said is true.

Denominazione della carica
Nature of Work Done

NO

11. Indicate le cariche nazionali, provinciali o comunali — governative o parastatali — occupate da voi dal 1921, come segue:
Give the National, Provincial or Communal, government or parastatal, position held by you since 1921:

NOME DELL'ISTITUTO
Name of the Institute

Atto

PERIODO DI SERVIZIO
Length of Service

Atto

MODO DI ASSUNZIONE
How Acquired

Atto

Ministro di Giustizia
e finanzia.

anni 30 e mesi
6

Parastatal

12. Indicate le principali fonti dei vostri introiti durante il regime Fascista:
Sum the principal sources of income during the Fascist Regime:

FONTE
Source of Income

MEDIA ANNUALE
Yearly Average

INTROITO DEL 1942
Income 1942

Stipendio da
magistrato.

50580=

45605=

13. Avete prestato servizio militare?
Have you rendered military service?

Si

a) In quale arma?
What branch?

fanteria

b) Quando? guerra 1915-1918

c) Quale grado rivestivate ultimamente?
Last rank?

Capitano

d) Dove avete prestato servizio?
Where did you serve?

Berna e precedentemente nel Venezuela.

e) Siete stato « volontario » nella guerra civile Spagnola?
Where you a « volunteer » in the Spanish civil war?

NO

f) Siete stato « volontario » nella campagna dell'Africa Orientale?
Where you a « volunteer » in the Ethiopian campaign?

NO

g) Della campagna in Russia?
Russian campaign?

NO

h) Avete goduto di qualche esonero dal servizio militare?
Where you deferred from Military Service?

NO

Per qual motivo?
Why?

—

14. Avete fatto parte dal 1922 in poi di qualche organizzazione politica diversa dal Partito Fascista?
Have you belonged to any political party other than the Fascist Party since 1922?

NO

Nome dell'organizzazione:
Name of the Party or Organization:

Periodo di appartenenza?
How long were you a member?

—

Io Dichiaro sinceramente e solennemente che tutto quanto ho affermato è vero.
I solemnly swear that all I have said is true.

Firma
Signed

Ennio Confalone

Testimone
Witness

1942 Harry Grant

Data
Date

1 agosto 1942

Pagina riservata alle annotazioni dell' Ufficiale Competente Alleato

This page reserved for notations by an authorized Allied Officer.

no security objections.

shugies

AGHINT CAN PROLO.

[Faint, mostly illegible handwritten notes and markings in the lower half of the page, including some vertical lines and scattered characters.]

D.R.

Tribunale
President,

Name CORFALONE ENRI fu Angelantonio e fu Giovanna De Rosa

Place of birth CASTELLAMARE STABIA

date of birth 31/7/1889

Address Corso S. Giorgio 33

Permanent Address TERAMO

Profession MAGISTRATO

Present Position PRESIDENT TRIBUNAL

Since when 1932

Position desired PRESIDENTE TRIBUNAL

REMARKS

(Here place remarks

Capt Hills on back of

Scheda Personale report)

No security objections.

4 August 1944

A.G. Hills Capt F.F.S.O.

FSSI 5" July '44: "Probably he is inscribed to the Fascist Republican party; An enthusiastic assenter of the German Victory. He is disliked by the anti-fascists because during the republican Government he was clement when he judged the fascists; and very cruel when he judged the anti-fascists.

Pisano: A friend of old fascist Prefect of Teramo and Collaborated with fascists & Germans. ~~HAG~~

4039

Col Shachran please cite for

agenda at
next
meeting

1000R

HEADQUARTERS ALLIED CONTROL COMMISSION
POLITICAL SECTION
APO 394MEMORANDUM TO:

Colonel Wilmer, Legal Sub-Commission

1. Attached is a copy of a note which we have received from the British Embassy regarding the appointment of a new Italian judge on the International Mixed Court at Tangier.
2. We have informed the Italian Ministry of Foreign Affairs. Perhaps you would take what further action is necessary.

109

for *H. A. CACIA*
H. A. CACIA
Vice President, Political Section

file.

Political Section
13.10.44

29/162/44

Mr. Caccia,

The Foreign Office have informed us that there is, on the International Mixed Court of Tangier, a Fascist Italian judge named Signor Malmasi whom it is desired to remove from office. As, however, he refuses to go, it is necessary that the Italian Consul should make a request to the Court for Malmasi's revocation by the Chamber of Magistrates. This request would be supported by the British, French and Belgian judges on the Court. In order to do so, however, the Italian Consul must submit the name of Malmasi's successor. So far the Italian Government have made no appointment in spite of repeated requests by the Italian Consul.

2. The Foreign Office would be grateful if the Control Commission would urge the Italian Government to appoint a successor to Malmasi without delay. Incidentally the local candidates for the post are unsuitable and it would be preferable to appoint a man without either Fascist or Tangier connections.

9.10.44

De Francesco Arnaldo - f. 10
Sostituto Procuratore del Re
presso Tribunale di Lanciano -

Gallo Riforma - Tribunale Palermo

Lafore Porquato - Appellato al
Tribunale di Isernia
con funzioni di Presid.

Beccisotti Giuseppe - Reg. 9 -

Marxangelos Boris - Aggiunto giudice
presso Tribunale di Lanciano -

107

Mancione Luigi - Richiesta di presentarsi
a Salerno, trasmise
certificato medico -

Mancione Giuseppe -

PARTITO FASCISTA REPUBBLICANO
FEDERAZIONE DI ROMA

AMMINISTRAZIONE

ESERCIZIO 194 - 194

N. 1488

Scrive di quietanza a

per la somma di L. (lire

per altri) e versate a questa Cassa per

e cent.)

come da ordine di incasso N.

Roma, li

del

194 - A.

di questa Federazione

IL CASSIERE

Bollo

Masini Giulio - ^{indole} estuario con
funzioni di giudice
alla pretura di Villa
S. Maria (Michele) -

Pasquale Domenico - non accetta di
andare quale Procuratore
Generale a Bari per l'età
e ragioni di famiglia chiedendo
il collocamento a riposo -
Sindaco di Pietrastellata -

Presutti Ferdinando - si rifiuta di
raggiungere il Ministero
a Salerno entro il 15 giugno

Testi Franco - Pretore Baricamo (Sicilia)

1960
Lunardi Giuseppe - pretore a Salerno -
chiesto applicazione Ministero

Tilli Alfredo - non si sa se ha
raggiunto o meno il
ministero, come già ordinato.

4039 8 999A

MAGISTRATI IN PIANEA IN UFFICI DELL'ITALIA OCCUPATA
BLOCCATI FUORI SEDE.

ALMERIO Fernando	- Aggiunto giud. Trib. Milano- non rientrato da ferie a L'Aquila.
ALBANO Alfonso	- Sost.Proc. Trib. Mantova - bloccato a Roma
ANSALDI Fernando	- Agg.Giud.Trib.Padova - bloccato a Roma
ANTICO Luigi	- Cons. App. Milano - bloccato in ferie a Chieti
AMEROSINI Nicola	- Giudice Cuneo - bloccato in ferie ad Armento
BEIMANO Giuseppe	- Cons.App.Venezia- bloccato in ferie a Franca- villa a Mare
BALDUZZI Leopoldo	- Agg.Giud. Busto Arsizio - bloccato in ferie in Sardegna
BRUNETTI Martino.	- Agg.Giud. Milano - bloccato in ferie a Mola
BINDI Cesare	- Cons.App. Genova - bloccato in ferie ad Atri
CONSOGLI Francesco	- Udit.Procura Milano - bloccato in ferie a Ca- tania
CAVALIERE Vincenzo	- Giudice Pavia - bloccato in ferie a Catania
CANDIA Ugo	- Udit.Trib. Brescia - bloccato in ferie ad Atina
CASCELLA Arduino	- Udit.Trib.Bergamo - bloccato in ferie a Campo- basso.
CALDERAZZI Luigi	- Primo Pretore Modena - bloccato in ferie ad Acquaviva delle Fonti.
? DE SOCIO Vincenzo	- Cons.App. Bologna - bloccato in ferie a Cuglione- si
DE FRANCESCO Arnaldo	- Sost.Proc. Bologna- bloccato in ferie ad Atezza
DE LUCA Vincenzo	- Sost.Proc.Milano - bloccato in ferie a Portici
FARACI Vincenzo	- Agg.Giud.Trib.Mantova - bloccato in ferie a Frosinone
GALLO Stefano	- Udit.Trib.Milano - bloccato in ferie a Bivona
GIGLIOTTI Ottorino	- Agg.Giud.Trib.Mantova- bloccato in ferie a Roma

ALGERIO Fernando - Aggiunto giud. Trib. Milano- non rientrato da ferie a L'Aquila.
 ALBANO Alfonso - Sost.Proc. Trib. Mantova - bloccato a Roma
 ANSALDI Fernando - Agg.Giud.Trib.Padova - bloccato a Roma
 ANTONIO Luigi - Cons. App. Milano - bloccato in ferie a Chieti
 AMBROSINI Nicola - Giudice Cuneo - bloccato in ferie ad Armento
 EBELIANO Giuseppe - Cons.App.Venezia- bloccato in ferie a Francia= villa a Mare
 BALDUZZI Leopoldo - Agg.Giud. Busto Arsizio - bloccato in ferie in Sardegna
 BRUNETTI Martino. - Agg.Giud. Milano - bloccato in ferie a Mola
 BINDI Cesare - Cons.App. Genova - bloccato in ferie ad Atri
 CONSOLI Francesco - Udit.Procura Milano - bloccato in ferie a Catania
 CAVALIERE Vincenzo - Giudice Pavia - bloccato in ferie a Catania
 CANDIA Ugo - Udit.Trib. Brescia - bloccato in ferie ad Atina
 CASCELLA Arduino - Udit.Trib.Bergamo - bloccato in ferie a Campo= basso.
 CALDERAZZI Luigi - Primo Pretore Modena - bloccato in ferie ad Acquaviva delle Fonti.
 DE SOCIO Vincenzo - Cons.App. Bologna - bloccato in ferie a Guglione= si
 DE FRANCESCO Arnaldo- Sost.Proc. Bologna- bloccato in ferie ad Atesa
 DE LUCA Vincenzo - Sost.Proc.Milano - bloccato in ferie a Portici
 FARACI Vincenzo - Agg.Giud.Trib.Mantova - bloccato in ferie a Frosinone
 GALLI Stefano - Udit.Trib.Milano - bloccato in ferie a Bivona
 GIGLIOTTI Ottorino - Agg.Giud.Trib.Mantova- bloccato in ferie a Roma
 IABOCE Pasquale - Pres.Sez.Trib.Milano - bloccato in ferie a Cam= nobasso
 LECCISOTTI Giuseppe - Pretore Genova - bloccato in ferie a Torremag= giore
 MASTRANGELO Rosario - Agg.Giud.Trib.Milano- bloccato in ferie a Bomba
 MARCIANO' Ercole - Agg.Giud.Trib.Milano-bloccato in ferie a Bivongi

4/28/51 - 8/5/51 MARCONI Luigi - Cons.App.Milano - bloccato in ferie ad Atezza
 MARSILIANI Emilio-Pres.Sez.Trib.Forlì - non rientrato in sede da Frosinone.

 --- MARTINI Augusto - Pres.Trib.Avezzano - non rientrato in sede
 4/28/51 - 5/3/51 - NARDACCHIONE Giuseppe - Ud.Trib.Milano - bloccato in ferie a Riccia
 4/28/51 - 7/4/51 - NASUTI Giulio - Udit.Trib.Parma - si ritiene bloccato in ferie a Bomba

 7/1/51 - 5/3/51 - PASQUALE Domenico - Sost.Prec.Gen.App.Genova - bloccato in ferie a Pietracatella
 5/5/51 - 6/1/51 - PRESUTTI Ferdinando - Pres.Sez.App.Venezia - bloccato in ferie a Campobasso

 7/1/51 - 5/3/51 - PEPPE Marcello - Giudice Milano - bloccato in ferie a Civi-tacamponarano
 PELOSI Girolano - Agg.Giud.Trib.Milano - bloccato in ferie a San Lorenzo

 ? PERRONE CAPANO Pa-squale - Giudice Trib.Padova - bloccato in ferie a Trani
 QUARTAPELLE Gaetano-Cons.App. Bologna - bloccato in ferie a Teramo
 ROMANO Francesco - Udit.Trib.Pescara - bloccato in ferie a Palermo
 RECANATESI Vincenzo-Agg.Giud.Trib.Milano - bloccato in ferie ad Osimo

 4/28/51 - 5/3/51 - ROBINI Italo - Pretore Venezia - bloccato in ferie a Boiano
 RICCIONI Domenico - Cons.App.Bologna - bloccato in ferie ad Osimo
 4/28/51 - 5/3/51 - SESTI Franz - Udit.Trib.Savona - in ferie a Petralia Soprana
 STELLA Vincenzo - Giud. Milano - bloccato in ferie a Bari
 4/28/51 - 5/3/51 - SURIANO Giuseppe - Giud.Milano - bloccato in ferie a Taverna
 SAJA Francesco - Agg.Giud.Trib.Milano - bloccato in ferie a Messina
 SPOSATO Basilio - Agg.Giud.Trib.Milano - bloccato in ferie a Sambiese.
 SALERNO Vincenzo - Giud. Venezia - bloccato in ferie a Rovito
 SPEZZIALE Ermando - Agg.Giud.Trib.Venezia - bloccato in ferie a Pianella
 SPAGNA Nicolino - Udit.Trib.Erescia - bloccato in ferie a Napoli

11/30 - 5/309 → NARDACCHIONE Giuseppe - Ud. Trib. Milano - bloccato in ferie a Riccia
 11/309 - 7/475 → NASUTI Giulio - Udit. Trib. Parma - si ritiene bloccato in ferie a Bomba
 7/475 - 5/503 - 506 → PASQUALE Domenico - Sost. Proc. Gen. App. Genova - bloccato in ferie a Pietracatella
 5/503 - 6/402 - 442 → PRESUTTI Ferdinando - Pres. Sez. App. Venezia - bloccato in ferie a Campobasso
 7/515 - 9/505 → ? PEPE Marcello - Giudice Milano - bloccato in ferie a Civi-
 tacomponarano
 PELOSI Girolamo - Agg. Giud. Trib. Milano - bloccato in ferie a San Lorenzo
 ? PERRONE CAPANO Pa- - Giudice Trib. Padova - bloccato in ferie a
 squalo
 QUARTAPELLE Gaetano - Cons. App. Bologna - bloccato in ferie a Teramo
 ROMANO Francesco - Udit. Trib. Pescara - bloccato in ferie a Palermo
 RECANATESI Vincenzo - Agg. Giud. Trib. Milano - bloccato in ferie ad
 Osimo
 ROINO Italo - Pretore Venezia - bloccato in ferie a Boiano
 RICCIONI Domenico - Cons. App. Bologna - bloccato in ferie ad Osimo
 SESTI Franz - Udit. Trib. Savona - in ferie a Petralia Soprana
 STELLA Vincenzo - Giud. Milano - bloccato in ferie a Bari
 12/501 - 5/509 → SURIANO Giuseppe - Giud. Milano - bloccato in ferie a Taverna
 SAJA Francesco - Agg. Giud. Trib. Milano - bloccato in ferie a
 Messina
 SPÓSATO Basilio - Agg. Giud. Trib. Milano - bloccato in ferie a
 Sambiasi
 SALERNO Vincenzo - Giud. Venezia - bloccato in ferie a Rovito
 SPEZZIALE Ermando - Agg. Giud. Trib. Venezia - bloccato in ferie a
 Pianella
 SPAGNA Nicolino - Udit. Trib. Brescia - bloccato in ferie a Napoli
 SALERNO Giovanni - Giud. Bologna - bloccato in ferie a Rovito
 TILLI Alfredo - Cons. App. Venezia - bloccato in ferie a Fraine

- 3 -

THOMAS Luigi	- Pretore Bologna - bloccato in ferie a Vallerotonda
? TESTA Domenico	- Agg. Giud. Trib. Milano - bloccato in ferie ad Avellino.
VESCO ROSARIO	- Udit. Trib. Monza - bloccato in ferie a Palermo

133

SUBJECT : Italian Judicial Officials
REF : AMR/511/12
TO : H.Q., ALLIED CONTROL COMMISSION
 (for attention of Legal Sub-Commission)

17 Oct. 44

1. Ref. your ACQ/4039/L of 15 Oct., it is thought that your enquires must concern GRISAFI Armando who was appointed judge of the Urbino Tribunale in 1943. There is no judge there of the name of ~~Trisafi~~ Trisafi, and as far as is known there never has been.
2. GRISAFI Armando is believed to have been working as a patriot on the other side of the line when Urbino was occupied. He arrived in Urbino on 14 Sep., and immediately took up his duties as giudice of the Tribunale. He appears to be in thoroughly good health and spirits.

*informed
 by telephone on 19th Oct 1944*

HEADQUARTERS SUBCOMMISSION	
18 OCT 1944	
Chief Counsel	for
CIO	
Italian Section	←
13/989 - 13/990	
13/990RKS	
78 OCT 1944	

P. BACKHOUSE, Major
 A/RLO

C.H.A. FRENCH, Lieut. Col.
 Provincial Commissioner
 Abruzzi Marche Region

102

13/989 -
 13/990

13/990RKS

78 OCT 1944

7644

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

997A

AKT/mt
17 Oct. 44

ACC/4039/L.

SUBJECT: Suspension of Dott. TRADARDI Mario.

TO : H.E. The Minister of Justice.

1. This is to inform your Excellency that pursuant to an order of AMG the above-named magistrate has been suspended from his functions as Sostituto Procuratore del Regno of the Tribunal of Aquila with effect from 10 Sept 44. The reasons therefor are set out in the attached report addressed to your Excellency by the Procuratore del Regno.

2. In view of the considerable amount of work pending at the Procura of Aquila, it has been deemed necessary to immediately fill the vacancy by the following temporary appointments under AMG:-

BANGIORGIO Mario, pretore at Aquila and

TRIOZZI Giosifredo, editore at Chieti

to be respectively sostituti procuratori at the Procura del Regno of Aquila.

Deep

A.R. THACKERAE,
Lt. Colonel,
Italian Branch,
for Chief Legal Advisor

131

Enclos: 1 Report.

4039
 SUBJECT : Suspension of Sost. Proc. del Regno, Aquila
 TO : CIA LEGAL SUB COMMISSION
 FROM : A/RLO ABRUZZI MARCHE REGION

Legal 996A
 AMR/511/12/AQ

14 Oct. 44

A copy is enclosed of a letter written to the Regional Commissioner, together with copy of the report therein referred to, and copy signed by the R.C. of the order suspending this official.

LEGAL SUB-COMMISSION	
CLO	
DELO	
Chief Counsel	
CIO	
Italian Section	
CLERKS	

100 →

P. Backhouse

P. BACKHOUSE
 Major,
 A/RLO ABRUZZI MARCHE REGION



74-94

SUBJECT : Italian Courts - Sostituto Procuratore del Regno
at Aquila Tribunale

TO : REGIONAL COMMISSIONER, ABRUZZI MARCHE REGION

FROM : A/RLO, ABRUZZI MARCHE REGION

996B
AMB/511/12/AQ

14 Oct. 44

1. The attached report of the Procuratore Generale del Regno of the Court of Appeal at Aquila has been received from the Legal Officer of the Abruzzi, regarding the serious dereliction of duty on the part of the Sostituto Procuratore del Regno of the Aquila Tribunale, Dott. Tradardi Mario.
2. It appears that the Sostituto Procuratore has committed the ~~un~~ pardonable offences of :-
 - (a) leaving his post of duty with a penal ~~conviction~~ ^{sentencing} pending
 - (b) doing so without notice to (let alone permission from) his superior
 - (c) travelling from one Province to another without permission thereby committing a breach of General Order 24 Art. 1 Section 1.
3. This action on the part of a public official is, it is submitted, one which cannot be passed over, and it is recommended :-
 - (i) That Dott. Tradardi Mario be suspended forthwith
 - (ii) That the Regional Commissioner of the Lazio Region be asked to arrest him if he is at Foligno, and, if he agrees, to prosecute him for breach of the above mentioned General Order in an AMG Court.
4. Should you agree to this suggestion the form of order is enclosed for your signature to effect the suspension.

P. Backhouse

P. BACKHOUSE
Major,
A/RLO ABRUZZI MARCHE REGION

SUBJECT : Italian Courts - Sostituto Procuratore del Regno
at Aquila Tribunale.

TO : MINISTRY OF JUSTICE - ROME

AMR/511/12/AQ

FROM : PROCURATORE GENERALE DEL REGNO

12 Oct. 44

The local Procuratore del Regno informs me that Dott. Mario TRADARDI, Substitute Procuratore del Regno, left this town without asking or obtaining permission, and I do not even know where he is.

The Procuratore del Regno says that on the morning of 29 Sep. Dott. Tradardi, who should have attended the hearing of a penal case, did not come to his office, and that on the previous evening he met the Segretario, and told him to inform his chief that he (Tradardi) had departed to Poligno on account of his mother's illness.

Prior being advised of this, this office was informed, but unofficially, that Tradardi left for unknown destination in company with some patriots.

In the past Dott. Tradardi was a valuable functionary but lately he has assumed a quarrelsome and undisciplined attitude.

From enquiries which I made at once, I find that Tradardi is not in this town, and I do not know where he actually is. I therefore requested the CC RR to find out his address, and order him in my name to return immediately to Aquila.

I propose to pursue this matter and to submit suggestions as to action to be taken.

Referring to previous correspondence I take this opportunity of asking you to arrange to appoint a Judicial Officer in this Procura del Regno because now with the absence of Tradardi, who may never return, this office is in an exceedingly difficult position.

S/ Procuratore Generale del Regno

ALLIED MILITARY GOVERNMENT
MARCHE-ABRUZZI REGION

14 October 1944
R5AQ/1724/8

Subject: Italian Courts
To: Primo Presidente, ff. Court of Appeals of Aquila
Procura Generale, Aquila
From: Regional Commissioner, Marche-Abruzzi Region

It appearing from a report made by the Procura Generale of the Court of Appeals of Aquila that one Dott. Tradardi, Mario Sostituto Procuratore del Regno of the Tribunale of Aquila has absented himself from his post of duty

a) without proper notice to or permission from his superiors
b) with disregard to his obligation to the pending labor in his office, requiring his early attention and

It appearing that this action on the part of a high public official is unwarranted and inimical to the public good, it is, on this 14 day of October 1944

ORDERED that the said Dott. Tradardi, Mario be and is hereby, suspended from his office as Sostituto del Regno with effect from 30 September 1944.

97

Distribution: *Dott. Tradardi, Mario*
R.L.O. *C.I.A.*
~~L.C. The Abruzzi~~
~~P.C. Aquila Province~~
Primo Presidente Corte D'Appello-Aquila
Procura Generale Presso Corte D'Appello
Procura del Regno
Intendente di Finanza
File

French, Lt. Col.
Regional Commissioner

SUBJECT : Italian Judicial Officials
TO : CIA LEGAL 'B COMMISSION
FROM : A/RLO ABRUZZI MARCHE REGION

AMR/511/12/A

14 Oct. 44

Enclosed is copy of a letter written to the Regional Commissioner together with copy report from the Procuratore Generale and copy appointments made in pursuance thereof.

P. Backhouse
P. BACKHOUSE
Major,
A/RLO ABRUZZI MARCHE REGION

1069

SUBJECT : Italian Judicial Officials

TO : R.C. ABRUZZI MARCHE REGION

FROM : A/RLO ABRUZZI MARCHE REGION

(9950)

AMR/511/12/A

14 Oct. 44

1. In view of the suspension of Dott. Tradardi Mario as Sostituto Procuratore del Regno of the Aquila Tribunale, the office of the Procura is very understaffed.
2. The Procura attends two types of Courts namely :-
 - a) the Tribunale
 - b) the Tribunale del Minorenni which Court has jurisdiction in cases affecting minors over seven Tribunali (3 in Aquila, 2 in Chieti and 1 each in Pescara and Teramo).
3. The Procuratore has no assistance for Courts at this time, and there is considerable work now pending.
4. At the request of I.O. Abruzzi the Procuratore ^{del Regno} ~~generale~~ has mentioned the following names for appointments as temporary assistants to the Procuratore del Regno namely :-

SANGLIORGIO Mario, at present Pretore of Aquila, and
TATOZZI Goffredo, at present Uditore of the Chieti Tribunale, who is now in Aquila.
5. Should you approve, the necessary appointments are attached for signature.

95

P. Backhouse

P. BACKHOUSE
Major,
A/RLO ABRUZZI MARCHE REGION



Procura del Re Imperatore
dell'Aquila

N. 351 P.

Risposta a nota N.
del

OGGETTO

Magistrati per la Procura del
Regno di Aquila

ALL'ON. UFFICIALE LEGALE
REGIONALE

94 AQUILA

Tip. F. Cellamare - L'Aquila

L'Aquila, 14 Ottobre 1944

9950

In seguito al nostro colloquio di stamane e seguendo le direttive da Voi verbalmente datemi ripeto quanto stamattina ebbi a riferire.

Il lavoro della Procura del Regno di Aquila è molto gravoso sia normalmente sia a causa delle attuali contingenze.

Oltre il lavoro ordinario relativo alla circoscrizione territoriale del Tribunale, la Procura ha anche quello dei minorenni con giurisdizione sui sette Tribunali delle quattro Province di Aquila, Chieti, Pescara e Teramo.

Perchè tale lavoro possa espletarsi occorre l'opera di

almeno due Sostituti mentre vi è in pianta assegnato un solo Sostituto.

Tuttavia questo Sostituto in atto non vi è perchè allontanatosi senza se si sappia se e quando ritorna, e pertanto debbo da solo mandare avanti l'ufficio.

Vi prego volerVi interessare perchè siano provvisoriamente applicati alla Procura del Regno due magistrati a a tal uopo mi permetto di fare i seguenti nomi:

1° SANGIORGIO Mario, Pretore presso la Pretura dell'Aquila.

2° TATOZZI Goffredo, Uditore già presso il Tribunale di Chieti.

Ossequio e ringrazio

IL PROCURATORE DEL REGNO

*F. Li. Trovante per l'ufficio del
l'Ufficio Legale Procura di L'Aquila -
L'Aquila 14 ottobre 1944 -*

*Il Procuratore Generale del Re
Dea*

ALLIED MILITARY GOVERNMENT
ABRUZZI MARCHE REGION

14 October 1944
R5AQ/1724/9

SUBJECT : Italian Courts

TO : PRIMO PRESIDENTE ff., COURT OF APPEAL, AQUILA
PROCURATORE GENERALE, CORTE D'APPELLO, ABRUZZI

FROM : REGION COMMISSIONER

It appearing at this time that the Procura del Regno of Aquila, serving the Tribunale of Aquila and the Tribunale of Minorenni at Aquila (with jurisdiction in cases of minors for the Abruzzi-7 Tribunali) has no assistants on his staff and it further appearing that there is considerable work pending in both Tribunals and recommendation having been made therefore, it is

ORDERED that SANGIORGIO Mario Pretore presso la Pretura dell'Aquila and TATOZZI Goffredo, Uditore presso il Tribunale di Chieti ~~is~~ now in Aquila be and they are hereby appointed as Sostituti Procuratori in a temporary capacity to the Procura del Regno of Aquila, to take effect forthwith.

(587) (H.A. French)
C. H. A. FRENCH, Lt. Col.
Regional Commissioner
Abruzzi Marche Region

1073

994A

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ART/rm.
16 Oct. 44.

ACC/4039/L.

SUBJECT : LI SANTI Dott. Nicolo.
TO : HE. The Minister of Justice.

1. Reference is made to Your Excellency's letter of
23 Sept. 44 - Uff. 2. Prot. No. 631/02900.

2. Before going further into the circumstances of this
case, we would ask you to kindly state whether Dott. LI SANTI
may be promoted to a grade in another office equivalent to
that he now holds as Primo Presidente of the Tribunale of
Trapani.

92

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

1074

4039 ✓

993A

ALLIED CONTROL COMMISSION
SICILIA REGION HEADQUARTERS
AFC 394

File : RME 013.053/EMA 13 October 1944
SUBJECT : DI SANTI Dr. Nicosie.
TO : Legal Sub-Commission, (Italian Branch), ACC. HQ.

947A

In reply to your letter ACC/4039/T of 9.10.44 herewith
copy of A.C.C. Order appointing the A/M official.

For the Regional Commissioner Brigadier M. CARR:

91

E. K. Matthews Capt.
E. K. MATTHEWS, Capt.
Regional Legal Officer.

Enc. 1
als.

16 OCT 1944

C O P Y

(9938)

HEADQUARTERS, ALLIED MILITARY GOVERNMENTAppointment of Judicial Officials

WHEREAS, in order to provide for the speedy reorganization of the Judicial Administration in Sicily it has been found necessary to fill in existing vacancies among the judicial personnel by appointment, promotion or transfer;

I, therefore, FRANK J. McSHERRY, Brigadier General hereby Order as follows :-

1. The appointments as set out in the schedule attached hereto are hereby announced.
2. The officials mentioned in the schedule will take up their duties thirty days from the date of posting of this order.

DATED this 3rd day of November 1943

/S/ FRANK J. McSHERRY
/T/ FRANK J. McSHERRY
Brigadier-General,
Deputy Chief Civil Affairs Officer.

S C H E D U L E
(Inter Alia)
TRIBUNALE DI TRAPANI (Prov. di Trapani)

90 asistente

LI SANTI Dr. Nicasio

Promozione.

C O P Y

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
AFO 394

ACC/4039/L.

ES/ap.
16 October 1944.

SUBJECT : Major PIETRO TAMAGNINI, Italian Army.

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

1. Some time ago Your Excellency requested this Sub-Commission to have verified certain facts contained in an informal memorandum in respect of the contacts of the above officer with British authorities.

2. It appears from the information obtained by this Sub-Commission from the Allied authorities in the Middle East that Major TAMAGNINI assisted the Staff of a prisoners of war camp in classifying Italian personnel and in this function gave very valuable services. He is reported to be extremely anti-fascist, an educated lawyer, excellent officer, endowed with patience; he persevered over the instruction and education of the young uneducated Italians in the said Camp and was of great assistance to Allied authorities in every way. Furthermore the Commandant of the Camp stated that the above officer appeared to him to be heart and soul pro Ally and Anti-Nazi and showed genuinely correct feelings as to the future of Italy in conjunction with the Allies. Although working for the Allies he was not actually enrolled in the British Army.

89

See
A. R. THACKRAH,
Lt. Colonel,
Italian Branch,
for Chief Legal Advisor.

1077

991A

SUBJECT: Major Pietro Tamagnini

CONFIDENTIAL

MILITARY MISSION
ITALIAN ARMY
R O M E
I/103/2
15 Oct 44

Legal Sub-Commission A.C.C.

838A

Ref your 4039/L of 1 Sept.

Herewith copy of correspondence received from AFHQ regarding the co-operation of Major TAMAGNINI with British officers.

W. DeKeyser
for Major General
M M I A

88

LEGAL SUB COMMISSION	
CLO	
DCLO	
Chief Counsel	
CIN	
Section Section	
CL RKS	
15 OCT 1944	

CONFIDENTIALALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

JMM/BMR/wsw

9916

G-5: 201 Tamagnini, P. Major
Italian Army.

13 October 1944

SUBJECT: Major Pietro Tamagnini, Italian Army.

TO : Headquarters, Allied Control Commission, APO 394.

1. Reference is made to your Army Sub-Commission's memorandum I/103/2 dated 6 Sept. 1944.

2. Attached are copies of reports obtained by GHQ, MFP regarding the co-operation of Major Tamagnini with British officers.

For Assistant Chief of Staff, G-5:

87

Incl.
As above.J. MURRAY MITCHELL
Lt. Colonel, A.U.S.**CONFIDENTIAL**

C O P Y

CONFIDENTIALSubject:- Major Pietro TAMAGNINI.H.Q. Force 133,
MEF.
Ref. SE/5.

24 Sep 44.

AG5, CHC, MEF.

Reference your 9699/1/AG5 of 22 Sep 44.

2. The above named Officer was transferred to us as stated in your para. 2 and worked under Lieut GROSS and Major DOLBEY. We were informed by Major DOLBEY that TAMAGNINI was an excellent officer and a willing worker for the Allied cause.
3. Although working for us, he was not actually enrolled in in the British Army.
4. We have written to Lieut GROSS asking for any information he can give to assist in qualifying TAMAGNINI's statements.

/s/ C. WILLIAMS,
Capt.
for Brigadier,
Comd. Force 133.Security Section.

C O P Y

(9910)

Subject:- Reports on PR.

No. 4 Italian Adm. HQ.
Middle East Forces.
Tel. Shafakhana 76.
Ref. PCW/P/499.

AG5, CHQ, MEF.Major TAMAGNINI Pietro.

1. Reference your 9698/1/AG5 dated 22 Sep 44 in respect of the a/n officer who was transferred from this HQ to Grosvenor Camp, Tahag on 14 June 44.
2. Major Tamagnini was the senior of three other Italian Officers who assisted the Camp Staff in classifying Italians and gave very valuable service.
3. He is extremely anti Fascist, an educated lawyer and endowed with patience. He persevered over the instruction and education of the young uneducated Italians in this Camp and was of great assistance in every way.
4. He appeared to me to be heart and soul pro Ally and Anti Nazi and showed genuinely correct feelings as to the future of Italy in conjunction with the Allies.

(Sgd) A. DUGGAN.
Lt.Col.
Comd.

~~File~~
HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

990A
E3/mt.
15 Oct. '44.

ACC/4039/L.

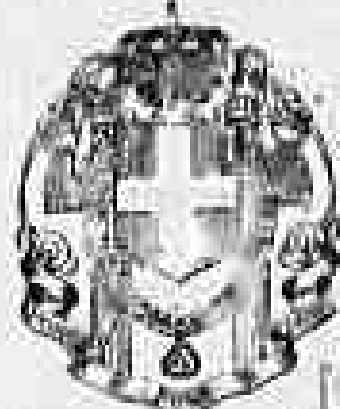
SUBJECT: Dr. TRIBATI -Tribunale Urbino- Request for information.

TO : Regional Legal Officer (thru R 3) Abruzzi-Marche Region.

1. The family of the above judge is anxious to know whether he is still in service at Urbino and if such is not the case where he is at present.

Please forward the requested information to this Sub-Commission.

See
A.R. THACKERAIL,
Lt. Colonel,
Italian Branch,
for Chief Legal Advisor.



MINISTERO DI GRAZIA E GIUSTIZIA

Gabinetto di S.E. il Ministro

Roma, 13 ottobre 1944

Prot. N. 194/301

Ufficio di Collegamento con l'ACC.

OGGETTO: : Giudice dr. Armando TRISAFI.

ALLA COMMISSIONE ALLEATA DI CONTROLLO
Sottocommissione LegaleR o m a

Si prega la cortesia di codesta Sottocommissione di volere far conoscere se presso il tribunale di Urbino presta servizio il giudice Dr. TRISAFI Armando o se al tribunale stesso consti ove il giudice anzidetto attualmente si trovi.

Quanto sopra perchè la famiglia si è rivolta a questo Ministero chiedendo notizie in proposito.

L'Ufficiale di Collegamento
(Dr. Giorgio Bonelli)

83

File

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

988A

ES/rm.

13 Oct. 44.

ACC/4039/L.

SUBJECT : Transfer of DE VIVO Mario
from Lucera to Melfi.

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

1. With reference to Ministry's Prot. no 5506/82309
(Uff. Sup. Pers.) of 6 Oct. 44 enclosed herewith a communication
of DE VIVO.

Dep

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

92

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

ACC/4039/L.

/rlp.
13 October 1944.

SUBJECT : Transfer of Magistrate, DE SANTIS Giuseppe.

TO : Regional Legal Officer (THRU: Regional Commissioner),
SOUTHERN Region (Attn: 1st Lt. Carl C. Banno).

1. Reference your letter L-5000 N.172 Prot dated 8 Oct 44 and enclosure.

2. Unfortunately there is no means of getting rid of De Santis Giuseppe entirely and it seems to us under those circumstances that he could be less harmful at Catanzaro than any other place, inasmuch as I understand from Major Little, who until comparatively recently was RLC, Region VII, that there are practically no cases in the courts there affecting Allied interests. It also seems unlikely that there will be such cases. If that proves to be so, it would not seem to me that the question of supervision is going to be a particularly arduous one.

31

RICHARD H. WILMER,
Colonel, CAC.
Chief Legal Advisor.

1085

4039
HEADQUARTERS
SOUTHERN REGION, ALLIED CONTROL COMMISSION
LEGAL DIVISION
APO 394, U. S. ARMY

987A

L-5000
N.172 Prot.

8 October 1944

SUBJECT: Promotions and Transfers of Judicial Officials.

TO : Legal Sub-Commission, HQ, ACC.

1. Further reference is made to your letter ACC/4039/L, dated 22 September 1944, and to our reply thereto, N. L-5000, dated 26 September 1944.

2. Our legal officer for Taranto Zone, has sent us information concerning De Santis Giuseppe, Emiliani Pescitelli Angelo, and, Cervelli Giovanni. A copy of ~~e~~ letter is enclosed.

For the Regional Chief Legal Officer:

Carl C. Bann
Carl C. Bann
1st. Lt. A.C.
Officer i/c Italian Courts

CCB/ga

Encl.

80

LEGAL SUB COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CL-RKS	
12 OCT 1944	

{ Copy }.

A.C.G. LEGAL OFFICE-TARANTO
October, 5, 44. TBL/I 2/ITo: R.L.O.
Southern Region, ACC,
N A P L E S

987B

Subject: Promotion and transfer of Judicial Officials, Grade III
and IV.

Ref. your L 5000 dated 26 September but received 4 October.
Following serials effect this area (e) DE SANTIS, Giuseppe.
I have little personal knowledge of this magistrate, but
Captain German who has great experience of the neighbourhood
assures me that he is lazy and unco-operative, and that all
Legal Officers at BARI, including Lieut. Col. COUSINS, have
recommended his removal. I therefore welcome his removal
from BARI, but would deprecate his posting to CATANZARO
which is a place over which for geographical reasons there
will be little supervision.

(f) I know nothing about EMILIANI, Pescetelli Angelo.

(k) I do NOT understand situation. New First President of
Court of Appeal, CERVELLI Giovanni, arrived early in September.
Does this mean he is to be posted away?

Major
Legal Officer, TARANTO.

79

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

/rm.

13 Oct. 44.

ACC/4039/L.

SUBJECT : Application for transfer to Siena by
ROSSI Comm. Dott. Ulderigo.

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

1. Enclosed herewith is the above application received here from the Regional Officer for Toscana Region who has the following observations to make:

2. The present incumbent at Siena, ARDOINO Comm. Gabriele, is reported to be seeking to retire, and should this vacancy occur, the appointment of ROSSI Comm. Ulderigo to Siena would meet with the approval of the office of the Procura Generale of Florence.

3. There is also to be considered the appointment of a Procuratore Generale del Regno of Florence, to re-place RIZZO Gr. Uff. Claudio whose interim for the duration of the war has been recommended on security grounds.

78
Ally
A.R. THACKERAN,
Lt. Colonel,
Italian Branch,
for Chief Legal Advisor.

ALLIED MILITARY GOVERNMENT
HEADQUARTERS
FLORENCE PROVINCE

983A

4039 ✓

FL/31a

9 October 1944

SUBJECT: Application for transfer to Siena
by ROSSI Comm. Dott. Ulderigo

TO : C.L.O., Legal Sub-commission, HQ.,
A.C.C., Rome, (attention officer i/c
Italian Branch)

1. The attached copy of an application made
by the a/m Procuratore del Regno of Arezzo is
forwarded for submission to the Minister of
Justice.

2. The present incumbent at Siena, ARDOINO
Comm. Gabriele, is reported to be seeking to
retire, and should this vacancy occur, the
appointment of ROSSI Comm. Ulderigo to Siena
would meet with the approval of the office of
the Procura Generale of Florence.

3. There is also to be considered the
appointment of a Procuratore Generale del Regno
of Florence, to re-place RIZZO Gr.Uff. Claudio
whose internment for the duration of the war
has been recommended on security grounds.

LEGAL SUBC	
CLO	
DCLO	
Chief Clerk	
CLO	
Italy	MCH/FV
C	

M.C. HOLT?

M.C. HOLT., Major
Asst. P.L.O. Florence
and officer i/c
Italian Courts
Toscana Region

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGISUB-COMMISSION
APO 394

982A

AGC/4039/L.

ES/pa.
13 Oct 44.

SUBJECT : MINERVINI Corrado, Procuratore Generale del Regno, NAPLES.
TO : R.E. The Minister of Pardon and Justice.

1. This Sub-Commission has the honour to transmit the enclosed letter of Sig. MINERVINI dated 6 October 1944.

2. At this occasion this Sub-Commission wishes to call your attention to the unusual record of Sig. MINERVINI under Allied Administration. He has performed his duties admirably and with devotion, skill and intelligence.

As you no doubt know he is held in highest esteem for his outstanding professional ability and competent administration by the members of the judiciary and has been an asset to Allied authorities and to the Courts since the early days of the liberation of Naples and throughout the most difficult period.

3. It is hoped that the above observations will be of some help in the definite settlement of the personnel situation in Naples Courts.

Dep
A. R. THACKRAH,
Lt. Colonel,
Italian Branch,
for Chief Legal Advisor.

1 Incl.

1090

4039

981A

HEADQUARTERS
SOUTHERN REGION, ALLIED CONTROL COMMISSION
LEGAL DIVISION
APO 394, U. S. ARMY

L-5000

8 October 1944

N.174 Prot.

SUBJECT: MINERVINI Corrado, Procuratore Generale del Regno, Napoli.
TO : Legal Sub-Commission, HQ, ACC.

1. The Procuratore Generale del Regno, Naples, has asked us to forward the enclosed letter to the President of the Council of Ministers and to the Minister of Grace and Justice.

2. Accordingly, we are, sending same to you for your approval and transmission.

3. We should like to take this opportunity to state that Minervini Corrado has performed his duties admirably and with unstinting devotion. He has used his skill, intelligence in a manner exceedingly helpful to the Allies, and consequently to the Italian people. In fact, he has been Procuratore Generale almost since to date of occupation of Naples. The Allies can be well satisfied at their fortunate choice. Since the early days, and throughout our most difficult period, Minervini Corrado has been an asset to us and the courts. He is held in the highest esteem for his outstanding professional ability and competent administration, by the all members of the judiciary and the bar.

75

For the Regional Chief Legal Officer:

Ref: 11/797
11/803
12/872
12/891
CCB/ga 12/926
encl

LEGAL SUB.COMMISSION	
CLO	
BCLO	
Chief Counsel	
CLO	
CLERKS	
2 OCT 1944	
W. A. DE VITO - NAPOLI	

Carl C. Bannò
1st. Lt. A.C.
Officer i/c Italian Courts

(981B)

**PROCURA GENERALE DEL REGNO
PRESSO LA CORTE DI APPELLO DI NAPOLI**

168 di 0.
Dio Napoli, 7 Ottobre 1944

Risposta a nota N. Dio.

OGGETTO: MINERVINI comp. Conrado - Procuratore
Generale del Regno.

Al l'on. Comando Alleato
Ufficio Legale

Napoli

Mi prego comunicare l'acclusa mia istanza diretta al Presidente del Consiglio dei Ministri ed al Ministro di Grazia e Giustizia, tendente a rendere definitivo il provvedimento di codesto Comando Alleato del 3 febbraio 1944, che mi conferiva la nomina a Procuratore Generale di questa Corte d'Appello.

Confido molto nell'ulteriore autorevole appoggio di Codesto Comando, col quale ho per così lungo tempo collaborato e che ha sempre dimostrato per la mia opera stima e fiducia.

Con osservanze

IL PROCURATORE GENERALE

[Handwritten signature]

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

980A

ACC/4039/L.

/rm.

13 Oct. 44.

SUBJECT : Application of Dott. SANSEVERINO Roberto,
Naples.

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

1. Reference Ministry's 11016 of Direzione Generale
Affari Civili Notariato there is no objection to the
extension requested by the above subject.

73

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

1093

4039

979A

HEADQUARTERS
SOUTHERN REGION, ALLIED CONTROL COMMISSION
APO 394, U.S. Army

L-5000

9 October 1944.

SUBJECT: Transfer of Notary Dott. SANSEVERINO Roberto
from Monte di Procida to Naples.
TO : Legal Sub-Commission A.C.C. Hq.- Officer i/c
Italian Branch.

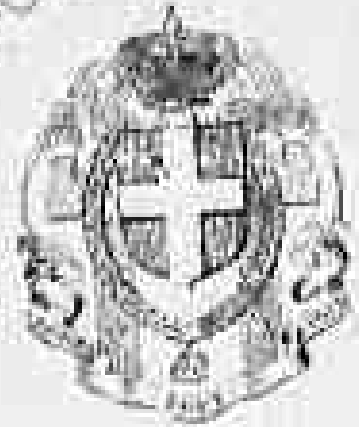
- 13/937
1. Reference is made to your letter, ACC/4039/L dated 5 October 1944.
 2. This Section agrees to the extension requested by the above subject.

LJP/eb

L. F. Dawson
L. F. DAWSON, *By E. T. Perry*
Lt. Col., G.L., *Capt.*
Reg. Chief Legal Officer
Southern Region

72

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
C. RKS	
12 OCT 1944	



MINISTERO DI GRAZIA E GIUSTIZIA

*Direzione Generale degli Affari Civili
Libera
e delle Professioni Legali*

Roma, 14.10.1944

Ufficio II (Notariato)

Prot. N° 11016

Risposta al f. del

Dir. Sez. A

OGGETTO: Richiesta di nulla osta per l'assegnazione al notaio dott. SANSEVERINO Roberto di un nuovo termine per assumere possesso della sede di Napoli.

M. On. Commissione Alleata di Controllo

- Sottocommissione Legale -

Con nota 29 settembre u.s. si è chiesto a codesta On. Commissione il nulla osta per la concessione al notaio in epigrafe di una proroga di giorni 90 al termine di mesi tre di cui agli art. 24 della legge notarile 16.2.1913, n. 89, e 50 del R. decreto 14.11.1926, n. 1953, per ottenere l'iscrizione in ruolo per la sede di Napoli, ove lo stesso notaio venne trasferito da quella di Monte di Procida con decreto ministeriale 14 agosto 1943, pubblicato nel Bollettino Ufficiale del 24 stesso mese. Detta proroga avrebbe dovuto decorrere dall'11 agosto 1944, essendo stato notificato all'interessato il mentovato decreto di trasloco soltanto il 12 maggio 1944.

Senonché si è reso ora applicabile al caso del dott. SANSEVERINO l'art. 3 del decreto legislativo 20 luglio u.s. n. 209, testè pubblicato nella Gazzetta Ufficiale del Regno n. 60 del 26

./.

settembre scorso, nel quale è previsto l'assegnazione di un nuovo termine non superiore a giorni 120 (prorogabile d'altrettanti giorni) a favore dei notai che, per gravi difficoltà dipendenti dallo stato di guerra, non abbiano potuto provvedere nei termini di cui ai citati art. 24 e 50 degli adempimenti all'uopo prescritti per assumere possesso delle sedi assegnate.

Si prega pertanto codesta On. Commissione di far conoscere se nulla osta da parte sua all'assegnazione all'interessato del nuovo termine anzidetto.

Per il MINISTRO

Quilici

File

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

(977A)

ACC/4039/1.

ES/pa.
13 Oct 44.

SUBJECT : Appointment of Comm. MICHELE Rosario to the position of
Procuratore del Regno, Palermo.

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

1. In reply to Ministry's 2439/02899 of 23 Sept 1944 this Sub-Commission wishes to inform you that there is no objection against the above appointment.

Opp
A. R. TILACKERAH,
Lt. Colonel,
Italian Branch,
for Chief Legal Advisor.

70

1097

4039 ✓

RESTRICTED
ALLIED CONTROL COMMISSION
INCOMING MESSAGE

976A

7690

TO: HQ ACC FOR LEGAL
FROM: ACC SICILIA REGION (CARR)
REFERENCE No:
DATE AND TIME OF ORIGIN:
SIGNAL MESSAGE CENTER No: 49/12
CLASSIFICATION:
PRECEDENCE: ROUTINE
OFFICE OF ORIGIN: CITE RAG-144

919A

RESTRICTED. Your message 4040 refers. No objection to proposed appointment of COMMICELLI ROSARIO. Considered he is well suited to proposed post

69

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	
12 OCT 1944	

ACC DIST

ACTION LEGAL SC (2)
INFO A/CC
C & SEC
FILE (2)
FLOAT

RESTRICTED

OCT 120940

DATE and Time of RECEIPT

Distribution:

HEADQUARTERS
12 OCT 1944
A.C.C.

ALLIED MILITARY GOVERNMENT
HEADQUARTERS
FLORENCE PROVINCE

975A

4039 ✓

hwp

FL/31

12 October, 1944

SUBJECT: Temporary application of BERTUCCELLI
Comm. Dott. Orazio Procuratore del
Regno of Apuanio to the Procura del
Regno of Florence with functions of
Procuratore Aggiunto del Regno.

TO ; C.L.O., Legal Sub-Commission, HQ.,
A.C.C., Rome (attention officer
i/c Italian Branch).

1. May the attached application and the
covering letter from the Acting Procuratore
Generale of Florence be submitted for consider-
ation and recommendation by the Minister of
Justice please?

68
18 Oct 1944

M. C. Holt

M. C. HOLT, Major
Asst. P.J.O., Florence
and officer i/c Italian
Courts, Toscana Region

MCH/FV
Encl.

LEGAL SUB-COMMISSION	
CIO	
DCIO	
Chief Counsel	
CIO	
Italian Section	
CL RKS	
18 OCT 1944	

1099

4039 ✓

file

974A

HEADQUARTERS
AMG FIFTH ARMY
APO 464 U.S. ARMY

208/10

10 October 1944.

Subject: Arrest of Procuratore Generale del Regno,
Florence.

To : Legal Sub-Commission, HQ ACC.

1. Ref your ACC/4039/L dated 10 September 1944.
2. It is understood a report on this man has
been sent you by PIO, Florence.

For the Commanding General:

Walter Doherty

W. DOHERTY,
Lt. Colonel,
Chief of Public Safety,
AMG Fifth Army.

/jm

67

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

HEADQUARTERS
112 OCT 1944
A. C. C.

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APC 394

ACC/4039/L.

ES/pa.
13 Oct 44.

SUBJECT : Judicial Officials Grade III & IV..

TO : Regional Legal Officer (THRU: RC) Sicily Region.

1. Receipt is acknowledged with thanks of your helpful comments on the above subject contained in your RLE 013.053 of 26 September 1944.

2. It is the established general policy of the Chief Legal Advisor to limit the Allied interference with the administration of justice in Italian Government Territory to instances where our interests are directly involved.

In view of this policy this Sub-Commission does not deem it advisable to oppose Sig. GENTILE's transfer on the ground that he was an AMG appointee. However, the Chief of Personnel of the Ministry has given his assurance that Sig. MIRABILE's appointment in Sig. GENTILE's place will be purely nominal and of no practical consequence as the former is scheduled to retire this month and will probably never take up his assignment at Palermo. Furthermore this Sub-Commission has done all to impress upon the Minister the urgent need of an adequate definite replacement for Sig. GENTILE as requested by you. The particulars of the candidate will be communicated to you as soon as he is selected.

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

✓4039
ALLIED CONTROL COMMISSION
SICILY REGION HEADQUARTERS

FILE : RLE 013.053/EKM

26 September 1944

SUBJECT : Judicial Officials, Grade III and IV.

TO : Legal sub-Commission (Italian Branch) - APO 394.

1. Reference your letter ACC/4039/L dated 22.9.44 I make the following comments on the proposed transfers:

a GENTILE Giobanni Battista. This man was appointed First President at Palermo on 3.12.43 by AMG and is not a Section President, although he may be regarded as such by the Ministry. Early in 1944 I understand there was a proposal to replace him by a man named MIRABILE but this was opposed by the then Regional Commissioner, Col. HANCOCK, on the ground that this was an AMG appointment. Gentile went to the Ministry with a letter from Colonel HANCOCK in July last and was subsequently confirmed in his present appointment. The transfer now proposed is to a less important Court of Appeal and will I think be regarded in Italian Judicial Circles as a kind of disciplinary punishment. As the man has been very satisfactory here and having regard to the above I am subject to your opinion rather opposed to the proposed transfer. If it is effected may the Ministry please be asked to supply a replacement at once, which I think you will agree should not be MIRABILE.

b CEDRANCOLO Oscar. I see no objection to the proposed transfer. I note you have already drawn attention to the fact that Sig. La Cecla is an AMG appointee. For your information the latter has been co-operative but not in my opinion a very active and energetic official.

c SANDULLI Nicola Maria. I see no objection to the proposed transfer although it seems rather unfortunate the present Procuratore Generale, CAPELLANI, should be moved just as he is settling down in his present appointment. The latter has worked very well and been satisfactory to A.C.C.

For the Regional Commissioner :

/S/ E. K. MATTHEWS
/T/ E. K. MATTHEWS, Captain,
Regional Legal Officer.

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

971A
ART/pa.
12 Oct 44.

ACC/1039/L.

SUBJECT : Judicial Appointments.

TO : Regional Legal Officer (TIRU: RC) Sicily Region .

1. Referring to your RIM 013.053/REM dated 7 Oct 44, the petition of Com. SANDULLI has been forwarded to the Minister of Justice supported by your favourable recommendation, the transfer having been previously agreed as per your RIM 013.053/REM of 26 Sept 44. You will be advised of the outcome.

2. In reply to your query on general policy in the matter of ACC appointments, you have answered it yourself in the opening phrase of your para 2.

However, although the appointment, transfer and promotion of the judiciary in unoccupied territory is a "domestic matter", the Minister of Justice must refer to ACC on all appointments affected by Art.1 of RDL No.31 of 11 February 1944.

3. Unfortunately under ACC there were appointments which violated the "norma delle leggi Italiane"- Vide Executive Memo No.62 of 16 June 1944 on "Filling of vacancies in Italian Civil Service Positions"- and therefore are not binding on the Italian Government. In such cases of difficulty we can only endeavour by specific recommendation to the Minister to prevent hardship or injustice.

84
A. R. THACKERAY,
Lt.Colonel,
Italian Branch,
for Chief Legal Advisor.

1103

4039

970A

ALLIED CONTROL COMMISSION
SICILIA REGION HEADQUARTERS
APO 394

7 October 1944

FILE: FILE 013.053/EM

SUBJECT: Judicial Officials Grade III & IV.

TO : Legal Sub-Commission, A.C.C. HQ - APO 394.
(Italian Branch)

900A

925A

1. With reference to your letter ACC/4039/D of 22.9.44 and my reply of 26.9.44, I now enclose petition received from the Procuratore Generale Talevico, who has in some manner heard of his proposed replacement by SANDUINI.

2. As happens in practically every case of this kind he of course alleges that this is a step by the Minister to retire him, thus getting rid of an AMG appointment, and that he will not be offered another post or at any rate not one corresponding to his present position.

3. I have pointed out to him that we cannot of course object to the transferring of officials which is purely a domestic matter. At the same time I feel you may be anxious to protect his interests if there is any truth in his suggestion. He appears capable, energetic and is very well liked here so that if he is in fact got rid of or degraded his successor is likely to have a difficult time here with a consequent loss of control and further deterioration in the local judicial administration. It is the latter aspect of the matter which chiefly caused me concern.

634. Perhaps you will be good enough to let me have your comments in due course and I should also be glad of any general information which you can give me with regard to the difficult question of this AMG appointments which are continually arising as I am not at all clear as to the A.C.C. policy in the matter.

For the Regional Commissioner:

Approved by
Rho. Smith
FILE 013.053/EM
26 Sept 44

EK Mathews
E.K. MATHESON, Captain
Regional Legal Officer

of
Encl: Petition.

4039
SUBJECT : Transfer De Vivo Mario from Lucera to Melfi
TO : GLA LEGAL SUB-COMMISSION
FROM : RLO

AMR/511/12

12 Oct. 44

Ref. your ACQ/4039/L dated 20 Sep. 44, inclosed is a letter from De Vivo Mario, the contents of which will no doubt be brought to the notice of the Ministry of Justice.

Copy to PLO Foggia and Campobasso Zone

P. Backhouse
P. BACKHOUSE
Major
A/ RLO

62



TO : R.L.O. OF FOGGIA PROVINCE

I cannot comply with your invite to go, as a Judge, to the Tribunal of Melfi owing to the fact that it is impossible to transport my children, my wife and my furniture from Lucera to that city for lack of means of transport between Lucera and the rest of the continent.

Besides, I am informed that it is impossible to find a dwelling-house at Melfi. And it is also impossible for me to go to that city alone, leaving my family at Lucera, because one hundred liras a day (my salary) are enough only to avoid the starvation of my children, at this difficult time.

I inform you that I was appointed to the Tribunal of Melfi, as a Judge, by a R. Decree, dated 29 May 1943.

But I did not take up my duties because I was appointed, by another Decree, ~~dated~~ dated 8 Sep. 43, to the Tribunal of Pescara, as Sostituto Procuratore del Regno, and I did not reach that seat owing to the fast drive of Allied Troops in Foggia Province.

The Ministry of Justice acknowledged my conditions and, with a letter dated 18 June 1944, No 27, sent from Salerno, informed me that I was going to be appointed to the Tribunal of Foggia, as Sostituto Procuratore del Regno.

I wonder the Ministry has changed its mind with no reasonable cause.

My family conditions do not allow me to move from Lucera. If it is impossible to let me work in this city, I pray you to accept my resign, already sent, long time ago, to the Ministry of Justice.

Respectfully.

Lucera, 3 Oct. 44

Signed : Mario De Vivo
Via S. Domenico 16
Lucera (Foggia)

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APC 304

ACC/4039/L.

ART/mt.
12 Oct. 44.

SUBJECT: Pretore in Livorno Province.

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

For your Excellency's information the following Pretori
are now functioning in the Province of Livorno:

CAMPANELLI Antonio	- Piombino
DINI Dino	- Cecina
OSCHINI Francesco	- Livorno
BERNARDI Francesco	- Livorno
ANTINOZZI Giovanni	- Elba

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

439 ✓

Legal 967A

HEADQUARTERS
A.M.C. P.L.O.
LIVORNO PROVINCE

4th October 1944

SUBJECT : Preture
TO : R.L.O. Region VIII.

1. The following Pretori are now functioning in the Provincia of Livorno:

A

- | | |
|---------------------|------------|
| CAMPANELLI, Antonio | - Piombino |
| DINI, Dino | - Cecina |
| OCCHINI, Francesco | - Livorno |
| BERNARDI, Francesco | - Livorno |
| ANTINOZZI, Giovanni | - Elba |

59

2. The above named are men with many years of experience as Pretore. They have the confidence of the Lawyers and the people in their respective Communes.

3. Have urged them to expedite pending matters and to forward weekly reports to the H.Q.

LEG	SUB-COMMISSION
CLO	
CCLO	
Chie Counsel	
CJO	
Italian Section	
CL RKS	
Copy to:	
P.C. Livorno	
11 OCT 1944	

ROBERT M. WOODWARD
Major, AUS. PLO.
Livorno Province

10 OCT 1944
A.C.C.

c/c = Chief Legal Advisor
Hqtrs, acc
for information
Jaw

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

ART/mt.
12 Oct. 44.

ACC/4039/L.

SUBJECT: Procuratore Generale CAPPELLANI, Palermo.
TO : H.E. the Minister of Pardon and Justice.

The attached petition from Comm. Giuseppe CAPPELLANI is forwarded for your Excellency's consideration as having the favourable recommendation of our Legal Officer in Sicily who testifies to this magistrate's energy and capability.

Creep
A.R. THACKERAY,
Lt. Colonel,
Italian Branch,
for Chief Legal Advisor.

58
Enclos: 1 Petition

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ES/rm.

11 Oct. 44.

ACC/4089/L.

SUBJECT : List of Officials - Piemonte.
TO : HE. The Minister of Pardon and Justice.

1. This Sub-Commission would appreciate it if Your Excellency would be good enough as to have compiled a complete list (2 copies) of all personnel which, according to the latest information of the Ministry, should be employed in Piemonte. That is a list comprising all magistrates of the Corte d'Appello of Torino, the dependent Tribunali and Preture inclusive of the Procuratore Generale, Procuratori del Regno offices and other functionaries (cancellieri, segretari, ufficiali giudiziari) of all these courts and offices.

Dep
A.R. THACKRAH,
Lt. Colonel,
Italian Branch,
for Chief Legal Advisor.

4035 ✓

HEADQUARTERS
PIEMONTE REGION
ALLIED MILITARY GOVERNMENT
APO 394

Legal

9644
EJM/cg

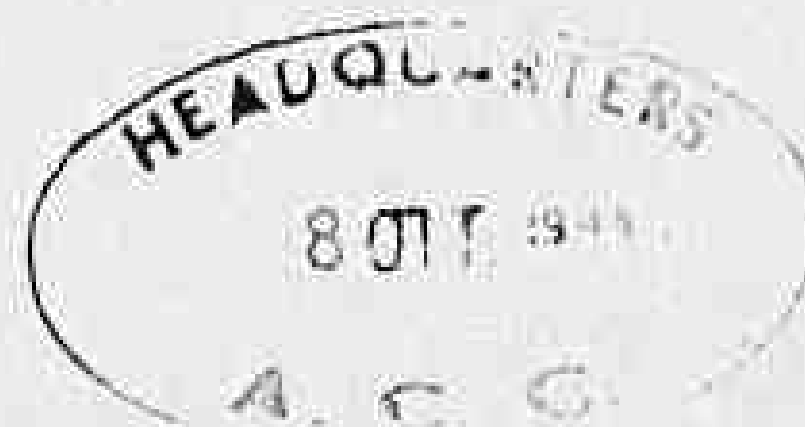
7 October 1944

SUBJECT: List of Judicial Functionaries

TO : Chief Legal Officer (Attn: Officer i/c of Italian Courts)
HQ, ACC, APO 394

1. Will you please have prepared by the Ministry a complete list of all judicial personnel which, according to the latest informations of the Ministry, should be employed in Piemonte Region, that is all magistrates of the Corte d'Appello of Torino, the dependent Tribunali and Preture inclusive of the respective Procuratore Generale and Procuratori del Regno offices and the other functionaries (cancellieri, segretari, ufficiali giudiziari) of all those courts and offices.

Edwin J. Mercer
EDWIN J. MERCER
Lt. Col. Ord.
Regional Legal Officer



56

LEGAL SUB. COMMISSION
CIO
DCIO
Chief
CI
→ []
9 OCT 1944

4039/4
 ALLIED FORCE HEADQUARTERS
 G-5 Section
 APO 512

Legal S/C
 42
 (9648)

G-5: 230.4-17

JMM/BMR/seb
10 October 1944

SUBJECT: Repatriation Signor VALENTI

TO : Headquarters, Allied Control Commission
APO 394.

879A, 879B, 882B

Reference is made to your memorandum
ACC/4039/4/L dated 9 September.

1. This Headquarters has no objection but the concurrence of the Defence Security Officer, Tripolitania, is awaited. As regards the appointment of a successor, judging from the standpoint of available transportation it is suggested that he should be nominated from Italian judges already in Tripolitania, subject, of course, to security considerations.

For the Asst. Chief of Staff, G-5:

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJ	
Litigation Section	
CLERKS	

B. D. Mitchell
 MURRAY MITCHELL
 Lt. Colonel, AUS.

B/F when
 DSO concurs.

HEADQUARTERS
 13 OCT 1944
 A. C. C.

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACC/4039/L.

/rm.

11 Oct. 44.

SUBJECT : Personnel of Tribunale,
Orvieto (Viterbo).

TO : REE The Minister of Justice.

1. A report has been received from the Legal Officer of the Lazio-Umbria Region on the question of certain changes in the personnel of the Terni Tribunale proposed by the Presidente of the Orvieto Tribunale to the Primo Presidente in Rome, --this Sub-Commission's letter ACC/4001/2/L. dated 5 Sep 44 refers.

2. Under this proposal the following would compose the Orvieto Tribunale.

- | | |
|----------------------|-------------------------|
| 1) President : | FONZI Doc. C. Gaetano |
| 2) Judges : | CALDERISI Doc. Gerardo |
| 3) " | CALCAGNI Doc. Eleuterio |
| 4) V. Prosecutor : | CALDORA Doc. Gaetano |
| 5) Cancelliere : | LABISO Emanuele |
| 6) " | BARBIERI Salvatore |
| 7) " | LEONELLI Alfonso |
| 8) Uff. Giudiziario: | CARNIVALE Antonio |

54

3. The proposed changes are not considered entirely satisfactory because it is thought that they will have the effect of disrupting the work of the Terni Tribunale which is functioning smoothly under exacting conditions. Your Excellency will recollect that Dr. Caldara was appointed to be President thereof on grounds of both urgency and capability.

4. In view of the above, the following substitutions are recommended to Your Excellency in the place of the selection in the above list:-

- | |
|--|
| 1) Dr. COLLABUCCI Edmondo instead of Dr. CALDERISI |
| 2) Canc. MALIZIA Italo instead of BARBIERI |
| 3) Canc. MAZZERIOLI Mario instead of LEONELLI |
| 4) Dr. PIETTONI Romolo instead of Dr. CALDORA. |

Orvieto (Viterbo).

TO : HSE The Minister of Justice.

1. A report has been received from the Legal Officer of the Lazio-Umbria Region on the question of certain changes in the personnel of the Terni Tribunale proposed by the Presidente of the Orvieto Tribunale to the Primo Presidente in Rome. — this Sub-Commission letter AG/4001/2/L. dated 5 Sep 44 refers.

2. Under this proposal the following would compose the Orvieto Tribunale.

- | | |
|----------------------|-------------------------|
| 1) President : | FONZI Doc. C. Gaetano |
| 2) Judges : | CALDERISI Doc. Gerardo |
| 3) " | CALCAGNI Doc. Eleuterio |
| 4) V. Prosecutor : | CALDORA Doc. Gaetano |
| 5) Cancelliere : | LABISO Emanuele |
| 6) " | BARBIERI Salvatore |
| 7) " | LEONELLI Alfonso |
| 8) Uff. Giudiziario: | CARNEVALE Antonio |

3. The proposed changes are not considered entirely satisfactory because it is thought that they will have the effect of disrupting the work of the Terni Tribunale which is functioning smoothly under exacting conditions. Your Excellency will recollect that Dr. Caldara was appointed to be President thereof on grounds of both urgency and capability.

4. In view of the above, the following substitutions are recommended to Your Excellency in the place of the selections in the above list:-

- | |
|---|
| 1) Dr. COLLABUCCI Edmondo instead of
Dr. CALDERISI |
| 2) Canc. MALIZIA Italo instead of BARBIERI |
| 3) Canc. MAZZERIOLI Mario instead of LEONELLI |
| 4) Dr. PITTORNI Romolo instead of Dr. CALDORA. |

Chief

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

P-E-S-T-R-I-C-T-E-D

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
LAZIO-UMBRIA REGION, LEGAL DIVISION
A.P.O. 394

8 October 1944

PER/C/03

SUBJECT : Personel of Tribunali, ORVIETO.

TO : Legal Sub Commission,
Officer in Charge of Italian Branch
(att. Col. Hannaford)
ALLIED COMMISSION.

1. Acting upon the request of the President of the Tribunali of Orvieto, the President of the Court of Appeals here in Rome has proposed certain changes of personel at the Terni Tribunale. Naturally these changes are subject to your approval and confirmation of this Office.

2. Under this proposal the following would compose the Orvieto Tribunale.

- 1) President : FONZI Doc. C. Gaetano
- 2) Judges : CALDERISI Doc. Gerardo
- 3) " CALCAGNI Doc. Eleuterio
- 4) V. Prosecutor: CALDORA Doc. Gaetano
- 5) Cancelliere: LABISO Emanuele,
- 6) " BARBIERI Salvatore
- 7) " LEONELLI Alfonso
- 8) Uff. Giudiziario: CARNEVALE Antonio

3. Since these changes are not entirely satisfactory to this office, I recommend the following:

1. that Dr. COLLABUCCI Edmondo be substituted in the place of Calderisi Doc. Gerardo (2)
2. that MALIZIA Italo be substituted to BARBIERI Salvatore (6)
3. That MAZZERIOLI Mario be substituted to Leonelli Alfonso (7)
4. That Dr. PIETRONI Romolo be substituted to CALDORA Doc. Gaetano (4. V. Prosecutor).

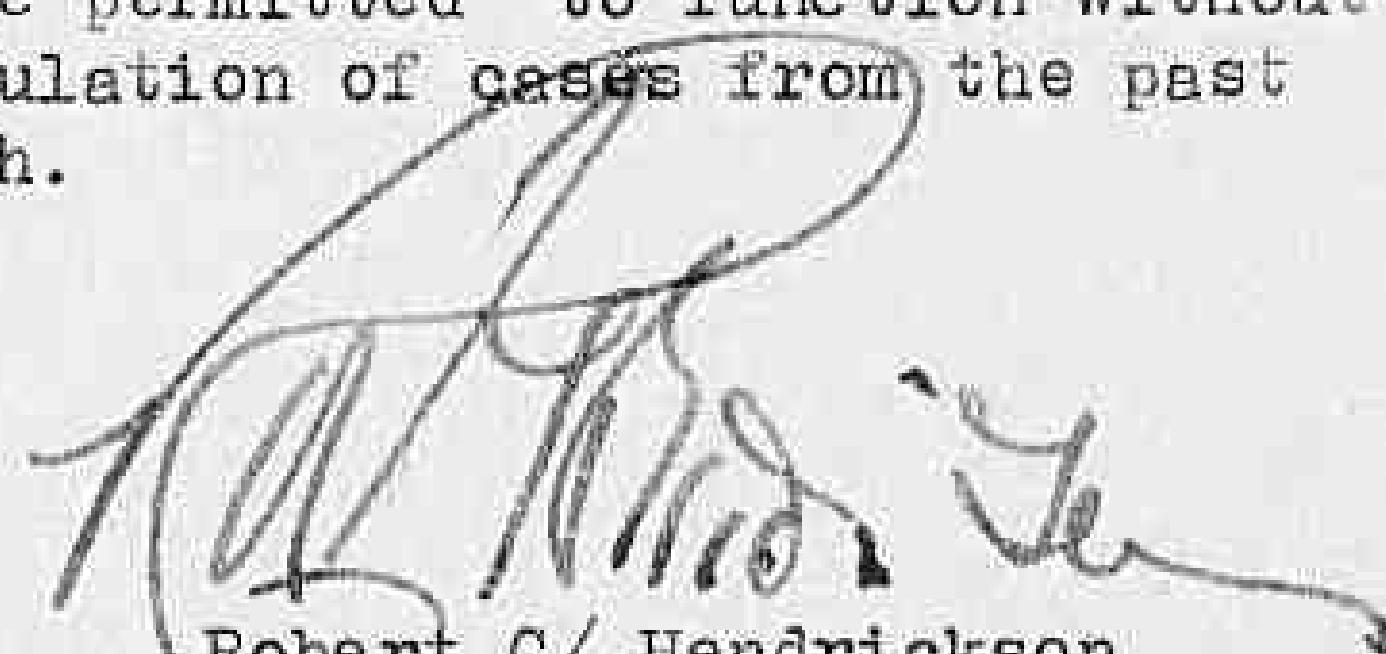
4. The recommendations in paragraph 3 are based largely on the fact that the Court at Terni is functioning smoothly, and that the changes desired by the Orvieto Tribunale would in all likelihood disrupt the work at Terni.

This matter has been discussed with all the Officials concerned including the acting President of the Terni Tribunale.

5. My conclusions, of course, are based almost entirely on the very thorough inquiries of the Provincial Legal Officer.

6. As you know Doctor Caldora was appointed to his President's Office by the Provincial Legal Officer on the recommendations of the Minister of Justice, both because of the immediate need and the man's capability.

7. I am convinced from a recent conference with the Provincial Legal Officer that the work at Terni is very hard and it is most essential that all Court Personnel be permitted to function without disturbance in order that all accumulation of cases from the past may be disposed of with due dispatch.



Robert C. Hendrickson
Major, A.U.S.

Regional Legal Officer,

52 RCH/PA.

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	
10 OCT 1944	

HEADQUARTERS
ARMED CONTROL COMMISSION
LEGAL SUB-COMMISSION
ARO 394

ES/pa.
11 Oct 44.

ACC/4039/L.

SUBJECT : Promotions and Transfers of Judicial Officials .
TO : Regional Legal Officer, (TRU: RC) Southern Region.

1. Thank you for your helpful comments contained in your L-5000 of 26 September 1944.

2. As you know both Sig. LEBONATTI and Sig. MINERVINI now hold positions calling for a higher grade than that held by the said officials. In order to bring this situation into conformity with Italian law either these officials would have to be promoted or other magistrates holding the appropriate grade would have to be appointed in their place. Sig. LEBONATTI is scheduled to retire this month; Sig. MINERVINI's name according to Ministry's report appears too far down on the "graduatoria" to warrant a promotion without unjust prejudice to magistrates of better standing. For these reasons the first of the above alternatives is out of question and the second has to be chosen.

3. In the light of the general policy adopted by the Chief Legal Advisor and communicated to you in our letter ACC/4039/L of 30 September 1944 in connection with the proposed retirements at Naples this Sub-Commission feels that the Minister should not be prevented from regularizing the present situation existing at the Naples Court of Appeal. To safeguard Allied interests in the proper functioning of the Naples Courts and to secure the necessary continuity of their work this Sub-Commission advised the Minister that Sig. LEBONATTI should stay in his office for a minimum period of two months after the transfer of Sig. MINERVINI from Naples.

Aep
A. R. THACKERAY,
Lt. Colonel,
Italian Branch,
for Chief Legal Advisor.

File

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

960A

ACC/4039/L.

/rm.

11 Oct. 44.

SUBJECT : CONFALONE Ennio.
TO : HE. The Minister of Justice.

For Your Excellency's information the above named
President of the Tribunale of Teramo has been suspended
from his functions by order of AMG.

sep

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

4039 ✓

9 Oct. 44

- 39
HEADQUARTERS
10017
A. C. C.
- Legal*
- 959A
- AMR/511/12/T
- 9 Oct. 44

Chubrius

J. L. WILKINS
Lt. Colonel,
ELO CLO
DELO
Chief Counsel
ELO
Italian Section
CL RKS
10 OCT 1944

6933

49

File

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

958A

ACC/4039/L.

/rm.
11 Oct. 44.SUBJECT : Arrest of Procuratore Generale
of Florence - RIZZO Claudio.

TO : HE. The Minister of Justice.

Further to Your Excellency's request, information has been now received that the above named magistrate was arrested by the Allied Security police on account of the allegation of the Tuscany Committee of liberation that he was on "enthusiastic pro-German and pro-Fascist". It is also alleged that as Procuratore Generale of the Court of Appeal he was influenced in favour of Fascists and that during the German occupation he permitted the release of Fascists and took extreme measures against officials who allowed escape of anti-fascists.

See

48

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

~~CONFIDENTIAL~~

957A

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

ACC/4039/L.

ART/dt.
10 Oct 44.

SUBJECT: Request for screening of judicial officials.

TO : Security Branch of the Public Safety Sub-Commission.

1. Could a report on the political back ground of the below listed judicial officials be obtained at your earliest convenience please:

- (a) ROSATI Domenico, formerly First President of the Court of Appeals of Brescia, at present with the Ministry of Pardon and Justice at Rome.
- (b) VACCARIELLO Francesco, Counsellor of Cassation, at present Section President, Court of Appeal, Naples.
- (c) DI BLASI Ferdinando Umberto, Counsellor of Cassation at the Supreme Court of Cassation at Rome.
- (d) FICA Emanuele, Section President, Court of Appeal, Rome.
- (e) TESCE Camillo, Section President, Court of Appeal, Naples.
- (f) COLAGROSSO Enrico, Counsellor at the Supreme Court of Appeal at Rome.
- (g) CORTESANI Domenico, Deputy Procurator General, Supreme Court of Cassation, Rome.
- (h) VENEZIANI Alessandro, First President of Court of Appeal acting as Vice-Inspector General at the Ministry of Pardon and Justice, Roma.

ay
A.R. THACKRAH,
Lt. Colonel,
Italian Branch,
for Chief Legal Advisor.

47

*Private - Personnel
Vaccariello - do*

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 594

956A

ACC/4039/L.

ES/pa.
9 Oct 44.

SUBJECT : Dr. CELENTANO Saverio, Presidente Sezione Corte Appello.
TO : H.E. The Minister of Pardon and Justice.

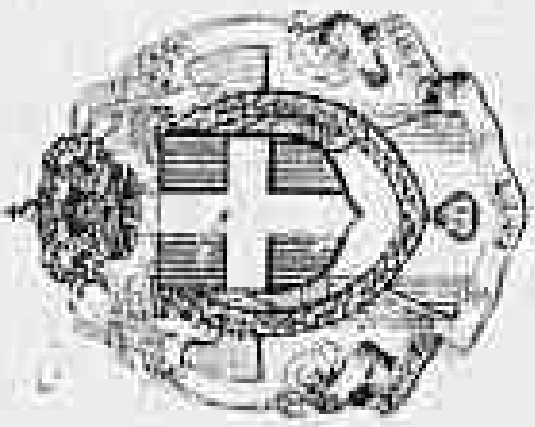
1. In reply to Ministry's 28/6/09949 of 6 October 1944 this Sub-Commission wishes to call your attention to the information forwarded to you with our letter ACC/4039/L of 14 February 1944 and contained in the extract from a letter of the AMG Officer, Potenza and in the copy of a resolution taken by the Forensic Commission at Potenza.

Furthermore, it is pointed out that the representative of the Ministry stated in the meeting held on 11 February 1944 at Salerno that in view of the above information Dr. CELENTANO would not be considered for a new assignment.

2. However, this Sub-Commission feels that at this juncture it should be left to Your Excellency's discretion to decide as to whether or not Dr. CELENTANO should be given a new assignment in Italian Government Territory pending the epuration proceeding.

3. This Sub-Commission would appreciate an advise as to the decision taken by the Ministry.

46
Dep
A. R. THACKRAH,
Lt. Colonel,
Italian Branch,
for Chief Legal Advisor.



Mod. 1348 MG

9552

Ministro di Giustizia

UFFICIO SUPERIORE DEL PERSONALE

Uff. 2°

Prot. N. 2846/0848

Roma, 6. 10. 1944

Alla Sottocommissione Legale
dell'A.C.C.

R O M A

OGGETTO: Dr. CELENTANO Saverio - Presidente Sezione Corte
Appello.

Con provvedimento in data 7 ottobre 1943 del Dipartimento Legale di Potenza dell'A.M.G., il Presidente della Sezione Distaccata di Corte d'Appello di detta Città, Dr. CELENTANO Saverio, venne allontanato dal suo ufficio.

Successivamente, avendo questo Ministero chiesto se il Dr. CELENTANO potesse essere utilizzato in altra sede, code= sta Sottocommissione inviava il 14 febbraio c.a. copia di una lettera, in data 31 ottobre 1943, con la quale l'Ufficiale dell'A.M.G. di Potenza comunicava che la sospensione dall'ufficio del CELENTANO era da intendersi valida solo per il periodo della occupazione militare alleata.

Va poi considerato che il CELENTANO, per il grado rivestito, rientra fra quei magistrati per i quali (in conformità degli accordi di cui è cenno nella nota n. 4039L/ACC. del 24 marzo c.a.) occorre, prima della nomina, il parere di questa Sottocommissione.

Si prega quindi di voler far conoscere se nulla osta a che il suddetto Dr. CELENTANO venga richiamato in servizio, in una sede del territorio restituito, diversa da quella di

Potenza.

Tale destinazione non importerebbe naturalmente alcun pregiudizio per quei provvedimenti che potessero in seguito essere adottati nei confronti del Dr. CELENTANO in materia di epurazione.

PEI MINISTRO

W. De Michelis

1124

SUBJECT : Italian Courts
 TO : CLO HQ AOC
 FROM : ABRUZZI - MARCHE REGION

4539

Legal

954A

AME/511/12/ANC

9 Oct. 44

A. C. C.

1. Dett. Stefano CESSANTI, formerly Consigliere of the Court of Appeal at Bologna, was been temporally appointed Consigliere of the Court of Appeal at Ancona.

2. The following appointments have been made in Ancona

NAME	APPOINTMENT
Dett. RABINI Francesco	Ispettore degli Istituti di Previsione di pena della Provincia
SINGARNELLA Vincenzo	Direttore del Centro di Rieducazione dei Minorenni di Ancona
MOBILE Giovanni	Comandante dello Stabilimento Penale di Ancona.

3. I request that the Ministry of Justice may be informed.

John Willis

J. L. WILLIS
 Lt. Colonel,
 ELO

14

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	
10 OCT 1944	

6932

953A

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

AEI/mt.
11 Oct. 44.

ACC/4039/L.

SUBJECT: Appointments Abruzzi-Marche Region.

TO : H.E. the Minister of Justice.

For your Excellency's information the following appointments have been made in Ancona Province:

- (1) - Dott. Stefano CESSANTI, formerly Consigliere of the Court of Appeal at Bologna, has been temporarily appointed Consigliere of the Court of Appeal at Ancona.
- (2) - The following appointments have been made in Ancona

<u>N A M E</u>	<u>A P P O I N T M E N T</u>
Dott. RABINI Francesco	Ispettore degli Istituti di Previsione di pena della Provincia;
SINGARELLA Vincenzo	Direttore del Centro di Rieducazione dei Minorenni di Ancona;
MOBILE Giovanni	Comandante dello Stabilimento Penale di Ancona.

43

aei

A.R. TWACKRAH,
Lt. Col.,
Italian Branch,
for Chief Legal Advisor.

Copy to: Public Safety S/Comm.

1126

4039
✓

ALLIED MILITARY GOVERNMENT
HEADQUARTERS
FLORENCE PROVINCE

952A

fre

FL/12

7 October 1944

SUBJECT: MELE, Comm. Dott. Ascanio

TO : C.L.O., Legal Sub-commission, HQ. A.C.C.,
Rome, (attention officer i/c Italian Branch)

1. May the enclosed letter from the acting
Procuratore Generale del Regno of Florence, and
attached application received from the above
mentioned magistrate, be submitted please to the
Minister of Grace and Justice for consideration
and advice.

M. C. HOLT?

M. C. HOLT, Major
Assistant P.L.O. Florence
and officer i/c Italian
Courts, Toscana Region.

42 Delivered
13 Oct

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

1127

ALLIED MILITARY GOVERNMENT
HEADQUARTERS
FLORENCE PROVINCE

(951A)

FL/31.

6 October 1944

SUBJECT: Arrest of Procuratore Generale del Regno,
Florence. RIZZO CLAUDIO

TO : C.L.O., Legal Sub-commission, Headquarters
Allied Control Commission, Rome. (attention
officer i/c Italian Branch.)

861A

1. Reference is made to your letter ACC/4039/L
of 10 Sept. 1944 addressed to SCAO., HQ., AMG. 5 Army.

2. The a/m magistrate was first arrested on
security grounds by I.C.U. and was later released under
house arrest.

3. He has subsequently been re-arrested on
5 October 1944 by 427 F.S. Section, with the recommend-
ation of the F.S.O. that he be interned for the
duration of the war.

4. Reason for arrest as supplied by O.C. 427
F.S. Section is as follows:

"Enthusiastic pro-German and pro-Fascist
(Source - COMITATO TOSCANO DI LIBERAZIONE). As
Procuratore Generale of the Court of Appeal was
influenced in favour of Fascists, e.g. when, during
the German occupation, a PRF Political Secretary was
arrested and charged with murder, he allowed his
release on the grounds of "the moral qualities and
position held by the arrested man." Took extreme
measures to obtain the punishment of prison officials
responsible for the escape of 18 anti-Fascists
arrested under the Republican regime."

M. C. Holt

M. C. HOLT, Major
Asst. P.L.O. Florence and Officer
i/c Italian Courts, Toscana

9 OCT 1944

C.C. SCAO, 5 Army
R.L.O., Toscana.

4039 fe Legal 950A

HEADQUARTERS REGION XI
ALLIED MILITARY GOVERNMENT
APO 394
Legal Division

5 October 1944

Subject: Judicial Officials Grade III and IV. 701T 344

To : C.L.O., ACC HQ. A.C.C.

1. In reply to your two letters ref ACC/4039/L dated 22nd and 23rd September, (which have only reached me today) I find it difficult to make any useful comments on the proposed transfers and promotions in the absence of any knowledge of present conditions in Brescia or of the practical (as opposed to purely legal) ability of the officials concerned.

2. On the basis of the "curricula vitae" supplied by the Ministry, the proposed Procuratore Generale would appear satisfactory, but I consider that further enquiries should be made as to the political background of Di Blasi Ferdinando Umberto who is stated to have been private secretary to a presumably Fascist - Minister. It is obviously desirable that these officials should be screened by the Security Branch before their appointments are confirmed and I assume that they will be required to complete Schede Personali in the usual way, and that if these disclose political affiliations which would render them liable to "epuration" under AMG/ACC directives or orders, the Ministry will be so informed and other appointments made.

3. On general grounds, it is most important that officials chosen to fill leading positions such as Primo Presidente and Procuratore Generale in newly liberated areas should be men of administrative ability who are capable of handling effectively the various practical problems with which they will be confronted. While it is appreciated that such appointments have to be made on a basis of seniority it is requested that the Ministry be urged in making its selections for the Milan and Brescia districts to consider this type of qualification rather than the purely legal or career record of the official concerned, and that if

1129

possible the persons nominated be interviewed by an officer of your Division to ensure that they are satisfactory from this point of view.

4. Will you please let me know in due course what final decision is come to on the nominations mentioned in your letters.

H.M. Dickie W/Ldr.
H.M. DICKIE,
W/Cdr., RAF,
Regional Legal Officer,
Region XI.

/jm

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	

HEADQUARTERS
7011 1944
A. C. C.

ALLIED MILITARY GOVERNMENT
HEADQUARTERS
FLORENCE PROVINCE

FL/31

4 October 1944

SUBJECT: Italian Court Personnel

TO : R.C. and M.G. Section (for Legal Sub-commission)
HQ. A.C.C. , (through S.C.A.O., HQ. M.G. 5 Army)

There are enclosed herewith various communications from the First President of the Court of Appeals for the District of Tuscany addressed directly to the Ministry of Justice. These communications are briefly as follows:

(a) Report on the functioning of the Judicial Officials of the Court of Appeals and Tribunale pointing out the necessity for the filling in of certain vacancies in the Court of Appeals and Tribunale and suggesting names of possible candidates to fill the vacancies. Your attention is called specifically to the Aggiunto Provinciale Geri who served in the Republican Fascist Military Tribunal and accompanied the Court to northern Italy. This man, I presume, should be dismissed from office.

18 (b) Petition to make effective in Italy a decree of annulment by a Court of San Marino.

(c) A request that an Usciere in Reggio Calabria be recalled to duty at Leghorn.

(d) A notification of taking of Office of a Cancelliere in the Tribunale of Florence.

(e) A notification of taking of Office of an Uditore Giudiziario in the Tribunale of Florence.

(f) Request that the promotion of a Connseilor of the Court of Appeals should be regularized so that he may obtain the increased salary.

./.

- 2 -

(g) Request that two previous Connseors of the Court of Appeals who had been transferred to Brescia, took office there, and then returned to Florence to evade the Germans, have their positions regularized.

2. I have informed the First President of the Court of Appeals that so long as this area is Military Government territory and not under the direct jurisdiction of the Italian Government, all communications and applications of the above described nature should be made to the Allied Military Government and not directly to the Ministry of Justice but that in the present instance all the documents would be deemed to be addressed to the A.M.G. and action taken accordingly. Certain other applications also addressed to the Ministry requesting funds for expenses, pensions and funds for automobiles have been turned over to the local Intendenza di Finanza.

LEG. L. SUB-COMMISSION

CLO

SCLO

Chief Counsel

CLO

Region Section

Henry L. Glenn
HENRY L. GLENN
Major, JAGD,
Legal Officer for the
Province and City of
Florence

C.C. to R.L.O., HQ., Region VIII

37 Encl.

1st. Ind.

208/10

6 Oct. 44.

Ho, AMG 5th Army, APO 464.

To: ~~R&V WG-Section~~ ^{C.L.O.} (for Legal Sub-Comm) HQ ACC.

1. Forwarded.

2. It is observed that the attached documents include applications by or on behalf of these Consiglieri previously appointed one to Milan and two to Brescia district to remain in Florence. It might be advisable to remind the Ministry that these officials may shortly be requested to fill the vacancies further north.

H.M. Dickie
H.M. DICKIE, W/Cdr., RAF,
Legal Officer, AMG 5th Army.

/jma

HEADQUARTERS
ARMED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

948A

ACC/4039/L.

ES/pa.
8 Oct 44.

SUBJECT : Italian Officials, FLORENCE.
TO : A.E. The Minister of Pardon and Justice.

1. Enclosed herewith a report of the Primo President, Court of Appeal, Florence, and other communications addressed to the Ministry.
2. As regards the position of Consigliere GABRIELE assigned to Milan (see para 4. of the above report) Your Excellency will no doubt consider the fact that his services may shortly be required in that city.

36

A. R. THACORAH,
Lt. Colonel,
Italian Branch,
for Chief Legal Advisor.

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

947 A

ACC/4039/L.

ES/ap.
8 October 1944.

SUBJECT : LI SANTI Dr. Nicasio.

TO : Regional Legal Officer (Thru RC) Sicily Region.

1. Reference your RLE 013.053/EKM of 3 October 1944.

2. Please forward to this Sub-Commission a copy of the AMG order appointing the above official to his present position.

Rep.
A. R. THACKRAH,
Lt. Colonel,
Italian Branch,
for Chief Legal Advisor.

4039
ALLIED CONTROL COMMISSION
SICILY REGION HEADQUARTERS
APO 394

(947B)

3rd October 1944

FILE / RLE 013.053/EKM

SUBJECT : LI SANTI Dr. Nicosio.

TO : LEGAL SUB-COMMISSION (Italian Branch) - APO 394.

1. Reference your letter ACC/4039/L dated 29.9.44 and enclosure I comment as follows :

2. As the A/M was appointed by AMG and as a result of the R.D.Law of the 11.2.44 N° 31 and 20.7.44 N° 162 it appears that he cannot be removed to a lower grade as is proposed except as a punishment, should he have done anything justifying disciplinary action.

3. This man as the First President agrees, has been himself very unpopular with fellow magistrates and avvocati chiefly because of his vigorous endeavours to carry out AMG-ACC requests and advice. As such a position hindered smooth working the First President suggested to the Minister that the A/M should change places with Sig. COCI Francesco, Consigliere a latere of the Trapani Court of Assise. This proposed transfer did not involve down-grading and the President did not suggest his down-grading to Giudice. He is in fact a good Judge and has not in the opinion of the President merited the disciplinary action proposed.

4. In these circumstances I respectfully suggest that objection be taken to the Minister's proposal and that the alternative suggestion of the President be recommended. I feel if proposals of this nature are permitted without good reason that other AMG appointees will become unsettled and lose interest with a consequent deterioration in the whole judicial system here.

For the Regional Commissioner :

E. K. Matthews Capt.
E. K. MATTHEWS, Captain.
Regional Legal Officer.

cls.

1135

76

HEADQUARTERS
ARMED CONTROL COMMISSION
LEGAL SUB-COMMISSION
ATO 394

946 A

ANT/pa.
8 Oct 44.

ACC/1039/1.

SUBJECT : Cav. Giovanni DE LUERTI.
TO : Regional Legal Officer (TEFU: RG) Abruzzi-Marche Region.

1. The above-named Cancelliere di Sezione of Court of Appeal, who is now living at CASTELLONE MESSER MARINO (Lanciano) is urgently required by the First President of the Rome Court of Appeal to re-join his post.

2. As he is without means of transport, will you kindly facilitate his return to Rome and advise this Sub-Commission at what date it will be possible for him to travel so that the Pri o Presidente may be notified accordingly.

33

See
A. R. THACKER, Lt.Colonel,
Italian Branch,
for Chief Legal Advisor.

Encl. Letter of 1st President De Luerti

R-E-S-T-R-I-C-T-E-D.

4039
✓
HEADQUARTERS
ALLIED MILITARY GOVERNMENT
LAZIO-UMBRIA REGION, LEGAL DIVISION
A.F.O. 394

L/1203

7 October 1944.

SUBJECT : Transportation of Cancelliere di Sezione, Cav. Giovanni De Lucenti, From LANCIANO to ROME.

TO : Chief Legal Officer, Legal Sub-Commission, A.C.C.
attn. LT. COLONEL HANNAFORD.

1. The First President of the Court of Appeal has written a letter dated 2 October, 1944, requesting the return to his post in Rome of the Cancelliere di Sezione of Court of Appeal, Cav. Giovanni De Lucenti. Cav. De Lucenti is now living at Castiglione Messer Marino (Lanciano), Chieti Province, Abruzzo-Marche Region. He has been absent from his post since September 1943.

2. It is requested that Cav. Giovanni De Lucenti be returned to Rome in view of the urgent need of his services.

[Signature]
ROBERT C. HENDRICKSON
MAJOR, A.U.S.
REGIONAL LEGAL OFFICER, COMMISSION

RCH/AC.

32
Incl. 1. - Letter of First President on De Lucenti.

CLO	
DCLO	
Chief Counsel	
CIO	
Italian Section	
CLERKS	



1039 *Ministero di Grazia e Giustizia* Mod. 2 945A

UFFICIO DI COLLEGAMENTO CON L'ACC.

Gabinetto di S. E. il Ministro

Roma, 2 ottobre 1944 A

Protocollo N. 7112/254

OGGETTO Consigliere d'appello D'AMATO NICOLA.
(Libretto ferroviario Ministero Giustizia n. 18264 del 4.7.932).

ALLA COMMISSIONE ALLEATA DI CONTROLLO
Sottocommissione Legale

R O M A

Il Consigliere d'Appello D'AMATO NICOLA, è stato trasferito alla Sezione di Corte di Appello di Perugia e si trova attualmente in Roma in attesa di poter raggiungere la sede.

Per quanto sopra si prega la cortesia di codesta Sottocommissione di voler rilasciare al funzionario il permesso di viaggio e di poter utilizzare un automezzo alleato. *lib*

L'UFFICIALE DI COLLEGAMENTO

Bonelli

11138



4038
Ministero di Grazia e Giustizia
UFFICIO DI COLLEGAMENTO CON L'ACC.

Mod. 2

944 A

Gabinetto di S.E. il Ministro

Roma, 2 ottobre 1944

Protocollo N. 7144/286

OGGETTO Sostituto Procuratore Generale BASOLI ANTONIO
(Carta d'identità n. 11291350).

Alla COMMISSIONE ALLEATA DI CONTROLLO
Sottocommissione Legale

R O M A

Il funzionario in oggetto, del Tribunale di Terni, si trova da tempo a Roma avendo avuto un periodo di riposo straordinario per motivi di salute. Poichè si rende opportuno destinarlo alla Procura del Tribunale di Oristano, attualmente vacante, stante l'urgenza del provvedimento si prega direttamente codesta Sottocommissione di voler aderire al movimento stesso e di concedere il relativo permesso di viaggio.

Scarcas

30

L'UFFICIALE DI COLLEGAMENTO

*This man removed from Terni & sent to Oristano
OKayed & sent
see sec/4039
of 23 Sept*

*Request for permission to travel transmitted
11291350
5.10.44*

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ART/ro

8 Oct. 44.

ACC/4039/1.

SUBJECT : Notary Felice NICCINNI.

TO : Regional Legal Officer (thru R.O.) -
Southern Region.

1. This Sub-Commission would appreciate it if you could kindly advise the above notary residing at Naples, Via Guglielmo San Felice 33 (nearby the Provincia Building) that his transfer will be regularized by the Ministry in a very short time.

af
A.R. THACKRAH,
Lt. Colonel,
Italian Branch,
for Chief Legal Advisor.

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACC/4039/L.

ES/rm.
6 Oct. 44.

SUBJECT : Transfers and promotions of judicial officials
grade 3 and 4.

TO : HE. The Minister of Pardon and Justice.

1. Further to this Sub-Commission's letter ACC/4039/L of 23 Sept. 44 referring to Ministry's list of proposed transfers and promotions of magistrates which list was presented by Your Excellency in the meeting held on 27 Sept. 44.

2. This Sub-Commission has now completed the necessary inquiries and presents the following observations for Your Excellency's consideration.

3. Whilst the necessity for bringing the judicial appointments at Naples in conformity with Italian law is fully appreciated the proposed simultaneous transfers from Naples of the two key positions of the Naples judiciary, the First President and the Procurator General, is viewed with apprehension on account of the responsibility of this Sub-Commission for the efficient disposal by Italian Courts of cases involving offences against Allied interest in the Naples port area. To secure a certain degree of continuity it is suggested that the present First President be permitted to stay in office for at least two months after the departure of the present Procurator General.

4. In respect of the proposed transfer of Sig. Gentile from Palermo the Regional Legal Officer for Sicily emphasizes the urgent need for immediate replacement.

A.P. THACKRAH,
Lt. Colonel,
Italian Branch,
for Chief Legal Advisor.

*Acc. Y. / Permitted
to leave, not to place any
sig. required for his work to
be given to*

五〇五

五〇五

1. Further to this Ministry's list of 1908 of 23 Sept. 44 referring to Magistrate which list was transfers and promotions in the meeting held on 27 Sept. 44. presented by Your Excellency in the necessary

2. This Sub-Committee on the following observations for inquiries and presents the following observations for the judicial
Excellency's consideration.

3. Whilst the necessity of conformity with Italian law in appointments at Naples in conformity with Italian law is appreciated the proposed simultaneous transfers from Naples of the two key positions of the Naples judiciary, the First President and the Procurator General, is viewed with apprehension on account of the responsibility of this Sub-Commission for the efficient disposal by Italian Courts of cases involving offences against Allied interest in the Naples port area. To secure a certain degree of continuity it is suggested that the present First President be permitted to stay in office for at least two months after the departure of the present Procurator General.

4. In respect of the P. officer to
from Palermo the Regional Legal replacement.
the urgent need for immediate replacement.

A.P. THACKERAY,
Lt. Colonel,
Italian Branch,
for Chief Consul, Advisor.

Col. Y. / I want to place
 a few lines in your paper
 about the new building
 and the new
 building.

RESTRICTEDALLIE CONTROL COMMISS'ON
INCOMING MESSAGE

(942 B)

6886

TO: HQ ACC FOR LEGAL

SIGNAL MESSAGE CENTER No: 80/5

FROM: ACC SICILIA REG (CARR)

CLASSIFICATION:

REFERENCE No: RAG 145

PRECEDENCE: NONE

DATE AND TIME OF ORIGIN: OCT 030435

OFFICE OF ORIGIN: CITE RAG-145

RESTRICTED. MOVEMENTS OF MAGISTRATES IS SUBJECT ~~TO~~ FULL REPLY TO YOUR
4039 OF 22 SEPT SENT ON 26 SEPT 44 AS FOLLOWS. GENTILE NOT APPROVED.
CEDRANGE LO AND SANDUINI NO OBJECTIONS. COPY OF MY LETTER OF 26 SEPT
POSTED TO YOU TODAY.

DIST

ACTION - Legal SC (2)
INFO - A/CC
CA SECT
FILE (2)
FICAT



ACTION

27

RESTRICTED

DATE and Time of RECEIPT OCT 031837A

Distribution:

4039
✓

HEADQUARTERS EMILIA REGION
ALLIED MILITARY GOVERNMENT
APO 394

Legal
(941A)

W.Lash.
2 October 1944.

Re: RLI/LE/710

SUBJECT: Italian Judicial Officials.

TO : Chief Legal Officer, Legal Sub-Commission, Headquarters,
Allied Control Commission, (For Lt. Col. Thrackrah),
APO 394, U.S. Army.

1. Reference your ACC/4039/L, 22 September 44, the appointment of PIGA Emanuele as First President of the Bologna Court of Appeal is satisfactory to this Headquarters.

For the Regional Commissioner:

W.A. Levit
WILLIAM H. LEVIT
Major, J.A.G.D.
Regional Legal Officer.



4039
✓

RESTRICTED
ALLIED CONTROL COMMISSION
INCOMING MESSAGE

940A

6746

TO: HQ ACC TO LEGAL SC
FROM: HQ VENEZIA REGION
REFERENCE No:
DATE AND TIME OF ORIGIN: OCT 011400A
SIGNAL MESSAGE CENTER No: 68/01
CLASSIFICATION:
PRECEDENCE: NONE
OFFICE OF ORIGIN:

RESTRICTED. YOUR LETTER 4039 OF 22 SEPT COLAGROSO APPOINTMENT
APPROVED. PROPOSE CALLING ON YOU WEDNESDAY 4TH OCT AND WILL DISCUSS
CORTESANI AND TECCE.

DIST
ACTION - Legal SC (2)
INFO - A/CC
ADMIN SEC
FILE (2)
FLOAT

25

RESTRICTED

RECEIVED
OCT 1944

DATE and Time of RECEIPT OCT 012027 A
Distribution:

file

4039

9408

La Deela : 1) fu nominato in antagonismo a
Murolo e Finocchio Apile (separatisti).

2) è un demagogico cristiano

3) è avverso alla mafia locale
perché ne assume verso di essa
un deciso atteggiamento.

4) le informazioni favorevoli
fue vengono da ambienti fascisti.
Le mafiosi interessati
mentre quelle favorevoli vengono
da elementi antifascisti; infanzoni
e disinteressati - (vedi ad es.
Lettera di Messina al Col Hammond
benita occasionalmente senza
nessun riferimento al movimento
civile di sinistra).

La Dada : 1) fu nominato in antagonismo a
Musso e Finocchiaro Aprile (separatisti).

- 2) è un denominativo cristiano
3) è avvenuto dalla mafia locale
perché ha assunto verso di essa
un deciso atteggiamento.

4) le informazioni favorevoli
fuo vengono da ambienti fascisti.
Le mafiosi interessati
mentre quelle favorevoli vengono
da elementi antifascisti; infanzoni
e disinteressati. (vedi ad es.
lettere di Messina al Col Hammond
senza occasione alcuna senza
nessun riferimento al movimento
in preparazione al lavoro.

5) Po chiede tutti i requisiti perché
la sua persona di Proc. Gen.
sia regolarizzata.

Un atto di ingiustizia nei suoi riguardi significherebbe
per tutti gli italiani in braccio ai separatisti; ciò
che è politicamente poco saggio.

P. N. F.

FEDERAZIONE DEI FASCI DI COMBATTIMENTO DELL'URBE

ROMA,
PALAZZO BRASCHI

RESTRICTED

ALLIE CONTROL COMMISSION
INCOMING MESSAGE

4039

Lee 439A

5816

TO: HQ ACC FOR LEGAL SC
FROM: HQ SOUTHERN REGION ACC
REFERENCE No: SR/286
DATE AND TIME OF ORIGIN: OCT 021719A
SIGNAL MESSAGE CENTER No: 73/C2
CLASSIFICATION: NONE
PRECEDENCE: NONE
OFFICE OF ORIGIN:

RESTRICTED. REF YOUR SIGNAL 4012 DATED 29 SEPT 44. LETTER CONTAINING COMMENTS MAILED 26 SEPT 44 TO YOU

DIST

INFO-ACTION - Legal SC (2)
INFO - A/CC
CA SEC
FILE (2)
PLCAT

23
We noted the letter before
we sent the cable and then
decided to send the cable.
No action? for ~~OK~~

RESTRICTED

DATE and Time of RECEIPT OCT 022030A

Distribution:

HEADQUARTERS
SOUTH
A.C.C.

1149

HEADQUARTERS
JULIO CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

938A

ART/mt
6 Oct 44.

ACC/4039/1.

SUBJECT: Administration of Justice in Sicilia Region.

TO : A.M. the Minister of Justice.

For your Excellency's information, the Regional Legal Officer for Sicilia reports in date 2 Oct. that Judge Giuseppe LECCHINOTI has reported for duty to assist in the organization of the Italian Courts.

Qey
A.R. THACKERAY,
Lt. Colonel,
Italian Branch
for Chief Legal Advisor.

4039
✓

Legal

(938B)

HEADQUARTERS EMILIA REGION
ALLIED MILITARY GOVERNMENT
APO 394

Ref: ELX/LE/400

WHL/dsh.
2 October 1944.

SUBJECT: Personnel.

TO : Chief Legal Officer, Allied Control Commission, Headquarters,
APO 394, U.S. Army.

1. Judge Giuseppe Leccisotti, who has been assigned to Emilia Region by the Minister of Justice to assist in the organization of the Italian Courts, has reported to this Headquarters for duty.

For the Regional Commissioner:

W. Levitt
WILLIAM E. LEVITT
Major, J.A.G.D.
Regional Legal Officer.

21

HEADQUARTERS
5 OCT 1944
A. C. C.

LEGAL SUB-COMMISSION	
CLO	
→ DCLO	✓
Chief Counsel	
CJO	
→ Italian Sec. En.	✓
CL RKS	



Ministero di Grazia e Giustizia
UFFICIO SUPERIORE DEL PERSONALE

4017/2
File
Mod 1348 MG
9380

Uff. 2°
Prot. n. 2284
Risposta a nota del 13 settembre 1944
n. ACC 4017/2 L.

Roma, 3-10-1944

ALLA COMMISSIONE ALLEATA DI CONTROLLO
Sottocommissione Legale
R O M A

OGGETTO: Pretore Dr. LECCISOTTI Giuseppe.

In adesione alla richiesta di cui alla lettera sopra richiamata, questo Ministero consente a che il Pretore Dr. LECCISOTTI Giuseppe eserciti le funzioni di consulente legale, per un periodo di 30 giorni, presso l'Uffici-
le Regionale Legale della 9^ Regione di cotesta Commis-
sione Alleata di Controllo.

20

PEL MINISTRO

W. Mancini

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian	
CL RKs	

file

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

(93/A)

ACC/4039/L.

ES/ap.
5 October 1944.

SUBJECT : Transfer of Notary Dott. SANSEVERINO
Roberto from Monte di Procida to Naples.

TO : Regional Legal Officer (Thru RC), Southern
Region.

1. Enclosed herewith copy of Ministry's letter
no. 11016.

2. Do you agree to the extension requested by the
above notary?

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

19

1 Encl.



4039/8

Roma 29. 9. 1944 (931B) Mod. 265M G

Ministero di Grazia e Giustizia
DIREZIONE GENERALE DEGLI AFFARI CIVILI
e delle Libere Professioni
Ufficio II Notariato
Tel. N° 11016

M. On. le Commissione
Alleata di Controllo
-Sottocommissione Legale-
Risposta all'f. del
Qu. Pa. N°

Oggetto: Richiesta di nulla osta per concessione
proroga del termine al notaio dott. SANSEVERINO Ro-
berto, traslocato alla sede di Napoli.

Con istanza 1° luglio u.s. il notaio in epigrafe
chiede una proroga di giorni 90 al termine prescrit-
to di mesi tre per assumere l'esercizio delle sue fun-
zioni nella sede di Napoli, ove è stato trasferito da
quella di Monte di Procida.

Il Presidente del Consiglio notarile di Napoli, nel
trasmettere l'istanza con nota 5.7.1944 ha fatto pre-
sente che detta proroga, se concessa, dovrebbe decor-
rere dall'11 dello scorso mese di agosto essendo sta-
to notificato all'interessato il relativo decreto di
trasloco il 12 maggio 1944. Il mentovato Presidente
ha anche espresso parere favorevole alla concessione
di cui trattasi.

Questo Ministero, pertanto, prima di provvedere in

./.

merito, chiede a codesta On.le Commissione di vo -
lergli far conoscere se nulla osta da parte sua al -
la concessione della proroga in questione, trattan -
dosi di località, cui è stato destinato il dott. SAN
SEVERINO, situata in territorio amministrato dalla
A.M.G.

IL DIRETTORE GENERALE
degli Affari Civili e delle Libere Professioni

Cavillo

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

936 B

ACC/4039/L.

ES/na.
5 Oct 44.

SUBJECT : Italian Tribunal Orvieto.

TO : Provincial Legal Officer (TERU: Provincial Commissioner)
Toral Province.

1. Reference is made to your letter of 26 Sept 1944.
2. The Ministry informs this Sub-Commission that the communication referred to in para 4 of the aforesaid letter has not been received by the Ministry from the President of Tribunale. The Ministry promised to apply to the High Commissioner for sanctions against fascism for release of Dr. PIETRONI as soon as the President's letter is received.

17

Copy to : RLO (TERU: RC) Lazio Region for
information (your TER/C/03 of
23 Sept 1944).

Copy
A. R. THACERAN,
Lt. Colonel,
Italian Branch,
for Chief Legal Advisor.

R-E-S-T-R-I-C-T-E-D

4039 ✓
HEADQUARTERS
ALLIED MILITARY GOVERNMENT
LAZIO REGION, LEGAL DIVISION
A.P.O. 394

D-9011

936B

29 September 1944

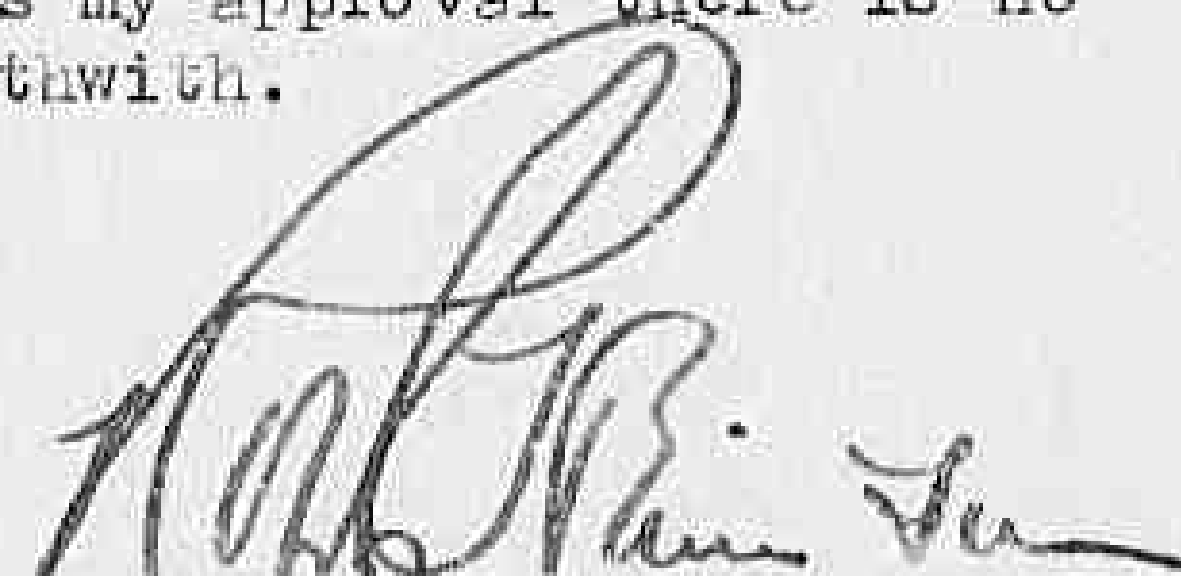
TER/C/03

SUBJECT : Italian Tribunale Staff, Orvieto.

TO : Legal Sub Commission, (Lt.Col.Hannaford)
Officer in Charge of Italian Branch
Allied Commission.

1. Attached please find copy a letter from the Provincial Legal Officer of the Province of Terni, which is quite self explanatory.

2. Since the proposed appointment has my approval there is no reason why the same should not be made forthwith.


Robert C. Hendrickson,
Major, A.U.S.
Regional Legal Officer,

RCH /PA.

ENCLOSURES:
LEGAL SUB COMMISSION

CJO

2 copies of letter

D.C.O.

Chief Counsel

CJO

Italian Section

CL RKS ✓

dated 26/9/44 , from P.L.O. Terni to R.L.O.Rome.

R-E-S-T-R-I-C-T-E-D

COPY OF LETTER RECEIVED FROM

LEGAL OFFICE
Allied Military Government
Province of Terni

26 September 1944

SUBJECT : Italian Tribunali Staff, Orvieto.

TO : R.L.O. Region IV

1. The staff of the Tribunali now being established at Orvieto has not yet been completed.
2. The President of the Tribunale desires the services of Dr. Romolo Pietroni, now uditore of the Procura of Naples, now on temporary duty at Alto Commissariato Punizione Delitti Fascisti in Rome, either in the capacity of a judge of the Tribunali or as a Procuratore.
3. I have met the above named man and have been well impressed with him. I understand he served for six months as legal advisor and assistant at the Region IV Legal Office. He speaks english very well and also can translate and write english.
4. If such an appointment is in order for the Orvieto Tribunali, I recommend that this man be seriously considered for one the appointments recommended by the Tribunali President. I understand the President wrote a letter on this subject, the 19th. of September.

15

S/ Frank L. Peyton

T/ FRANK L. PEYTON
Captain C.M.P.
L.O.

Certified true copy.

Robert C. Hendrickson,
Major, A.U.S. R.L.O.

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

File
ACC/4039/L.

(935P)
ES/ap.
5 October 1944.

SUBJECT : Cav. DI BILLIO Enzo, Pretore of Orbetello.

TO : Regional Legal Officer (Thru RC) Tuscany Region
for PLO (Thru PC) Grosseto Province.

1. Reference is made to your report of 27 Sept 1944
(indorsement by RLO no. RVIII/19/5003 of 1 Oct 44).

2. Please state explicitly whether or not the request
for removal of the above official made by RC of your Region in
his letter to this Sub-Commission no RVIII/5001 of 14 Aug 44
still holds in the light of the new facts set out in the afore-
said report.

13

See
A. R. THACKRAH,
Lt. Colonel,
Italian Branch,
for Chief Legal Advisor.

1159

785016

RVIII/19/5003

RLO, HQ, AMG, REGION VIII, (TUSCANY)
TO: CLO, HQ, ACC.

4030 4040
1st. Ind.

I Oct 44

435B

I. Forwarded.

Ref:

10/787

10/788

10/794

12/876

12/891

John K. Weber
JOHN K. WEBER,
Colonel, Infantry,
Regional Legal Officer.

12

ALLIED MILITARY GOVERNMENT

Province of Grosseto

27 September 1944

REF. ACC/4039/L - RVIII/19/5001

SUBJECT: Removal of Cav. DI BILIO Enzo, Pretore of Orbetello

TO: ACC Legal Sub-Commission (through R. L. O. Reg. VIII)

1. Reference para 3 of ACC/4039/L of Lt. Col. Hannaford dated 14 September.

2. This case is referred to in my report of July 31 to which was attached copies of reports made me by CIC and the local Committee of National Liberation. In that report the following was said concerning DI BILIO by the PLO:

"It is said by some Italian officials that DeBilio, Pretore of Orbetello, swore allegiance to the Republican Fascist government only because he was young and afraid. In my opinion he should be dismissed".

Conference with two officials of this Province in whom I have the greatest confidence, affirms the fact that DeBilio did swear the allegiance. In fact, he stated to one of these officials that he had done so, and that he did so because he was afraid of his job and also that he could thus place himself in a position to be of aid to some political prisoners. He was never of aid to any political prisoners, however; one such political prisoner arrested by the Fascists because he was the son of an English citizen, stated to this official that he was always afraid of DeBilio and what DeBilio might do or might fail to do in his behalf (such as aiding in his escape from the Orbetello jail, and for this reason the prisoner asked a transfer to the Florence jail...The Pretore courts did not try any cases of political prisoners, and my informants say they do not have any definite information of DeBilio favoring the Fascists in his judgments in ordinary cases. In fact, the swearing of the allegiance is all that is against DeBilio. He was and is known as a good Judge, a substantial, level-headed fellow, who, though a bit unpopular with some at Orbetello, as recognized by the citizens and lawyers as a competent, trustworthy official. Contrary to the report of 22 July of CIC, I have found no concrete, definite illustrations that "he demonstrated favoritism toward the Fascist-Republican regime.

2.

I did not see to his dismissal in July because there was no other lawyer available at Orbetello with which to fill the place, but hueing to a rather straight line, I recommended his dismissal inasmuch as I knew that a substantial portion of the general populace knew that he had sworn the allegiance.

I conferred with DeBilio at Orbetello last week, and find that he is continuing to cooperate well with us, and is doing a good job on keeping his dockets clear and handling his cases well. Most officials here are rather in sympathy with him because of his youth and the compulsion attending his swearing of allegiance and rather hope he will be retained.

Robert M. Hill

Robert M. Hill (US) Spec.-Res.
P L O

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

931A

ACC/4039/L

ES/pa.
4 Oct 44.

SUBJECT : Dott. IACOBUCCI Beniamino, Teramo.

TO : Regional Legal Officer (TIRU: Regional Commissioner)
Abruzzi-Marche Region.

1. Reference is made to your R5/511/12/T of 2 Oct. 44.
2. Contrary to what is stated in para 5 of the above letter this Sub-Commission has not authorized the reinstatement of IACOBUCCI in his office.
3. Enclosed a copy of our letter to the Ministry dated 29 Sept. 44, forwarding IACOBUCCI's appeal. You will note that this Sub-Commission followed your opinion expressed in your R5/511/12/T of 22 Sept 44. No further communication on this subject was directed to this Ministry.

9

Deef
A. R. TRASTARI,
Lt. Colonel,
Italian Branch,
for Chief Legal Advisor.

SYNJECT : Italian Courts
 TO : CLO HQ ACC
 FROM : ABRUZZI - MARCHE REGION

4039 *Legal* (934B)
 ABR/511/12/T
 2 Oct. 44.

1. Reference this HQ even number dated 4 July 44. and ACC/4039/I dated 29 Aug. 44.
2. The assistance of Colonel Behrens is requested to clear up the matter of the Procuratore del Regno, IACOBUCCI, at Teramo.
3. The position appears to be this : -
 - a) He was originally suspended by PIO;
 - b) Then re-instated by PIO, because the Sostituto was suspect and suspended;
 - c) He was suspended by RIO because he said since he was not to be allowed to carry a pistol he would stay at home and not work.
4. He has since been carrying out his duties, although I cannot find in the file any trace of the suspension being lifted. In fact ACC/4039/I dated 29 Aug. 44 confirms his removal.
5. I have now received a visit from the Segretario Capo of the Procuratore Generale of Aquila, who tells me that Iacobucci visited Rome and was re-instated by the Minister of Justice and ACC. I understand this was in the last few days.
6. As I see the position, Iacobucci is still removed from office.
7. May the position be clarified, if possible?
8. For your information the Sostituto Procuratore del Regno at Teramo, SALUTARI, has been re-instated by the Regional Commissioner as a result of an appeal.

For the Regional Commissioner

J. L. Williams
 J. L. WILLIAMS
 Lt. Colonel,
 RIO

80/ 11/831
 11/822
 12/12
 13 OCT 1944
 A. C. C.

651

File

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

433 A

ACC/4039/L.

/rlp.
4 October 1944.

SUBJECT : DR. FERRICONE Antonio, Procuratore del Regno of Avezzano.
TO : H.E., the Minister of Pardon and Justice.

1. Reference Ministry's Prot. No. 7018/239 (Gabinetto - Uff. Coll.)
of 3 Sept 1944.

2. It appears that the Regional Legal officer of Abruzzi-Marche Region
was not consulted on the transfer of Dr. FERRICONE from Avezzano to Rome;
nor has the Court of Appeal any knowledge.

3. Could steps be taken to designate a substitute for the above official
at soonest please.

Creep

A. R. THACKRAH,
Lt. Col.,
Italian Branch,
for Chief Legal Advisor.

7

1165

~~SUBJECT~~ : Italian Courts

~~TO~~ : CEG HQ AGC

~~FROM~~ : ABBRUZZI - MARCHE REGION

4039 Legal

(133B)

REF 1511/12/AQ

2 Oct. 44

1. Ref. your AOC/4039/1. Dated 6 Sep. 44.
2. I have written to the Primo Presidente regarding Dr Ferricone Antonio. I have been unable to trace any previous correspondence about his transfer. Nor has the Court of Appeal any knowledge. I understand he is to be replaced, perhaps you can expedite this.

For the Regional Commissioner

Johnnie

J. D. WINNIE
Lt. Colonel,
RLO

Ref: 11/850
11/843



6514

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

ES/pa.
4 Oct 44.

ACC/1039/L.

SUBJECT : CICCARELLI Ansovino, Sostituto Procuratore Generale,
Court of Appeal, ANCONA, Suspension of.

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

1. This Sub-Commission is advised that the above official has been suspended from his office for the following reasons:-

- (a) he was a strong fascist;
- (b) he was pro-German
- (c) during the Fascist Republican Regime he openly demonstrated pro-Nazi sentiments.

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

1167

SUBJECT : Italian Courts
TO : CIO HQ ACC
FROM : ABRUZZI - MARCHE REGION

4039

Legal

932B

AMV/511/12/ATC

2 Oct. 44

1. I have to inform you that the Provincial Commissioner of Ancona has suspended CIOCARRELLI ANSOVINO, Sostituto Procuratore Generale of the Court of Appeal of Ancona for the following reasons:

- a) He was a strong Fascist
- b) He was a Pro-German
- c) During the Fascist Republican Regime he openly demonstrated Pro-Nazi sentiments.

[Ref. 2/124]

John Willis

J. L. WILLIS
Lt. Colonel,
RLO

4

HEADQUARTERS
30 OCT 1944
C. C.

1507

1168

[Handwritten signature]

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

931A

ACC/4039/L.

ART/mt
3 Oct. 44

SUBJECT: Dott. PELOSI Giuseppe.
TO : Regional Legal Officer (thru RG) Sicilia Region.

1. Reference is made to your RLM 013.053/FLV dated 30 Aug 44, the contents of which were duly brought to the notice of the Minister of Justice on 3 Sept 44.
2. A reply has now been received from the Minister explaining that the retirement of this magistrate forms part of a general provision affecting all magistrates in a like position, and that it is much regretted that under the circumstances the rule cannot be waived.

3

[Handwritten signature]
A.R. THACKRAH,
Lt Col
Italian Branch,
for Chief Legal Advisor



Uff. 2°

H039

Mod. 1348 MG

(931B)

Ministero di Grazia e Giustizia

UFFICIO SUPERIORE DEL PERSONALE

Roma, 28. 9. 1944

Risp. al f° del 3.9.1944
Div. ACC. N. 4039L

Alla Commissione Alleata di Controllo

Sottocommissione Legale

ROMA

3238/0 3096

839A
839B

OGGETTO: Dr. PELOSI Giuseppe

E' pervenuta la nota sopraindicata, con cui viene segnalata la opportunità di mantenere ancora in servizio il Gr.Uff.Dr.Giuseppe PELOSI, Procuratore del Regno di Palermo, collocato a riposo a decorrere dal 1° settembre. U.S.-

2 Al riguardo si deve peraltro far presente che il PELOSI è stato collocato a riposo in esecuzione di un provvedimento di carattere generale, concernente tutti quei magistrati che hanno - come il Pelosi - raggiunto il limite di età previsto dall'Ordinamento giudiziario per la permanenza in attività di servizio.

Si è pertanto vivamente spiacenti di non poter disporre il trattenimento in servizio del magistrato suddetto.

PEL. MINISTRO

LEGAL SUBCOMMISSION

CLERKS

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

930A

ACC/4039/L.

WEB/ap.
2 October 1944.

SUBJECT : Avv. Hollander.

TO : Regional Legal Officer (Thru RC) Abruzzi-Marche.

1. Avv. Hollander called at this Sub-Commission yesterday in reply to a mysterious message alleged to have come from Capt. Boone which he did not understand.

2. He stated that he had received through his sister an invitation from Capt. Boone to become First President of the Ancona Court of Appeal. This offer of course he cannot accept.

3. He feels however, as I do, that there has been some mistake, and if Capt. Boone has some offer of employment for Avv. Hollander and submits it through this Sub-Commission it will be forwarded to the avvocato.

1

W. E. BEHRENS, Colonel,
Acting Deputy Chief Legal Advisor

