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OCT. 1943 - M

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MONTHLY REPORTS, REGION I, SCAO'S REPORTS & SLO'S REPORTS
OCT. 1943 - MAR. 1945

FILE CLOSED 8 March 1945.

ALLIED COMMISSION

SICILIA REGION HEADQUARTERS

ATO 394

FILE: RIE 013.031/XXM

8 March 1945

SUBJECT: Report of Legal Division, Sicilian Region Hqs.
for February 1945.TO : Headquarters, Allied Commission - ATO 394.
(Attn: Legal Sub-Commission)

1. A.M.G. Courts. None held and there are none pending. The cases expected and referred to in last month's report have not materialized.

There have been many applications for Pardon and Grace - only two have merited transmission to Headquarters for consideration and none have been granted at this Regional Headquarters.

2. Prisons. Prisons crowded and there is a high percentage of sickness of the prisoners. There are now 296 persons serving Allied sentences imposed during or since occupation ceased as compared with 304 last month.

3. Italian Military Courts. These have continued to work well in Palermo and Catania, especially the latter. The two courts tried 68 accused finding 47 guilty and sentencing 40 to terms of imprisonment up to 10 years. For details see Appendix "A".

4. Italian Civil Courts - General. There has been no substantial improvement with regard to the arrears of cases. All courts have however worked steadily throughout the month. The C of A Catania has so far been unable to obtain coordination for the Procura.

5. Italian Civil Courts - Cases affecting Allied interests. Large numbers of cases are still being tried in Palermo, Catania and Syracuse. The total number of accused tried and sentenced for the 5 weeks ending Saturday 24 February was 329. This figure is a little misleading as the very large number tried at Syracuse cover a period of several months but the cases had not been reported to A.C. Of the 249, 297 were found guilty and 123 sentenced to terms of imprisonment up to 8 years. For details see Appendix "B".

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There have been many applications for pardon and grace - only two have merited transmission to Headquarters for consideration and none have been granted at this Regional Headquarters.

2. Prisons. Remains crowded and there is a high percentage of sickness of the prisoners. There are now 29% persons serving Allied sentences imposed during or since occupation caused as compared with 304 last month.

3. Italian Military Courts. These have continued to work well in Palermo and Catania, especially the latter. The two courts tried 58 accused finding 47 guilty and sentencing 40 to terms of imprisonment up to 10 years. For details see Appendix "A".

4. Italian Civil Courts - General. There has been no substantial improvement with regard to the arrears of cases. All Courts have however worked steadily throughout the month. The C of A Catania has so far been unable to obtain accommodation for the Procura.

5. Italian Civil Courts - Cases affecting Allied Interests. Large numbers of cases are still being tried in Palermo, Catania and Syracuse. The total number of accused tried and sentenced for the 5 weeks ending Saturday 24 February was 342. This figure is a little misleading as the very large number tried at Syracuse cover a period of several months but the cases had not been reported to A.C. Of the 342, 297 were found guilty and 183 sentenced to terms of imprisonment up to 8 years. For details see Appendix "B".

6. General. A number of minor crimes arising out of old A.C. cases have been received and disposed of. In two cases a refusal of money was ordered, one being a bail default where the accused remained available and willing to be tried but was never brought to trial and the other being a sum seized by A.C. which had no connection with the offence for which the owner was later tried and which was ordered to be returned by the Italian Courts.

There have been a few complaints alleging victimization by the Police and/or Courts for previous co-operation with the Allies. It has not been possible to obtain any positive evidence to support these allegations.

The Catania Branch Legal Office was closed on Saturday 24.2.45 and the sole remaining clerk there discharged.

7. Conclusion. The position of the Italian Courts is substantially the same as in previous reports. As was to be expected there has recently been a noticeable decrease in the letters and communications received by the R.I.C. from the Italian Courts.

The work of this Legal Office has also been greatly reduced.

E. K. Matthews My
 E. K. MATTHEWS, Major,
 Regional Legal Officer.

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Incl 1 Appendix "A"

Incl 2 Appendix "B"

Copy to: Regional Executive Officer.

LEGAL SUB COMMISSION

CLO

DCLO

Chief Counsel

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Legal Section

CL RKS

11 MAR 1945

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Appendix A

REPORT FOR FEBRUARY 1945

Cases affecting Allied interests (to 5 weeks ending Saturday 24 February) were tried by the Italian Military Courts as follows.

Military Court	No of accused	No found N.G.	Max term of imp	Imp. for 5 yrs or over	Imp. from 1-5 yrs	Imp. from 6 mos to 1 yrs	Imp. under 6 mos	Total No of imp.	Fines susp. sentences etc.	Reparations
Palermo	6	3	3 yrs	=	=	2	=	2	1	19
Catania	62	18	10 yrs	1	20	12	5	38	6	112
Totale	68	21	10 yrs	1	20	14	5	40	7	131

Appendix B

Cases affecting Allied interests (for 5 weeks ending Saturday 24 Febr. 45)
by the Italian Courts as follows:

TRIBUNALE	No of accused	No found N.G.	Max term of imp	Imp for 5 yrs or over	Imp from 3-5 yrs	Imp from 6 months to 3 yrs	Under 6 months	Total No of Imps	Fine suspend. etc.	Pending
Palermo	85	12	4 yrs and 2 mons	=	2	10	13	25	48	308
Termini	=	=	=	=	=	=	=	=	=	9
Agrigento	4	1	=	=	=	=	=	=	3	9
Sciacca	1	=	=	=	=	=	=	=	1	3
Trapani	15	1	2 yrs	=	=	3	=	3	11	12
Caltanissetta	2	=	4 yrs	=	1	=	1	2	=	5
Enna	=	=	=	=	=	=	=	=	=	3
Nicosia	=	=	=	=	=	=	=	=	=	1
Caltagirone	=	=	=	=	=	=	=	=	=	=
Siracusa	184	22	6 yrs and 10 mons	=	7	21	104	132	30	55
Ragusa	1	=	8 yrs	1	=	=	=	1	=	=
Messina	19	14	8 mons	=	=	=	3	4	1	47

Santo	4	1	=	=	=	=	=	=	=	=	1	3
Sciacca	1	=	=	=	=	=	=	=	=	=	1	3
Trapani	15	1	2 yrs	=	=	=	=	3	=	=	11	12
Caltanissetta	2	=	4 yrs	=	1	=	=	=	1	=	=	5
Enna	=	=	=	=	=	=	=	=	=	=	=	3
Nicosia	=	=	=	=	=	=	=	=	=	=	=	1
Caltagirone	=	=	=	=	=	=	=	=	=	=	=	94
Siracusa	184	22	3 yrs and 10 mons	=	7	21	104	132	30	55	=	55
Regusa	1	=	8 yrs	1	=	=	=	1	=	=	=	=
Messina	19	14	8 mons	=	=	2	2	4	1	47	=	47
Patti	=	=	=	=	=	=	=	=	=	6	=	6
Catania	37	1	3 yrs	=	=	15	1	16	20	23	=	23
Modica	1	1	=	=	=	=	=	=	=	2	=	2
TOTAL	349	52	8 yrs	1	10	51	121	163	114	485	=	485

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 ALLIED COMMISSION
 SICILIA REGION HEADQUARTERS
 AFO 394

FILE: RLE 013.031/EXH

2 February 1945

SUBJECT: Report of Legal Division, Sicilia Region Hqs.
 for January 1945.

TO : Headquarters, Allied Commission - AFO 394.
 (Attn: Legal Sub-Commission)

1. A.M.G. Courts. There have been no A.M.G. Courts during the month. From information received it is possible that there will be one or two cases for trial by such Courts in the near future. The execution of the spy BORROMI (see December Report) was carried out at Catania on 17.1.45. Applications for Pardon and Grace in respect of Allied sentences continue to arrive daily. In only three cases has it been considered necessary to submit these to HQ for decision under the revised Art. 33. No such petitions (of the class which can be disposed of at Regional HQ) have been granted, 40% of these petitions are now based on the ill-health of the prisoner and many such cases have been referred to the R.F.H.O. for his opinion. It is not however felt that ill-health unless likely to have grave and permanent consequences is a good ground for release although there is a woeful deficiency of proper medical treatment in the prisons.

2. Prisons. These are still very crowded. There are now 304 persons serving sentences imposed by A.M.G. Courts. This figure now includes sentences imposed by Allied Military Courts since the Allied occupation ceased.

3. Italian Military Courts. These Courts have tried only 5 persons for offences affecting Allied Interests as compared with 40 in December. For details as to punishments etc. see Appendix "A". The big decrease in numbers is due almost entirely to Catania Military Court, who have temporarily been occupied with more urgent matters. The large arrears of such cases in this Court is due to the fact that a large number of cases were recently transferred from Catania Civil Courts to relieve the congestion in the latter.

The Trial of the FICAREZZELLI Flour Case opened on 9.1.45 but has been adjourned for two months to obtain Psychiatrists Reports.

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has it been considered necessary to submit these to HQ for decision under the revised Art. 33. No such petitions (of the class which can be disposed of at Regional HQ) have been granted, 40% of these petitions are now based on the ill-health of the prisoner and many such cases have been referred to the R.F.H.O. for his opinion. It is not however felt that ill-health unless likely to have grave and permanent consequences is a good ground for release although there is a woeful deficiency of proper medical treatment in the prisons.

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The Trial of the FICAREZZELLI Flour Case opened on 9.1.45 but has been adjourned for two months to obtain Psychiatrists Reports.

4. Italian Civil Courts - General. The position with regard to arrears of cases remains the same and cannot be considered as satisfactory.

The Palermo Court of Appeal has been held up by the new Decree for composition of the Sections of the Court and by the fact that A.M.G. appointees are not included which makes it extremely difficult to work some of the Sections at all. This matter has been taken up with the Ministry of Justice. The work of this Court was also hindered by a strike of the lawyers lasting about a week as a protest because their applications for a section of the Court of Cassation at Palermo had been ignored. This was settled after a conference between the R.I.C., First President and President of the Bar Association. The Catania Court of Appeal is still unable to find premises for the Procura and repairs to the damaged premises have not yet commenced (see my December Report). It has not been possible so far to obtain the release of property requisitioned by the Allied Military Authority.

The trial of various former Italian officials of the Ustica Colony on charges of mal-administration cruelty to prisoners etc. has now been disposed of by Palermo Court where the Instruction Judge found that no charges could be sustained against the accused. It will be remembered that an Allied Commission known as the Ustica War Crimes Commission originally sat and reported on this matter. The finding of the Italian Court appears to be substantially in agreement with the findings of the Commission who considered the available evidence to be scanty.

5. Italian Civil Courts - Cases affecting Allied Interests.

A summary of persons tried and sentences awarded is shown at Appendix "B". It will be noticed that for the four weeks ending 20 January '45 201 persons were tried (as compared with 146 in December) 157 being found guilty and 85 sentenced to imprisonment. My records show that there are still 880 such persons awaiting trial (as compared with 930 in December).

The trial of these cases still proceeds far too slowly and continual pressure on the Italian Judicial Officials is necessary although there have been several special circumstances which have delayed the work of the Courts this month.

6. General. Many general matters of a legal nature have been referred to the R.L.C. during the past month particularly by civilians chiefly avvocati. These matters usually involve claims against A.M.G. arising out of incidents occurring immediately after the Allied occupation and almost invariably it is found that there are no A.M.G. Records relating to the matter in question, which considerably increases the difficulty. Indeed it appears that the seeds sown by A.M.G. are now beginning to bear a fruitful if somewhat thorny crop.

7. Conclusion. The position of the Italian Courts is substantially the same as in December and there is little if any improvement or speed-up in administration. A very general complaint throughout the island is that the work is seriously handicapped by the great difficulty of obtaining any reply from the Minister of Grace and Justice. If a reply is received at all it is generally so long afterwards that the matter has been forgotten. It is felt that the blame for this cannot be attributed entirely to faulty communications.

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Incl 1 Appendix "A"
Incl 2 Appendix "B"

Copy to: Regional Executive Officer.

E. K. Matthews, Major,
Regional Legal Officer.

Appendix A

REPORT FOR JANUARY 1945

Cases affecting Allied interests (to 4 weeks ending Saturday 20 January.) were tried by the Italian Military Courts as follows.

Military Court	No of accused	No found N.C.	Max term of imp.	Imp. for 5 yrs or over	Imp. from 3-5 yrs	Imp. from 6 mos to 3 yrs	Imp. under 6 mos	Total No of imp.	Fines susp. sentences etc.	Pending
Palermo	2	1	3 yrs	=	1	=	=	1	=	12
Catania	3	1	4 mos	=	=	=	2	2	=	111
TOTALS	5	2	3 yrs	=	1	=	2	3	=	123

А. В. Давыдов

Change affecting all the interests (for 4 more ending Saturday 20 January 45)
by the Italian Courts as follows

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ALLIED COMMISSION
SICILIA REGION HEADQUARTERS
APO 394

FILE: RLE 013.031/EKM

5 January 1945

SUBJECT: Report of Legal Division, Sicilia Region Hqs.

TO : Headquarters, Allied Commission - APO 394.
(Attn: Legal Sub-Commission)

1. A.M.G. Courts. An Allied General Military Court sat at Catania from 9 - 16 December. Two cases were tried as follows:-

- a. BORRONI Enrico - Espionage. Tried in camera. Accused found guilty and sentenced to death. Application for Review and Appeal for clemency have been filed.
- b. UCCELLO Corrado and 13 others - Damaging ammunition at Syracuse. All accused were found guilty, 11 being sentenced to terms of imprisonment varying from 6 months to 7 years and 3 being given suspended sentences of one year.

There were no other Allied Courts and there are no cases at present waiting trial by Allied Courts.

Application for pardon and grace in respect of previous Allied sentences continue to arrive daily. Practically all have been refused. One such appeal (the S.L.O.P. case) has been submitted to HQ., A.C. for consideration.

2. Prisons. Are still seriously overcrowded. Palermo, Catania and Messina Prisons were visited by the R.L.O. during the month and appeared to be fairly well managed.

There are now 284 persons serving sentences imposed by A.M.G. Courts as compared with 308 on 30 November 1944. One complaint was received that a civilian released by A.M.G. had been re-imprisoned but this on investigation proved groundless.

3. Italian Military Courts. The Courts at Palermo and Catania are working well and both (particularly the latter) give the impression that

guilty and sentenced to death.

Application for Review and Appeal for clemency have been filed.

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There are now 284 persons serving sentences imposed by A.M.G. Courts as compared with 308 on 30 November 1944. One complaint was received that a civilian released by A.M.G. had been re-imprisoned but this on investigation proved groundless.

3. Italian Military Courts. The Courts at Palermo and Catania are working well and both (particularly the latter) give the impression that they are much more efficient than the Civil Courts.

During December (4 weeks ending 23 December) 40 accused have been tried for offences affecting Allied Interests as compared with 82 in November. For details see Appendix "A"

The important FICAREZZELLI Flour case in which Allied personnel were implicated and in which A.C. are interested is now for trial at Palermo on 9.1.45.

4. Italian Civil Courts - General. Contact has been maintained with each Court of Appeal and the position remains generally the same as shown in previous reports. There are large arrears of penal and civil cases in every Court and crime is increasing to a considerable extent. Several instances have come to light within the past few weeks of persons in jail awaiting trial for periods of over 12 months.

Accommodation difficulties still exist at:-

a. PALERMO. Here repair work has now commenced on the Hotel Panormus and it is hoped to rehouse the sections of the Preture in the very near future. A more comprehensive scheme for the rehousing of all the Courts as mentioned in Report for November is still being considered but so far no active steps have been taken.

b. CATANIA. Here the Palazzo di Giustizia was looted and partly burned during the civil disturbances on the 14-15 Dec. The Preture situated elsewhere in Catania City were not affected and most of the other Courts are now partially working again but the Dept. of the Procura and its records has been completely destroyed. It is hoped to get requisitioned accommodation for this dept. in the near future and steps have already been taken.
At least two Preture in small communes in Catania have been destroyed.

5. Italian Civil Courts - Cases affecting Allied Interests. A summary of persons tried and sentences awarded is shown at Appendix "B". It will be observed that for the 4 weeks ending 23 December 146 persons were tried (as compared with 125 in November) 127 being found guilty and 93 sentenced to imprisonment. My records reveal that there are still 930 such persons awaiting trial as compared with 984 in November.

The position with regard to the trial of these cases has not been too satisfactory especially in the Palermo area where there are a great many such cases as a result of the activities of the Naval Shore Patrol. The position has however shown great improvement in the last 14 days where 45 cases have been tried.

Nearly all the cases are of a comparatively minor character and are all for theft of Allied Property.

6. Italian Civil Courts - Grain Cases. The Courts have continued to try a number of these cases but having regard to the altered circumstances the keeping of records by this office has been discontinued as from 30 November last and no further report under this heading will be submitted to you.

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Reviewing the 5-month campaign waged by the Courts against Amassi grain offenders it is fair to say that the Courts worked reasonably well, tried many thousands of cases and imposed many very heavy penalties. The three outstanding features of this campaign were-

- a. The almost entire absence of cases before the courts of any magnitude or involving persons of substance. Nearly all the cases involved only the poorest classes of people.
- b. That the energetic action of the Courts did not appear to have the slightest deterrent effect.
- c. That the civil police seldom if ever made all the necessary enquiries and presented a case properly with the result that many persons were acquitted for lack of evidence. The police appear to take the view that having found a person with grain their duty was ended and that it was quite unnecessary for them to enquire as to whether the person might be legally entitled to such grain.

7. Conclusion. Although Court officials are reluctant to admit it, it appears that the Courts are not quite keeping pace with their work particularly of course the civil cases. This would appear to be due to various factors chiefly shortage of staff, difficulties with regard to accommodation, difficulties of transport and communications and to the increase in delinquency. Many of these matters are not capable of improvement at the present time but the position could be improved if Italian Judicial officials could be persuaded to work a little harder and longer and if the Italian procedure could be modified and simplified.

For the Regional Commissioner:

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Incl 1 Appendix "A"
Incl 2 Appendix "B"

Copy to: R.C., Sicilia Region.

E. K. Matthews May
E.K. MATTHEWS, Major,
Regional Legal Officer.

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

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Incl 1 Appendix "A"
Incl 2 Appendix "B"

Copy to: R.C., Sicilia Region.

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APPENDIX A

REPORT FOR DECEMBER 1944

Cases affecting Allied interests (to 5 weeks ending Saturday 23 Decem.) were tried by the Italian Military Courts as follows.

Military Court	TYPE OF OFFENCE	No. of accused	No. Found N.G.	Max term of impris.	Impr. for 5 yrs or over	Impr. from 3-5 yrs	Impr. from 6 mos. to 3 yrs	Impr. under 6 months	Total No. of impris.	Fines, suspended sentences etc.	Pending
Palermo	Theft and possession Allied property	8	=	42 months	=	2	1	=	3	5 suspended	13
Catania	Theft and possession Allied property	32	8	13 mons	=	=	11	2	13	6 suspended 5 fines	99
	TOTAL	40	8	42 months	=	2	12	2	16	16	112

Appendix B

four weeks
 Cases affecting Allied interests (for week ending Saturday 23 December 1944)
 by the Italian Courts as follows.

TRIBUNALE	TYPE OF OFFENCE	# of accused	# found N.G.	Max term of imp.	Imp. for 2 yrs or over	Imp. from 3-5 yrs	Imp. from 6 months to 3 yrs	Under 6 months	Total in 6 months or less	spended sentence etc.	Pending
Palermo	Theft and poss. Allied Prop. Misc.	37	7	4 yrs	=	1	7	12	20	10	307
Termini	Theft of poss. Allied Prop. Misc.	=	=	=	=	=	=	=	=	=	9
Triggento	Theft and poss. Allied Prop. Misc.	5	=	40 mos	=	2	=	=	2	3	12
Sclacca	Theft and poss. Allied Prop. Misc.	2	2	=	=	=	=	=	=	=	2
Trapani	Theft and poss. Allied Prop. Misc.	15	1	30 mos	=	=	4	10	14	=	16
Caltanissetta	Theft and poss. Allied Prop. Misc.	=	=	=	=	=	=	=	=	=	7
Eana	Theft and poss. Allied Prop. Misc.	=	=	=	=	=	=	=	=	=	=
Nicosia	Theft and poss. Allied Prop. Misc.	=	=	=	=	=	=	=	=	=	1
Caltagirone	Theft and poss. Allied Prop. Misc.	=	=	=	=	=	=	=	=	=	=
Siracusa	Theft and poss. Allied Prop. Misc.	46	5	26 mos	=	=	2	26	28	13	397
Ragusa	Theft and poss. Allied Prop. Misc.	=	=	=	=	=	=	=	=	=	=
	Theft and poss.			2							

ALLIED COMMISSION
SICILIA REGION HEADQUARTERS
APO 384

FILE: RLB 013.031/ENK

5 December 1944

SUBJECT: Report of Legal Division, Sicilia Region HQs.

TO : Headquarters, Allied Commission - APO 394.
(Attn: Legal Sub-Commission)

1. As no report for October was submitted due to the illness of the R.L.C., stationing for the month of October are included in the Appendices and the remarks in this report may be considered as applying to October also where the context so admits.
2. Allied Military Court. There have been no such Courts in September or October. There are now two cases pending for trial by General Military Court at Catania. One is for Espionage involving one accused, the other for sabotage (or larceny) of Allied Ammunition involving 14 accused. The trial of these two cases is fixed for the 9th December next. Applications for Tardon and Grace in respect of A.M.G. sentences still arrive daily and are disposed of under Article 33 consolidated Legal Rules. They are all on the usual grounds - Innocent accused wrongly convicted, Fascist persecution, family poverty, many bambini etc. and show little merit. Practically all such applications have been refused.
3. Prisons. These are still seriously overcrowded. There are now 300 persons serving sentences imposed by A.M.G. Courts as compared with 391 on 30.9.44.
4. Italian Military Courts. Continue to work well in Palermo and Catania. My remarks in last Report still apply. During November (i.e. to week ending 25 Nov.) 32 accused have been tried for offences affecting Allied Interests as shown in Appendix "A" as compared with 66 for October. The R.L.C. has had several C.I. conferences with the Procuratore Militare at Palermo with reference to the important TICAREZZELLI Flour Case and it is now probable that the civilians involved in this case will be tried during December.

5. Italian Civil Courts - General. Contact with the three

Remains of General Headquarters maintained as usual. The shortage of

September or October. There are now 1048 General Military Court at Catania. One is for Espionage involving one accused, the other for sabotage (or larceny) of Allied ammunition involving 14 accused. The trial of these two cases is fixed for the 9th December next. Applications for Pardon and Grace in respect of A.M.C. sentences still arrive daily and are disposed of under Article 33 consolidated legal Rules. They are all on the usual grounds - innocent accused wrongly convicted, Fascist persecution, family poverty, many bambini etc. and show little merit. Practically all such applications have been refused.

3. Prisons. These are still seriously overcrowded. There are now 308 persons serving sentences imposed by A.M.C. Courts as compared with 391 on 30.2.44.

4. Italian Military Courts. Continue to work well in Palermo and Catania. My remarks in last Report still apply. During November (i.e. to week ending 25 Nov.) 82 accused have been tried for offences affecting Allied Interests as shown in Appendix "A" as compared with 66 for October. The R.I.C. has had several conferences with the Procuratore Militare at Palermo with reference to the important PICAREZZI Flour Case and it is now probable that the civilians involved in this case will be tried during December.

5. Italian Civil Courts - General. Contact with the three Courts of Appeal has been maintained as usual. The shortage of personnel is approximately the same as shown in my last Report. The smooth working of the judicial administration is rather hampered by the constant transfers and removals of judicial officials although perhaps this is unavoidable. There has also been considerable unrest and dissatisfaction among the higher officials due to the transfers and the rumour of further transfers of A.M.C. appointees in circumstances which appear to indicate a down-grading to their pre-WG grade. So far as is known there have been no transfers or removals of officials without A.C. consent where this is required. The Courts appear to be working fairly well but slowly as usual. The least satisfactory is Palermo Court of Appeal, which has the greatest deficiency in personnel. This Court has also been hindered by having its various Courts and offices in 5 or 6 widely separated and extremely unsuitable buildings. A comprehensive scheme has now been submitted for rebuilding and enlarging the old bomb-damaged Court at a cost of 15 millions. The premises thus

provided will now the whole judicial and administrative offices in one building. This scheme is of course no immediate help and in the meantime arrangements are being completed for the housing of the 11 sections of the Pretura in a large and suitable hotel, which should greatly improve the working of this Court. In the Palermo Tribunal there are at the moment 3000 penal cases awaiting trial and the position is deteriorating - arrangements are in contemplation for rehousing these Courts - when the position should improve.

6. Italian Civil Courts - Cases affecting Allied Interest. These cases have continued throughout the month but are now chiefly confined to the four larger centres of Palermo, Catania, Messina and Syracuse. A summary of persons tried and sentences awarded for the 5 weeks ending Saturday 25 November 1944 is shown in Appendix "B". It will be observed that 125 persons were tried (as compared with 262 in October), 99 being found guilty and 38 sent to prison. My records show that on 25 November 1944 there were still approximately 984 such persons to be tried as compared with 1730 on 23 September last. The two important cases in the Palermo Court known as the USTICA Case and the FORGERY Case of Allied Military Currency are still untried but slow progress is being made in the preliminary stages and the R.L.O. is pressing (not too successfully) for greater speed.

7. Italian Civil Courts - Grain Cases. These cases, nearly all of a minor character show a steady decline in number i.e. persons tried in September 2382, October 1745 and November 1124. Of the persons tried in November (i.e. 5 weeks ending 25 Nov.) 974 were found guilty and 400 sent to prison as shown in the summary in Appendix "C". The number of accused waiting trial for such offences on 25 November 1944 was approximately 950 according to my Reports from the Italian Courts as compared with the estimated figure of 3000 given in my September Report.

8. Other Matters. There have been various other matters, some affecting the Italian Courts and others involving advice to A.S. personnel but none of outstanding importance. The legal branch office and clerk maintained at Messina were dispensed with as from 30 September 1944 but the branch office and clerk at Catania are still maintained.

(as compared with 262 in October), 99 being found guilty and 39 sent to prison. My records show that on 25 November 1944 there were still approximately 904 such persons to be tried as compared with 1730 on 23 September last.

The two important cases in the Palermo Court known as the USTICA Case and the FORGERY Case of Allied Military Currency are still untried but slow progress is being made in the preliminary stages and the R.L.O. is pressing (not too successfully) for greater speed.

7. Italian Civil Courts - Grain Cases. These cases, nearly all of a minor character show a steady decline in number i.e. persons tried in September 2882, October 1745 and November 1124. Of the persons tried in November (i.e. 5 weeks ending 25 Nov.) 974 were found guilty and 400 sent to prison as shown in the summary in Appendix "C". The number of accused waiting trial for such offences on 25 November 1944 was approximately 930 according to my Report from the Italian Courts as compared with the estimated figure of 3000 given in my September Report.

8. Other Matters. There have been various other matters, some affecting the Italian Courts and others involving advice to A.S. personnel but none of outstanding importance. The legal branch office and clerk maintained at Messina were dispensed with as from 30 September 1944 but the branch office and clerk at Catania are still maintained.

For the Regional Commissioner:

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

sf

6 Incls-

Incl 1 Appendix "A" (Oct.)
Incl 2 Appendix "B" "
Incl 3 Appendix "C" "
Incl 4 Appendix "A" (Nov.)
Incl 5 Appendix "B" "
Incl 6 Appendix "C" "

Copy to: R.C., Sicilia Region.

October

Appendix A

REPORT FOR OCTOBER 1944

Cases affecting Allied interests (to week ending Saturday 21 Oct.)
were tried by the Italian Military Courts as follows.

Military Court	TYPE OF SENTENCE	Nº of accused	Nº found N.G.	Max term of impr	Imp. for 5 yrs or over	Imp from 3-5 yrs	Imp from 6 months to 3 yrs	Under 6 months	Total Nº of impris	Fines, suspen. sentences, etc
PALERMO	Theft and possession Allied property	25	3	4 yrs	=	14	5	=	19	3 suspended
CATANIA	Theft and possession Allied property	41	9	6 yrs 2 mos	1	15	7	7	30	2 suspended
	TOTAL	66	12	6 yrs 2 mos	1	29	12	7	49	5 suspended

Cases affecting Allied Interests (for four weeks ending Saturday 21 Oct. 44)
 were tried by the Italian Courts as follows.

TRIBUNALE	TYPE OF OFFENCE	No of accused	No found guilty	Max term of imp.	Imp. for 5 yrs or over	Imp. from 3-5 yrs	Imp. from 6 months to 3 yrs	Under 6 months	Total No of imp.	Fines suspended sentence etc.
Palermo	Theft and poss.									6 suspended
	Allied Prop. Misc.	81	19	4 yrs	=	5	15	8	28	5 pardon 23 fines
Trapani	Theft and poss.									=
	Allied Prop. Misc.	=	=	=	=	=	=	=	=	=
Agrigento	Theft and poss.									
	Allied Prop. Misc.	1	=	46 mos	=	1	=	=	1	
Solofra	Theft and poss.									
	Allied Prop. Misc.	1	=	=	=	=	=	=	=	1 fine
Trapani	Theft and poss.									
	Allied Prop. Misc.	1	=	14 mos	=	=	1	=	1	
Caltanissetta	Theft and poss.									
	Allied Prop. Misc.	15	=	2 yrs	=	6	1	8	15	
Enna	Theft and poss.									
	Allied Prop. Misc.	=	=	=	=	=	=	=	=	
Mazara	Theft and poss.									
	Allied Prop. Misc.	1	=	6 mos	=	=	=	1	1	
Caltanissetta	Theft and poss.									
	Allied Prop. Misc.	22	1	8 mos	=	=	3	7	10	6 fines 3 pardon 2 suspended
Caltanissetta	Theft and poss.									
	Allied Prop. Misc.	1	1	=	=	=	=	=	=	
Siracusa	Theft and poss.									
	Allied Prop. Misc.	102	16	16 mos	=	=	15	61	76	9 fines 1 pardon

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October

Appendix 9

RAIN CASES

Total n. of cases tried for four weeks ending
Saturday 22 Oct. 1944.

TRIBUNALE	PERSONS TRIED	PRISON OVER 3 YEARS	SENTENCE 6 MOS TO 3 YEARS	UNDER 6 MOS	FINE OTHER SENTENCE	FOUND N.G.	REMARKS
PALERMO	120	=	8	52	26 fines 7 suspect 2 perdon	25	
TERMINI	11	=	=	1	=	10	
AGRIGENTO	44	=	7	2	=	35	
SCIACCA	10	=	4	=	1 fines	5	
TRAPANI	24	=	=	12	7 fines	5	
MESSINA	11	=	=	1	1 fine	9	
PATTI	58	=	2	15	9 fines	29	
CATANIA	63	=	21	130	150	40	
CALTAG/ON	127	1	21	75	69	20	
SIRACUSA	107	=	11	45	34	17	
RAGUSA	42	1	1	18	13	9	
MODICA	29	=	9	11	4	5	

AGRICOLTURA	41	=	7	2	=	35
SCIACCA	10	=	4	=	1 fine	5
TRAPANI	24	=	=	12	7 fine	5
MESSINA	11	=	=	1	1 fine	9
PATTI	58	=	2	18	9 fine	29
CATANIA	657	=	21	130	150	40
CALTAG/ON	127	1	21	73	69	20
SIRACUSA	107	=	11	45	34	17
RAGUSA	42	1	1	18	13	9
MODICA	29	=	9	11	4	5
ENNA	314	=	38	115	119	42
NICOSIA	81	=	13	12	41	15
CALTANIS	56	4	23	15	4	10
TOTALE	1745	6	158	508	797	276

Appendix A

Cases affecting Allied interests (to 5 weeks ending Saturday 25 Novem.) were tried by the Italian Military Courts as follows.



November

Appendix B

Cases affecting Allied Interests (for 5 weeks ending Saturday 25 Nov. 44)
were tried by the Italian Courts as follows.

TRIBUTALE	TYPE OF SENTENCE	No. of accused	No. found	N.d.	Next term	of imp.	Imp. for 3 yrs or over	Imp. from 1-5 yrs	Imp. from 6 months to 1 yr	Under 6 months	6 months	Total N. of imp.	Fine suspended	Expanded sentence etc.	Pending
Palermo	Theft and poss. Allied Prop. Misol.	39	6	21	408	21	"	"	"	3	2	10	10	18 fines 1 non punish.	359
Termini	Theft and poss. Allied Prop. Misol.	"	"	"	"	"	"	"	"	"	"	"	"	"	9
Agrigento	Theft and poss. Allied Prop. Misol.	"	"	"	"	"	"	"	"	"	"	"	"	"	13
Sciacca	Theft and poss. Allied Prop. Misol.	"	"	"	"	"	"	"	"	"	"	"	"	"	3
Trapani	Theft and poss. Allied Prop. Misol.	3	2	3	408	3	"	"	"	"	1	1	"	"	26
Caltanissetta	Theft and poss. Allied Prop. Misol.	"	"	"	"	"	"	"	"	"	"	"	"	"	7
Enna	Theft and poss. Allied Prop. Misol.	"	"	"	"	"	"	"	"	"	"	"	"	"	"
Messina	Theft and poss. Allied Prop. Misol.	"	"	"	"	"	"	"	"	"	"	"	"	"	1
Caltagirone	Theft and poss. Allied Prop. Misol.	"	"	"	"	"	"	"	"	"	"	"	"	"	"
Siracusa	Theft and poss. Allied Prop. Misol.	29	6	4	478	4	"	4	"	5	6	15	7 fines 1 pardon	"	325
Bagusa	Theft and poss. Allied Prop. Misol.	"	"	"	"	"	"	"	"	"	"	"	"	"	"
	Theft and poss.	4	5	16	"	"	"	"	"	4	1	5	1 fine	1 suspension	33

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November

Appendix C

Grain Cases
Total no. of cases tried for five weeks ending
Saturday 25 Nov. 1944.

TRIBUNALE	PERSONS TRIED	PRISON SENTENCE OVER 6 MOS TO UNDER 3 YRS 3 YRS 6 MOS	FINE OTHER SENTENCE	FOUND N.G.	REMARKS	
PALERMO	88	= 5	13 37 fine 6 pard 3 susp	24		408
TERMINI	15	=	=	15		49
AGRIGENTO	5	= 2	1	2		6
SCIACCA	9	= 3	2 1 susp	3		14
TRAPANI	15	1 7	6	1		47
MESSINA	25	= 2	3 6 fine	14		8
PATTI	6	=	= 1 fine	7		45
CATANIA	414	= 2	35 360	19		118
CALTAGIRONE	258	3 22	146 60	27		137
SIRACUSA	83	= 7	22 38	16		91
RAGUSA	30	=	7 21	2		12
MODICA	44	= 3	23 13	5		21

SCIACCA	9	=	3	2	1 susp	3	14
TRAPANI	15	1	7	6	=	1	47
MESSINA	25	=	2	3	6 find	14	8
PATTI	8	=	=	=	1 find	7	45
CATANIA	414	=	2	33	360	19	118
CALTAGIRONE	258	3	22	146	60	27	137
SIRACUSA	83	=	7	22	38	16	91
RAGUSA	30	=	=	7	21	2	12
MODICA	44	=	3	23	13	5	21
ENNA	83	=	12	38	23	10	27
NICOSIA	17	=	2	6	5	4	
CALTANISSETTA	30	=	22	7	=	1	7
TOTALE	1124	4	89	307	574	150	990

ALLIED CONTROL COMMISSION
MILITARY REGION HEADQUARTERS
APO 394

FILE: RLD 013.001/EXH

4 October 1944

SUBJECT: Report of Legal Division, Sicilia Region HQs.

TO : Legal Sub-Commission, A.C.C. Headquarters - APO 394.

1. A.M.C. Courts. There have been no A.M.C. Courts during Sept. and so far as can be ascertained there are no cases pending for A.M.C. Courts. Large numbers of applications for Tarion and Grace continue to be received in respect of A.M.C. sentences - they average 5 per day - and these have been dismissed by the S.L.C. for the Regional Commissioner under the provision of Art. 33 of the Consolidated Legal Rules. Very few of the applications show any merit and it has not been considered necessary to refer any of these to the Chief Legal Adviser.

2. Prisons. These continue to be seriously overcrowded but it is understood that the Public Works Programme will make more prisons available in the near future. During the month the S.L.C. has carried out enquiries at all prisons in the Region. It was found that there are still 391 persons serving sentences imposed by A.M.C. Courts, the largest numbers being 145 at Palermo, 53 at Mezo and 27 at Terracina Imerese. A more careful scrutiny is now being carried out in one Province as it is believed that some prisoners have been improperly released in the past through error on the part of a former S.L.C. Given persons were found in the Region who had been placed in prison by various Allied authorities and who had not been tried. The fact of their detention was in every case unknown. The Allied authorities concerned were notified and all these persons have been released by the S.L.C. or otherwise disposed of by the authority ordering their detention.

3. Italian Military Courts. Have been operating throughout the month at Palermo and Catania. Contact has been maintained with these Courts, which are working well and have to some extent relieved the pressure of work in the Civil Courts. Generally speaking their sentences are severe. During the month 12 accused have been tried for offences affecting Allied interests up to week ending Sept. 23. As yet the 23 Sept. are not yet

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2. Prisons. These continue to be seriously overcrowded but it is understood that the Public Works Programme will make more prisons available in the near future. During the month the R.I.O. has carried out enquiries at all prisons in the Region. It was found that there are still 391 persons serving sentences imposed by AMG Courts, the largest numbers being 142 at Palermo, 93 at Noto and 27 at Termini Imerese. A more careful scrutiny is now being carried out in one Province as it is believed that some prisoners have been improperly released in the past through error on the part of a former S.I.G. Eleven persons were found in the Region who had been placed in prison by various Allied Authorities and who had not been tried. The fact of their detention was in every case unknown. The Allied Authorities concerned were notified and all these persons have been released by the R.I.O. or otherwise financed of by the authority ordering their detention.

3. Italian Military Courts. Have been operating throughout the month at Palermo and Catania. Contact has been maintained with these Courts, which are working well and have to some extent relieved the pressure of work in the Civil Courts. Generally speaking their sentences are severe. During the month 42 accused have been tried for offences affecting Allied interests up to week ending Sept. 23 as shown in Appendix "A" (Details after the 23 Sept. are not yet available for these Courts or for the other Courts reported on below). Italian deserters between July-Sept. 1943 are being dealt with in accordance with the agreement with the Italian Government dated 9 May 1944.

4. Italian Civil Courts - General. The R.I.O. has visited and maintained contact with the three Courts of Appeal. The higher officials continue to co-operate and work well but they seem to find it difficult to maintain efficient control over their Districts at the outlying Provincial and especially the Pretori. This difficulty is increased by the shortage of transport and communication. The Courts are however all functioning fairly well. Judicial Officials have in most cases taken their vacations. The Courts are still short of personnel which causes delay and congestion particularly so far as Civil cases are concerned but it is felt that this fact is too readily ascribed as an excuse when shortcomings are pointed out. A summary of the personnel position

as at 1 Sept. is set in appendix "B". It will be noted that this Region is particularly short of Giudici and Prevori especially in Palermo Court of Appeal. In some instances quite active judicial officials have been retained on account of age by the Minister and replacements have not been provided. It would appear desirable to have retained these over-age officials even if they were not very efficient.

So far as is known there have been no transfers or removals without ASD consent where this is required.

Two or three complaints have been received alleging biased or inconsistent behavior on the part of alleged Fascist judges. They have been quite unsupported by any concrete facts and after some investigation by the R.L.C. (not an easy matter) no further action was considered necessary. Expiration has so far resulted in the suspension of S.L. Luigi Baccaro, Irco. Generale, Messina and one Giudice at Catania.

5. Italian Civil Courts - Cases affecting Allied Interests. Trials have continued throughout the month. A summary of cases tried and sentences awarded for 4 weeks to 23 Sept. 1944 is shown in Appendix "C". There is an increasing tendency towards leniency but most of the cases are of a minor character. It will be observed that 154 accused were tried, 120 being found guilty and 68 sent to prison. There were far less cases tried than during the preceding month partly due to main cases taking priority and partly to the limitation of Allied personnel and property in the Region. However according to my records they are still approx. 1730 such persons to be tried and the position is not satisfactory. I am making representation to the Courts on this matter.

6. Italian Civil Courts - Main Cases. These cases have again received first priority. A summary of cases tried and sentences for 4 weeks to 23 Sept. is shown in appendix "D". There were less cases tried and greater leniency than was expected as a result of the High Commissioner's extension of time to 16 Sept. for the delivery of the correct or corrected denuncias by main producers. It will be noted that 2082 accused were tried, 1512 being found guilty and 1257 sent to prison. Approximately three quarters of the sentences were for periods under 6 months.

Figures showing the number of cases awaiting trial are not available this month but it appears that the Courts have not been able to make any considerable reduction of the estimated figures shown in last month's report, namely 3000.

5. Italian Civil Courts - Cases affecting Allied Interests. Trials have continued throughout the month. A summary of cases tried and sentences awarded for 4 weeks to 23 Sept. 1944 is shown in Appendix "C". There is an increasing tendency towards leniency but most of the cases are of a minor character. It will be observed that 154 accused were tried, 120 being found guilty and 38 sent to prison. There were far less cases tried than during the preceding month partly due to grain cases taking priority and partly to the limitation of Allied personnel and property in the region. However according to my records they are still approx. 1700 such persons to be tried and the position is not satisfactory. I am making representation to the Courts on this matter.

6. Italian Civil Courts - Grain Cases. These cases have again received first priority. A summary of cases tried and sentences for 4 weeks to 23 Sept. is shown at Appendix "D". There were less cases tried and greater leniency than was expected as a result of the High Commissioner's extension of time to 16 Sept. for the delivery of the correct or corrected denunciations by grain producers. It will be noted that 2082 accused were tried, 1512 being found guilty and 1257 sent to prison. Approximately three quarters of the sentences were 367 periods under 6 months. Figures showing the number of cases awaiting trial are not available this month but it appears that the Courts have not been able to take any considerable reduction of the estimated figure shown in last month's report namely 3000.

7. Bar Association & Notarial Councils. These are functioning in most places. During the past 3 months new Bar Associations have been elected at Syracuse and Ragusa and Notarial Councils at Militerrone, Ragusa and Modica, Syracuse, Catania and Messina.

8. Other Matters. These largely consist of investigation and advice in matters from other ACC Sub-Divisions. In such matters there is often the known rule and legal precedent so that the matter has to be decided on common-sense principles. There have been no such matters involving general questions of principle which were considered to justify their reference to the C.I.A. These matters and general office work have taken up so much time that it has not been found possible to maintain contact with the Italian Courts below the Court of Appeal level. The RIC attended the Legal Conference at Rome on 20.9.44.

5. Conclusion. It is considered that the Courts here have now practically returned to their normal state. There are still large arrears of cases and long periods of imprisonment awaiting trial but this is viewed with apparent unconcern by all the Italian Judicial Officials as being quite the normal state of affairs.

E. K. Matthews C46.
E.K. MATTHEWS, Captain,
Regional Legal Officer.

Encls: Report, "A"
" " "B"
" " "C"
" " "D"

Appendix "A"

REPORT FOR SEPTEMBER 1944

Cases affecting Allied interests (to week ending Saturday 23 Sept)
were tried by the Italian Military Courts as follows.

Military Court	TYPE OF OFFENSE	No of accused	He found N.G.	Max term of imp.	Imp. for 5 yrs or less	Imp. from 5 to 10 yrs	Imp. from 10 to 15 yrs	Under 6 months	Total in all	of imp. or less	Fines, suspended sentences, etc. (no imprisonment)
Palermo	Theft and poss. Allied property	25	3	4 yrs	=	2	12	=	14	7	1 fine sentenced 7 suspended sent
Catania	Theft and poss. Allied property	17	5	19 mos	=	=	2	5	7	5	suspended sent
	TOTAL	42	8	4 yrs	=	2	14	5	21	12	1 fine sentenced 12 suspended sent

REGION I

JUDICIAL DEFICIENCIES ON 1 SEPT. 1944.

Description	Palermo Court of Appeal			Catania C. of A.			Messina C. of A.	
	Establ Stent	Actual Stent	Defec.	Establ Stent	Actual Stent	Defec	Establ Stent	Actual Stent
Primo presidente	I	I	-	I	I	-	I	I
Presidenti di Sezione	II	II	-	4	4	-	3	3
Consiglieri	33	31	7	19	15	4	15	11
Presidenti di Tribunale	8	8	-	5	5	-	2	I
Presidenti di Sezione	9	7	2	6	5	I	3	I
Consiglieri Istruttori	I	I	-	I	I	-	-	-
Giudici	90	56	34	54	36	18	37	31
Procuratori Generali	I	I	-	I	I	-	I	I
Sost. Procuratori Generali	10	7	3	5	5	-	4	3
Procura del Regno	23	17	6	15	13	2	7	6
Pretori	61	23	38	43	36	7	25	14
TOTALS	253	163	90	154	122	32	98	72

Appendix "B"

REGION I

JUDICIAL DEFICIENCIES ON 1 SEPT. 1944.

Port of Appeal		Catania C. of A.			Messina C. of A.			Total Defec.	Remarks
Actual Stenth	Defec.	Establ Stenth	Actual Stenth	Defec	Establ Stenth	Actual Stenth	Defec		
	-	1	1	-	1	1	-	-	
	-	4	4	-	3	3	-	-	
II	-								
31	7	19	15	4	15	11	4	15	
B	-	5	5	-	2	1	1	1	
7	2	6	5	1	3	1	2	5	
I	-	1	1	-	-	-	-	-	
56	34	54	36	18	37	31	6	58	
I	-	1	1	-	1	1	-	-	
7	3	5	5	-	4	3	1	4	
I7	6	15	13	2	7	6	1	9	
23	38	43	36	7	25	14	11	56	
I63	90	154	122	32	98	72	26	148	7 in service are not Magistrate but Honorary Vice Pretori Reggenti.

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Appendix "D"

Total n. of cases tried for four weeks ending
Saturday 23 Sept. 1944.

TRIBUNALE	PERSONS TRIED	PRISON SENTENCE		TIME & OTHER Sentence	FOUND. N. G.	REMARKS
		over 3 years	6 mos to 3 years			
PALERMO	349	=	14	99	44	
TERMINI	1	=	1	=	=	
AGRIGENTO	58	4	22	10	21	
SCIACCA	1	=	1	=	=	
TRAPANI	40	=	5	28	2	
MESINA	36	=	1	17	8	
PATTI	34	=	3	12	16	
CATANIA	931	6	34	196	89	
CALTANISSETTA	213	2	12	141	38	
SIRACUSA	325	3	45	156	41	70
RAGUSA	87	=	5	49	13	

AGRICULTO	58	6	20	10	1	100
SCIACCA	1	=	1	=	=	=
TRAPANI	40	=	5	28	5 fines	2
MESSINA	30	=	1	17	12 fines	8
PATTI	34	=	3	12	3 fines	16
CATANIA	951	6	34	196	606	89
CALTA/RORE	313	2	12	141	120	30
ERACUSA	325	3	45	156	80	41
RAGUSA	87	=	5	49	20	13
MODICA	24	=	3	6	2	13
ENNA	388	=	39	123	180	44
NICOSIA	88	3	13	37	8	27
CALTANIS/TA	205	3	89	70	26	17
TOTALE	2882	21	267	949	1255	370

46
 ALLIED CONTROL COMMISSION
 SICILY REGION HEADQUARTERS
 APO 394

FILE: RLB 013.031/EKM

4 September 1944

SUBJECT: Report of Legal Division, Sicily Region HQs.

TO : Legal Sub-Commission, A.C.C. Headquarters - APO 394.

1. A.C.C. Courts. During the month of August there have been no cases tried in the Allied Military Courts, nor as far as is known are any cases pending. On Review the death sentence previously imposed at Catania on Scarpato Natale for killing a British sailor was reduced to life imprisonment.

2. Italian Courts. These have continued to function in a fairly satisfactory manner. It is pointed out that due to a misunderstanding the figures in the Return of Cases affecting Allied Interests in the last report of this division was incorrectly stated so far as Catania and Messina are concerned. The figures then shown were the total number of accused in these areas who were awaiting trial for all offences against the Italian Law and not only those in which the Allied Authority are interested. Cases affecting Allied interests were then being and are still being tried in a satisfactory manner in these areas.

3. Amassi Offences. These are still being given first priority in the Italian Courts and continual pressure has been maintained on all three Courts of Appeal and their various Tribunali. Many Procuratori del Regno and Presidents of Tribunali have been visited in Eastern Sicily. Generally the position is improving but cannot be yet considered satisfactory. There has been a great increase in the speed and number of cases tried particularly in Eastern Sicily but there are still considerable arrears to be worked off. Of the cases already tried about 85% are for buying grain and transporting grain without the proper authority and usually involve only small amounts varying from 10-200 kilos. In these cases the Courts are still prone to be lenient and impose sentences from fines only up to imprisonment for six months. The remaining 15% of cases are for deliberate subtraction from Amassi under the R.D. Law 1944 and in these cases the Courts are acting with

2. Italian Courts. These have continued to function in a fairly satisfactory manner. It is pointed out that due to a misunderstanding the figures in the Return of Cases affecting Allied Interests in the last report of this division was incorrectly stated so far as Catania and Messina are concerned. The figures then shown were the total number of accused in these areas who were awaiting trial for all offences against the Italian Law and not only those in which the Allied Authority are interested. Cases affecting Allied interests were then being and are still being tried in a satisfactory manner in these areas.

3. Amassi Offences. These are still being given first priority in the Italian Courts and continual pressure has been maintained on all three Courts of Appeal and their various Tribunali. Many Procuratori del Regno and Presidents of Tribunali have been visited in Eastern Sicily. Generally the position is improving but cannot be yet considered satisfactory. There has been a great increase in the speed and number of cases tried particularly in Eastern Sicily but there are still considerable arrears to be worked off. Of the cases already tried about 85% are for buying grain and transporting grain without the proper authority and usually involve only small amounts varying from 10-200 Kilos. In these cases the Courts are still prone to be lenient and impose sentences from fines only up to imprisonment for six months. The remaining 15% of cases are for deliberate subtraction from Amassi under the R.D. Law 1544 and in these cases the Courts are acting with severity, over 20 persons having been sentenced to terms of imprisonment of over 3 years together with the appropriate fines. There have been several maximum sentences of 6 years. Very few influential persons appear to be charged but one Baron has received 3 years 6 months. The most unsatisfactory areas to date are: (1) the Province of Agrigento where until recently no cases had been tried. This Province has however now received a visit from Captain Oates who was attached temporarily to this HQ and the Procuratore del Regno has been summoned to Palermo and interviewed by the R.L.C. - I anticipate an improvement in this Province. (2) The Provinces of Palermo and Trapani which are just starting. I am bringing pressure to bear upon these Courts. Statistical details of the position on and up to Saturday 26 August are as follows:-

Province	Tribunale	Persons Awaiting Trial on 26 Aug.	Persons tried week of 26 Aug.	All persons tried from 1st July to 26 Aug.
Palermo	Palermo	26	0	
	Termini	unknown	0	
Agrigento	Agrigento	"	16	25
	Solacca	"	0	
Trepani	Trepani	"	9	
Catania	Catania	456	126	
	Caltagirone	299	90	
Messina	Messina	62	16	
	Patti	139	12	
Syracuse	Syracuse	187	1 +	1194
Ragusa	Ragusa	46	52	
	Modica	46	0 +	
Caltanissetta	Caltanissetta	160	48	
Enna	Enna	351	18	
	Nicosia	unknown	22	
		1772	417	1219

Allowing for
error deliberate
under estimation etc.
say 3000.

+ Reports not received due to transport difficulty.

4. Italian Military Tribunal There isn't much to be said in regard to the Italian Military Tribunal other than there still exist many cases pending mainly those affecting Allied Interest which have been transferred from the Civil Courts under Article 15 of the Italian Military Code. A section of this Court is now being organised in Catania and started work on 2 September.

5. Petitions With a further re-review of cases tried by AMG courts it is felt that Petitions for grace and pardon will lessen. Petitions will continue so long

Ragusa	46	59	
Modica	46	0 +	
Caltanissetta	160	48	
Enna	351	18	
Nicosia	unknown	22	
	1772	417	1219

Allowing for
error deliberate
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5. Petitions With a further re-review of cases tried by AMG courts it is felt that Petitions for grace and pardon will lessen. However, it is anticipated that such petitions will continue so long as the office remains functioning.

6. Records The indexing of all AMG case records for the Sicily Region has been completed. Files which were no longer needed for use in this office were sent to A.C.C. Archives.

7. Prisons The prisons are extremely overcrowded and this may present a very serious problem if the present grain campaign results in many prison sentences as appears likely. The Procuratori Generali at Catania and Messina who are responsible for prisons in these areas have been urged by the R.L.C. to take active steps themselves to remedy the situation. They reply however that they can do nothing without definite instructions from the Minister of Justice who either does not reply to their queries or whose replies offer no solution.

8. Personnel Major Vecchiolla, Ex-Regional Legal Officer and Sgt. Sugg, chief clerk, were relieved from duty this Hq and transferred

to A.C.C. HQ. for assignment, the writer being transferred from Catania to Palermo as R.L.O. on 30.8.44. One Civilian clerk is at present being maintained at Catania and Messina to liaise with the Courts of Appeal on the Eastern side of the Island. It is anticipated that these clerks will be of great assistance in conveying information and getting speedy replies from these Courts.

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

sf

*Seen by M.J.G. mm
15/9/44*

67

4043/1 JH
 ALLIED CONTROL COMMISSION
 SICILY REGION HEADQUARTERS
 APO 394

45
 Recd 22/8/44

File : RLE 013.031/FLV

5th July 1944

SUBJECT : Report of Legal Division, Sicily Region H.Qs.

TO : Legal Sub-Commission, A.C.C. Headquarters - APO 394

1. A.M.G. Courts. During the month of July there have been no cases tried in the Allied Military Courts, nor as far as is known are any cases pending.

2. Italian Courts.

General : Based on reports received to date, a return is herein submitted showing the number of persons awaiting trial by the Italian Courts. From this return it will be seen that the Italian Courts in PALERMO, ENNA, AGRIGENTO, CALTANISSETTA and TRAPANI are functioning quite satisfactorily. With regard to CATANIA and MESSINA this office was not entirely satisfied and asked the Legal Officer at CATANIA to investigate the reason for the large number of cases awaiting trial, with particular reference to CATANIA Court of Assisi. The Italian official explanation was as follows:-

1. Shortage of Judicial Staff. Representations have already been made to the Minister of Justice but perhaps further representations could be made by A.C.C.

2. Accumulation during occupation when Courts closed.

The Legal Officer at CATANIA was not entirely satisfied with these explanations and felt that the personnel do not take the interest or work as hard as they might do.

It is pointed out that a number of these cases which have been awaiting trial for a long period, delay is largely due to the lengthy pre-trial procedure. The Messina offences were mostly of a minor character - chiefly obtaining small Allied articles by gift or purchase. The penalties are not however considered adequate either for this type of offence or for unauthorised crossing of the Straits and representations are being made accordingly.

A decline in the number of cases affecting Allied interests and Allied personnel is noticeable and is probably due to the decrease in Allied personnel and stores.

During the summer vacation Italian Tribunals and Pretura will continue to function, but with a reduced personnel. The Courts of Assisi will be closed from 1st August to 29th September 1944.

RETURN OF CASES AFFECTING ALLIED INTERESTS.

Province.	No. of acc. awaiting trial in custody.	Awaiting trial not in custody.	Average prison period awaiting trial.
PALERMO	403	152	2 - 3 months
CATANIA	706+	9460+	3 - 4 months
MESSINA	386+	475+	3 - 5 months
ENNA	1	-	1 - 2 months
AGRIGENTO	1	17	1 - 2 months
RAGUSA	(included in Catania)		
SIRACUSA	- do -		
CALTANISSETTA	6	28	1 - 2 months
TRAPANI	28	62	1 - 2 months

+ It is felt these figures must include cases other than those affecting Allied interests.

Amassi Offences : The Regional Legal Officer held a Conference of all the Italian Judges at the Procuratore Generale's office in Palermo on the 25th July 1944. The following is a brief resume of the topics discussed :-

' Outline of the present serious grain situation - Sufficiency of wheat if farmers are compelled to turn same in - Necessity for utmost severity in enforcing the new R.D.L. 153 dated 4th July 1944 - To their advantage rather than to the Allied Authorities - Leniency in some cases brought to their attention - Notice given

that any repetition of this by any of the Italian Court officials would be brought to the attention of the Minister of Justice for appropriate disciplinary action - The Italian Government and Allied Authorities reliance on their aid in the suppression of the present black market in grain.'

This office is keeping a close watch on the situation, and difficulties and queries on grain offences are receiving prior consideration.

The total numbers of persons denounced and arrested since the start of the campaign up to 29th July 1944 are as follows:-

Illegal detention	-	500
Illegal transport	-	3593
Illegal purchase	-	575
Illegal sale	-	301
Stolen	-	12
TOTAL		4981

The larger proportion of these cases are from AGRIGENTO and CATANIA. It is observed that most of the cases now before the Courts are usually of the most trifling nature and do not involve any big producers or persons of substance. Reports of all the more serious cases are being placed in the two newspapers 'Giornale di Sicilia' and 'Corriere di Sicilia' and every publicity given to the severe sentences imposed. In CATANIA sentences of three to four years and over have been passed on 21 persons with fines ranging from L.11,000 - L.30,000. Also two in CALTANISSETTA, one of 6 years imprisonment and L.66,800 fine, and the other 4 1/2 years imprisonment and a fine of L.272,200. Although all results are not entirely satisfactory a marked improvement is shown.

A very unsatisfactory condition appears to exist at ENNA and CALTANISSETTA. The Procuratore del Regno and Judge of the Tribunal were questioned at length. The former in particular was found very evasive and had apparently done little or nothing to speed up the trial of these cases as requested. It was impossible to ascertain whether any such cases had been tried recently. A few of the excuses were :-

'1. They were awaiting R.D.L. of 4th July - there was no explanation why cases had not been dealt with under the older laws in force.

2. That the fault rested with the Pretori who might have many cases in their Courts.

3. That they were now due for their judicial vacations - this loomed largely.

4. They were now making arrangements to start trying cases under the new R.D.L. on 15th August.

5. The Procuratore stated he was carrying out the instructions received from the Procuratore Generale of Palermo - these were not seen.

6. Italian Procedural delay difficulties.

It was found necessary to do some very plain speaking and a promise was extracted that the Tribunali and Preturi would get busy at once. A report was asked for by the 5th August 1944 the latest.

The Procuratore Generale of Palermo and Captain E.K.W. Matthews, at the request of this Division, are making a tour of inspection of these two Provinces. They will stress the importance of taking speedy and rigorous action against grain offenders.

All Procuratori Generali have been asked to report at least once weekly on cases disposed of and sentences imposed.

3. Italian Military Tribunal. All the Italian Military Courts in Sicily were visited during the month by Major Franklin. In view of his expected report it is not proposed to state anything here.

There are many cases pending, mainly those affecting Allied interests, which have been transferred from the Civil Courts under Article 15 of the Italian Military Code.

4. Prisons. The present congested conditions are raising a serious problem. A phonogram from General Branca, Commanding CCRR 6th Bde, showing this fact, is quoted :-

'It is urgent that a concentration camp be set up for violators of grain laws as the Directors of the prisons at RAGUSA and MODICA inform us that it is impossible to receive any further arrested persons due to lack of prison space.'

This is a situation which will arise everywhere unless urgent steps are taken. A communication on this subject has already been sent to the Legal Sub-Commission.

5. Personnel. No changes in personnel of Legal Division has taken place during the month under review.

6. Petitions. The same remarks apply as set out in previous monthly reports. Numerous petitions for grace and pardon by accused whose sentences have been affirmed on review, are pending an order from the C.L.O. as to their disposition.

This office is still being called upon to render numerous Legal opinions to various Departments and to draw up contracts.

7. General. The Regional Legal Officer on 1st August 1944 attended a Legal Conference at Rome, and at this conference secured valuable information which will be most helpful in the operation of this Regional Legal Office.

For COLONEL A.N. HANCOCK:

Frank L. Vecchiolla
FRANK L. VECCHIOLLA
Major, JAGD.
Regional Legal Officer.

js.

4043/1

ALLIED CONTROL COMMISSION
SICILY REGION HEADQUARTERS
APO 394

File : RLE 013.031/FLV

3rd July 1944

SUBJECT : Report of Legal Division, Sicily Region H.Qs.

TO : Legal Sub-Commission, A.C.C. Headquarters.

1. A.M.G. Courts. During the month of June there has been one sitting of the General Military Court at CATANIA. The Court with Colonel W.R. Jordan as President sat on the 2nd, 3rd and 5th of June 1944, and after due consideration sentenced the accused as follows :-

SCARPATO Natale - 1. Found Guilty of Homicide - Penalty death.
2. Found Not Guilty of non-declaration of an arm.
3. Found Guilty of carrying arms without authorization - Penalty 6 months imprisonment.

SCARPATO F/sco. Found Not Guilty - ACQUITTED.

SCARDULLA Rosa Found Not Guilty - ACQUITTED.

An application for review was filed and has been submitted to the Legal Sub-Commission for necessary action. There has been no other activity in the A.M.G. Courts. This office has under consideration several important cases and will forward them with the recommendation that they be tried by an A.M.G. Court.

2. Italian Courts. The Italian Courts in Sicily continue to function quite satisfactorily. In spite of extended court hours there are still a large number of outstanding cases, of which, priority is given to those affecting Allied interests. All instructions received pertaining to Italian Courts have been referred to them for guidance and assistance. The supervision of all cases affecting Allied interests has been constantly noted and records are kept of all cases disposed of by the Italian Authorities which fall in this category. The R.L.O. has visited all the local Italian Tribunals and has found them all in operation and functioning satisfactorily, considering the unsuitability of the locales. The proper

functioning of some of these Italian Tribunals is still hampered due to the shortage of personnel and lack of transport facilities. This office has given every help to Italian Court officials in obtaining transportation in order that they may fulfil their duties outside of this Province.

It is desired here to state, that this office has received only sincere and courteous co-operation from the senior magistrates and great credit is due to such men as S.E. Messina, S.E. Marchi, S.E. Gentile, S.E. La Cecla, S.E. Barone (recently transferred by order of the Minister of Justice), S.E. Cappellani and to the Procuratori del Re in the principal cities for the efforts which they have made, and are still making, towards the rehabilitation of the Italian Courts in the face of innumerable difficulties. The Bar Associations and the Notarial Councils have also been successful in raising the standard of professional conduct.

3. Italian Military Tribunal. Many cases still pending before the Italian Civil Courts affecting Allied interests are being transferred to the Italian Military Tribunal for disposition under Article 15 of the Italian Military Code. This procedure whilst easing the overcrowded lists of pending cases before the Civil Courts will increase the burden of the Military Tribunal which is still handicapped by shortage of Military Judges and limited personnel. This office is giving all the help in its power.

Two employees of the Naval Operating Base at Palermo were arrested by Carabinieri on the 27th June and confined in the Palermo Prison. These men were part of a large group of technicians mobilized and transported to various shipyards in German controlled Italy, prior to the Allied invasion of Sicily. Subsequently on our invasion, these men made their way back to Sicily (Allied Territory) and started to work for the U.S. Navy in Palermo. On orders of arrest issued by the Italian Government these two employees were charged with desertion under the wartime penal code. This office was given to understand that numerous other employees are pending arrest for the same reason. Realising that serious consequences might result if these arrests of civilian employees of the Naval Operating Base continue this Division has contacted the officials of the local Italian Military Tribunal and urged them to grant provisional liberty to the two arrested employees to enable them to return to their employment. With regard to those employees who are pending arrest, this office with the co-operation of the Regional Public Safety Officer has contacted the Italian Police authorities and stayed the service of such warrants pending receipt of further instructions.

Considering that there are about four or five hundred employees of N.O.B. who may be subjected to arrest for desertion, these arrests if allowed to take place would have paralyzed the operation of the Naval Base at Palermo.

This matter has been referred to the Naval Sub-Commission so that contact can be made with the appropriate Italian Government authorities and some form of agreement come to so that the proper functioning of the Naval Base continues unhampered.

4. Prisons. The prisons still remain overcrowded and this seems an almost insolvable problem. With the assistance of the Regional Public Safety Officer statistics of all prisons are being secured in the hope that the transfer of some prisoners might be possible to relieve the present congested conditions of some prisons.

5. Personnel. No changes in personnel of the Legal Division has taken place during the month under review. Four civilians, two interpreters and two typists, have been temporarily engaged by this Division for the translation of the Ustica Commission Report (some 300 pages) and other pertinent documents, in order that it may be disposed of by the Italian Authorities.

6. Records. The indexing of all case records for the Sicily Region are still proceeding. All but the two larger Provinces of Palermo and Agrigento have been completed. It is anticipated that by the end of July this work will be finished. This has been a colossal task involving as it does the compilation of an Alphabetical Index of some 13,500 cases. This work has been much delayed due to the fact that of the two legal clerks in this office, only one could be spared at odd times to do this work.

7. Petitions. This office is still being inundated by numerous repetitions of petitions for grace and pardon. It is anticipated that this will continue so long as the office remains functioning. This is tedious and unproductive work, as very few petitions submitted contain any meritorious grounds.

A good deal of the time of this office is still taken up by the rendition of legal opinions to the Heads of the various Divisions.

8. Copies of Proclamations Nos. 1, 2, 3 and 4 (new series) prepared for insertion in the hand book Consolidated Instructions for Allied Military Courts, have been received by this office and distributed to those in possession of the a/m hand book. Attention has been called to the fact that any officer who may be moved from one Region to another must take his copy with him.

For Colonel A.N. HANCOCK:

Frank L. Vecchiolla
FRANK L. VECCHIOLLA
Major, JAGD.
Regional Legal Officer.

js.

HEADQUARTERS

6 JUN 1944

ALLIED CONTROL COMMISSION
SICILY REGION HEADQUARTERS
APO 394

Legal SC (43)

U-127

5th May 1944

Capt Lons

File : RLE 013.031/FLV

SUBJECT : Report of Legal Division, Sicily Region H.Qs.

TO : Legal Sub-Commission, A.C.C. Headquarters.

1. A.M.G. Courts. During the month of May there have been no cases tried in the Allied Military Court. There are pending a number of important cases which this office is now considering, and in due course will forward them with the recommendation that they be tried by an A.M.G. Court. The Regional Commissioner on 15th May 1944 appointed a General Court to sit at CATANIA on 2nd June 1944 to try three persons on a murder charge. The Court is composed of :

Colonel William R. Jordan	0-121579	(A)	<u>PRESIDENT</u>
Major J.O. Radice	199195	(B)	Member
Captain Anthony Ciliberti	0-915142	(A)	Member
Captain William H. Savin	0-511995	(A)	Member
Captain E.K.W. Mathews	220695	(B)	Prosecutor

The persons to be tried are :

- | | | |
|----------------------------|---|------------------------------------|
| 1. SCARPATO Natale |) | Being concerned together in the |
| No.3 Vicolo San Lorenzo |) | Murder of DX/308062 Telegraphist |
| AUGUSTA |) | Douglas Edward Hammet, of HMS |
| 2. SCARPATO Francesco, |) | Whaddon, at Via Roma, AUGUSTA, by |
| 61 Via Quattodice Ottobre) |) | stabbing him in the abdomen at |
| AUGUSTA |) | 1930 hrs on 19th March 1944, as |
| |) | a result of which he died on |
| |) | 20th March 1944. |
| 3. SCARDULLA Rosa |) | An Italian civil charge equivalent |
| 11 Vicolo San Lorenzo, |) | to 'Assessory after the fact of |
| AUGUSTA. |) | murder' in English law. |

2. Italian Courts. The Italian Courts in Sicily are functioning quite satisfactorily, and its personnel has been very co-operative even to the extent of extending their court hours

so as to ease the large number of pending cases. Cases concerning the Allied Government are being given priority in all courts. Close contact is being maintained with the Italian Courts, and a weekly conference is held by the Regional Legal Officer and the First President of the Court of Appeals and the Procuratore Generale. The same is being done in the MESSINA and CATANIA districts by Captain E.K.W. Mathews, Legal Officer. The Regional Legal Officer during the month together with the First President of the Court of Appeals and the Procuratore Generale visited the Court at TRAPANI. It was discovered that there are about 800 outstanding cases to be tried, but there were only 15 cases which concerned property of the Allied Government. The reason for such a large number of outstanding cases is due to the shortage of personnel, as two judges of that Court are being employed in another capacity by the Allied Government. Steps have been taken to have these two judges resume their functions in the TRAPANI Court. We were assured that about 300 cases would be disposed of within a few weeks, as they are cases which fall under the recent amnesty.

It is planned that during the month of June similar visits and inspection will be made to the Courts of AGRIGENTO, CAETANISSETTA and ENNA Provinces.

The trial of cases effecting Allied interests is proceeding satisfactorily in all Provinces. The sentences on the whole are adequate and in a small number of cases in which this office was of the opinion that the sentences were light, the Procuratore Generale has taken appeals.

This office has advised the Procuratore Generale that the granting of provisional liberty in Allied Government cases should be used sparingly and only in exceptional circumstances, also that the courts should not impose suspended sentences except in extreme cases.

3. Italian Military Tribunal. This court is now functioning very satisfactorily in PALERMO, in spite of its limited facilities. This office has co-operated with them in every way possible and has been able to secure for them the loan of two Court Clerks from the Italian Civil Courts. There are about 1000 cases pending of which less than 100 are cases affecting Allied interests. A weekly conference is held with the Procuratore Generale of this Court to discuss any problems and pending matters. This office is of the opinion that the sentences imposed by this Tribunal in cases affecting the Allied Government are adequate and fair.

4. Prisons : The situation with the prisons remains overcrowded and there seems to be very little that can be done to remedy this condition. This office has conferred on this matter with Lt. Colonel Snook, Chief of Public Safety, and it is planned to secure actual statistics of all prisons, in the hope that some transfers of prisoners might be possible.

5. Personnel : The personnel of the Legal Division Region 1 remains unchanged. Captain Anthony NMI Ciliberti is under orders to proceed to the Italian mainland. This reduction in the Legal Staff will seriously handicap the working of this office, as there is still much paper work to be handled. In view of this, and the fact that this office is daily called upon to interpret Italian laws, it is recommended that an English speaking Italian lawyer should be attached to this office.

6. Records : The legal records of all the Provinces have now been received and are in this Headquarters. All these records are being properly indexed and filed. The indexing is now complete for the Provinces of RAGUSA and SYRACUSA, and is partly complete for the Provinces of CALTANISSETTA and MESSINA. It is anticipated that by the end of the month of June six Provinces will be completed, thus leaving the three large Provinces of PALERMO, CATANIA and AGRIGENTO without completion.

7. Petitions : This office still receives a large number of petitions for grace and pardon and are being processed to ascertain whether or not there is any merit to them. On the whole they are repetitions of petitions heretofore presented.

This office has a great deal of its time taken up because it is called upon more and more to give legal opinions to the heads of the various divisions.

8. Conferences : The Regional Legal Officer on 1st May, 1944 attended a legal conference at NAPLES, and at this conference secured valuable information which has been most helpful in the operation of the Legal Office, Region 1. The Regional Legal Officer has received 15 copies of the Consolidated Instructions for Allied Military Courts and has distributed them in accordance with the instructions received. The book is a splendid piece of work and its author is most worthy of high commendation.

For Colonel A.N. HANCOCK :

Frank L. Vecchiolla
FRANK L. VECCHIOLLA
Major, JAGD.
Regional Legal Officer.

REP/ ON REGION I CONFERENCE.
PALERMO, 24 May 44.

To: VP Adm Section.

For special
attention
or action.

I duly attended the conference at Palermo and attach an agenda of the meeting which commenced at 0845 and did not finish until about 1830 hours.

Generally: The principal impression left upon me by the preceding is the importance of the presence at these conferences of staff officers from HQ. Here provincial officers discuss their difficulties; no better opportunity could possibly be conceived of feeling the pulse of the whole Region, of ascertaining local conditions and opinions and of giving guidance as to policy or advice on difficulties. In my opinion it is essential that the three sections, RG & MG, Admin and Econ should invariably be represented and that in addition the principal policy - forming and administrative sub-comms should frequently attend by the Director or his Deputy and that the Directors of other Sub-Comms or their Deputies should attend at least once in every three months. There was so much that a Director could usefully have heard or said that I put the attendance of these conferences at a high priority in importance. I recommend that the combined Duties of a Director and his Deputy should be so arranged as to ensure freedom for attendance at these Conferences in the case of the more important Sub-Comms preferably every month and of other Sub-Comms once in every three months.

There still exists in Regions a misconception as to the respective responsibilities of RGMS and Sub-Comms which can most quickly and most surely be eradicated by the presence of senior responsible officers exercising their functions.

Control and direction does not consist merely of legislation. Not until one is in touch with difficulties and can guide and advise those on the ground and the latter are imbued with the spirit and aim of the policy as to follow the intention without instruction can control and direction really be said to exist.

It is suggested that of the Adm Sec Sub-Comms, Legal, Interior, Health and Safety should attend Regional Conferences at least every other month and the remaining three Sub-Comms should attend once a quarter. The attendance should be coordinated by Admin Staff to even attendances and prevent the imposition of an undue burden.

Regional Commissioner's Remarks.

Wheat harvest is the principal anxiety. Neglect by the Italian Govt to follow proper channel of communication causes

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Regional Commissioner's Remarks.

Wheat harvest is the principal anxiety. Neglect by the Italian Govt to follow proper channel of communication causes a little friction. Country appears to be settling down; the wider base of central government seems to have satisfied local opinion. Representation on the Giunta Comunale should be similarly widened. The expedient of appointing local commissars should be terminated if possible by appointing sindaco and local councils. One Province alone has 32 commissars. Some trouble has been caused by the fact that AMG paid sindaco whereas they are no longer paid. The question as to whether they can be re-imbursed for out of pocket expenses would be looked into. Would welcome attendance of heads of principal Sub-Comms at conferences.

Provincial Commissioner's Reports: AGRICULTURE:

Food - Black Bread 45/100 L.p.kilo. Bean and grain crops good. Political-Communist is strongest party. Loggia intriguing against Musotto, query with Aldisio. Supplies good - rail thefts e.g. holes cut in roofs of grain wagon; brace and bit hole through floor so grain pours out.

...../Labour.

-2-

Labour - no change. Sulphur mines are all closed; at one mine only a 100 out of 1,300 at work. Refugees - about 2,000 - refuse to spend their cash allowance on ground that everything should be found for them. Apparently do not consider the cash allowance as a part of the method of providing for their needs; the allowance is just their's. Crime - on downgraded Red Cross clothing has been stolen. Petrol - notice of reduction of petrol allowance was not received until after civil ration had been issued. This left insufficient to keep essential services going. Had therefore exceeded his allowance.

GALTANISSETTA & ENNA:

Interior - no Prefect. Vice Prefect not very satisfactory and will be removed when defascistisation is undertaken and is therefore not working. The local defascistising commissions should themselves be screened; they are not yet working. Food - Dislike of imported emergency foodstuffs - crushed beans are accepted but not liked. Dried soup is disliked, and condensed and powdered milks are regarded with suspicion. Crop prospects excellent. Political - Principal political parties are Christian Democrats and Communists. Black Market - Bread 50 L. p.k. Refugees - about 1,300 are completely ungrateful for anything that is done for them.

CATANIA:

Defascistisation Committee formed but not working. Food - scale is defective - there has been no increase of height or weight of children. Wages for unskilled labour paid by Army only 50 lire per day. These rates should have been increased by 70%, civil rate is 80/90 lire per day. Grain stocks are finished and now question of hand to mouth supplies from Messina. Army has asked for public lavatories to be provided, for over 2,000 years Sicilians have not used lavatories and does not want lavatories. Question is who will pay for the lavatories which the Army wants erected.

MESSINA:

Stevedore rates are showing a deficiency - they are not high enough to attract labour. There are insufficient schooners for the island's needs, at least six more are required yet ten are lying idle in Messina harbour which are quite suitable for coastwise traffic.

PALERMO & TRAPANI:

Quiet - Crime, no change - some increase in number of cases of wire cutting - considerable length lead covered cable removed which is apparently an act of sabotage. Forged 1,000 lire notes in circulation, excellent imitations, 59 arrests have been made. 43 million Lire forged notes seized. OC Troops states no need to enforce blackout but no official instruction on point has been received. G-4 has given instructions that cars required for Sub-Commission's officers in the Regions should be requisitioned. Latest provision for Allied Troops - travelling brothers for isol-

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CATANIA :

Refacilitation Committee formed but not working. Food - scale is defective - there has been no increase of height or weight of children. Wages for unskilled labour paid by Army only 50 lire per day. These rates should have been increased by 70%, civil rate is 80/90 lire per day. Grain stocks are finished and now question of hand to mouth supplies from Messina. Army has asked for public lavatories to be provided, for over 2,000 years Sicilians have not used lavatories and does not want lavatories. Question is who will pay for the lavatories which the Army wants erected.

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Stevedore rates are proving a difficulty - they are not high enough to attract labour. There are insufficient schooners for the island's needs, at least six more are required yet ten are lying idle in Messina harbour which are quite suitable for coastwise traffic.

PALERMO & TRAPANI :

Quiet - Crime, no change - some increases in number of cases of wire cutting - considerable length lead covered cable removed which is apparently an act of sabotage. Forged 1,000 lira notes in circulation, excellent imitations, 39 arrests have been made, 43 million Lira forged notes seized. OG Troops states no need to enforce Blackout but no official instruction on point has been received. G-4 has given instructions that arms required for Sub-Commission's officers in the Regions should be requisitioned. Latest provision for Allied Troops - travelling brothers for isolate AA Sites.

Age 65 given as reason for unsuitability of Palombo for promotion was an excuse, his background is unsatisfactory, is alleged fascist. Further investigation is being made. He is a Christian Democrat. Aldo is installing his friends. Military Courts are frequently asked for by the Army for stealing army stores, it has been made clear that this is not allowable. Grain yield estimated excellent. Nervous about high cost of living. Vines have had to close owing to the shortage of materials - long lists of supplies urgently required to keep mines working have been supplied to HQ but nothing happens. Where work is necessary to be done it takes as much as 3 months to get the request for funds through the mill before work can start. The work meanwhile waits. Refugees badly need summer clothing; 75 tons in Palermo is not allowed to be touched as it is said to be earmarked for Rome. Communes are not linked by telephone, further extensions are urgently needed.

...../Divisional Matters:

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Provisional Matters:

Legal: Prison situation fairly satisfactory. Untried cases - some accused have been ten years awaiting trial. Provincial Commissioners will try to expedite trials. May Italian civilians draw patrol in cars or must it be delivered into their car tanks.

Health: Approval of Italian Regional MCH scheme, he would stand to the Provincial MCH in a position somewhat analogous to the English Minister of Health stands to the county MCH. Caps were required for malarial control. Could patrol be moved for street watering. Some arrangements must be made to control retail price of medicines, were the Guardia Finanza suitable for this. The new welfare scheme was welcomed.

Safety: Babotere - wire cutting had increased, probably more theft than vice but special mixed patrols of military and civil police had been organized to deal with it. Police patrols were being used to search for grain, in one case 40 tons had been found. Certain senior officials and Allied officers were involved. Provincial committees for defascistization were not working. Receipt of Seneca Personnel not completed. Scheme for RELEASE OF Prisoners of War was outlined to waiting.

Education: Minister of Education was not clearing through the AG. Sindaco and CCR are responsible for enforcing school attendance. 15% children absent for want of food or clothing.

Finance: Instructions have been given that Finance Officers are no longer to act as Sub-Accountants. AGC Finance officers in the field are to concentrate on trying to get Italian officials to do their job. Provincial Commissioners have now to undertake work of Sub-Accountants or detail another officer to do it and none can be spared. In the case of Syracuse this is a great hardship as unfostered trade valued at 85 million lire a month has sprung up between Malta and Syracuse and all finance is conducted through AGC, every merchant has to be paid and every payment means 5 or 6 signatures.

It is suggested that Malta should send over its own buying agent in order to pay merchants from whom supplies are bought and arrange for banks to pay merchants. It may facilitate matters if a system of payment by bills were organized. Italian control is in Naples.

The trouble with regard to payment of consents of grain, (some growers have not yet been paid for last year's crop) is mostly due to the fact that growers have not submitted proper claims or accounts. Under the circumstances many producers are averse from settling this year's crop.

Of 353 communal budgets, only 12 have been received in satisfactory form. 54 more have been received waiting certain particulars; from 237 communes no budget of any sort has been received. Communes do not want the scheme to work. Funds are at present supplied, they do not want to rely on what they have got to get in. Finance officers must get out and put pressure on communes.

involved. Provincial committees are not completed. Scheme working. Receipt of Geneva Personnel not completed. FOR HELFAGS OF Prisoners of War was outlined to meeting.

Education: Minister of Education was not clearing through the MO. Sindect and GRR are responsible for enforcing school attendance. 15% children absent for want of food or clothing.

Finances: Instructions have been given that Finance Officers are no longer to act as Sub-Accountants. ACC Finance Officers in the field are to concentrate on trying to get Italian officials to do their job. Provincial Commissioners have now to undertake work of Sub-Accountants. In the case of Syracuse this is a great hardship as unfostered trade valued at 35 million lire a month has sprung up between Malta and Syracuse and all finance is conducted through ACC, every merchant has to be paid and every merchant needs 5 or 6 signatures.

It is suggested that Malta should send over its own buying agent in order to pay merchants from whom supplies are bought and arrange for banks to pay merchants. It may facilitate matters if a system of payment by bills were organized. Inflation control is in Naples. The trouble with regard to payment of

concocted of grain, (some growers have not yet been paid for last year's crop) is mostly due to the fact that growers have not submitted proper claims or accounts. Under the circumstances many producers are averse from selling this year's crop. Of 353 communal budgets, only 10 have been received in satisfactory form. 54 more have been received wanting certain particulars; from 287 communes no budget of any form has been received. Communes do not want the scheme to work. Funds are at present supplied, they do not want to rely on what they have got to get in. Finance officers must get out and put pressure on communes.

Agriculture: Collection of potato crop is starting - no control of sales. Army requirements will be covered by requisition.

Principal problem is caused by price of wheat having been fixed at 1,000. Checkbook of Ration Cards, procedure should be to check the register of citizens, deduct deaths and moves out, add births and moves in, which should show the population. All-

owance has then to be made for those entitled to producer's ration cards and the remainder should be those entitled to ration cards. HQ thinks that 50% only of the population requires ration cards. Experience shows that the population varies according to the principal industry to from 50% to 70% with regard to HQ proposals for control of wheat and wheat prices. It will be extremely difficult to form the proposed local committees of two farmers and two farm workers. No farmer will neglect his farm at the height of the most important and busiest period of the farm year any more than farm workers can afford to lose the work which is by far the most highly paid of the year.

The price offered is totally inadequate - in addition to special harvest pay, harvesters receive 1 Kilo bread and 1 litro of wine per day. Fixed salary employees receive two

...../quintals

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quintals per labourer plus extra for members of the family. The only way grain will be brought in will be by increasing the whole. Price must be 1,200 - 2,000 per quintal, 1,000 will not get the grain in. Inhabitants will buy sufficient grain to last them the year. The people's view is that this inadequate price proves that fascist rule still prevails and that they are still being exploited. For these among other reasons, it is most inadvisable to apply a decree of May 43 which was drawn up by a Fascist Government. Labour costs 30 lire per hour or 300 lire per day. Threshing costs 200 lire per quintal. It will be impossible to get grain in at 1,000 lire. Rich peasants will evade the law and supply the black market at a remunerative price and not cause a loss. Total requisitions is essential - milling permits should be abolished. The peasants have not the same objections to a total requisition as they have to smearing. Farmers should not be left with grain for any purpose. They should buy back their needs and have ration cards. It is impossible to enforce the present system rigorously when the farmer is allowed to retain grain on all sorts of grounds and this grain is merely estimated, there is room for all sorts of fraud and collusion. A large number of relatively small frauds aggregate to an immense loss. The penalty for fraud should be imprisonment and not fine. Farmers should be allowed to work, what is left to them is impossible to collect, they even pick up individual grains but the total amounts to 15,000 quintals, this cannot be taken into account but it is as much more food. If cleaning is forbidden, this food will not be lost. There is general dismay, disillusion and disapproval at the price which has been fixed. The cost to producers of growing the crop is not covered; the estimated total cost of production is 1,600 lire. This is the absolutely unanimous view of all Provincial Commissioners. Ration must be increased. If increased it may completely kill the black market. The crop will be large enough to allow of a ration big enough to make resort to the black market unnecessary. If the price is not increased the Region is faced with the prospect of facing insurrection or starvation. Stocks in hand are not sufficient to give the extra ration for harvesters which is laid down in the instruction received from AGG. In order to provide this ration an extra 5,000 tons of wheat would be required.

Economics: No 1 District is proposing to confiscate goods for alleged illicit export. It is suggested that neither they nor AGG had powers to confiscate goods, action for confiscation for this reason should only be effected through the Italian Courts.

Law

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Glenners should be allowed to work, what is left to them is impossible to collect, they even pick up individual grains but the total amounts to 15,000 quintals, this cannot be taken into account but it is so much more food. If gleaning is forbidden, this food will just be lost. There is general dismay, disillusion and discontent at the price which has been fixed. The cost to producers of growing the crop is not covered; the estimated total cost of production is 1,600 lire. This is the absolutely unambiguous view of all Provincial Commissioners. Ration must be increased. If increased it may completely kill the black market. The crop will be large enough to allow of a ration big enough to make resort to the black market unnecessary. If the price is not increased the Region is faced with the prospect of facing insurrection or starvation. Stocks in hand are not sufficient to give the extra ration for harvesters which is laid down in the instruction received from AGC. In order to provide this ration an extra 5,000 tons of wheat would be required.

Economics: No 1 District is proposing to confiscate goods for alleged illicit export. It is suggested that neither they nor AGC had powers to confiscate goods, action for confiscation for this reason should only be effected through the Italian Courts.

Censorship: One officer only would be an AGC strength, he will be in charge of the whole censorship group, which consists of one Italian civilian for each province who will supervise work of The Prefect's censorship departments.

Transport: Instructions as to the provision of cars for AGC officials and for Italian officials received from G-4 and Supply Sub-Comm were conflicting. One instructed them to develop liaison cars and procure the re-requisitioning by the Italian Government, the other required that cars for Italian officials should be borne on AGC strength if petrol was to be obtained. Cars de-requisitioned first should be those whose tyres, batteries etc could not be obtained from military sources.

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HE-LO-ART
- 8 MAY 1944
A. C. C.
ALLIED CONTROL COMMISSION
SICILY REGION HEADQUARTERS
APO 394

4th May 1944

File : RLE 013.031/FLV

SUBJECT : Report of Legal Division, Sicily Region H.Qs.

TO : Legal Sub-Division, A.C.C. Headquarters. ✓

1. A.M.G. Courts: During the month of April two cases remaining untried, one of which a re-trial ordered by Legal Sub-Commission, have been disposed of. This terminates all pending cases of individuals arrested before the 11th February 1944. A panel of Officers to participate in General Military Courts as ordered by the Legal Sub-Commission has already been submitted to the Regional Commissioner for approval.

2. Italian Courts: All instructions received pertaining to Italian Courts have been referred to them for guidance and assistance. Contents of telegram Ref. No. 2699 of the Minister of Justice has been translated and such portions of same as are applicable to Italian Courts has been referred to them. The supervision of all cases affecting Allied interests has been constantly noted and a filing system adopted for the recording of all cases disposed of by the Italian Authorities which fall in this category. The duties as Liaison Officer with the Italian Courts have increased as added opinions, interpretation and application of Italian Law have become necessary. Assistance has also been tendered to the Italian Legal Authorities for the re-construction of damaged Court buildings and facilities. This has been the result of weekly conferences with the President of the Italian Court and the Procuratore Generale of this Region at which conferences numerous additional problems have been discussed. This office has urged the Italian Courts to deal with greater severity the cases affecting Allied property and interests. They were also advised to impose the maximum sentences upon those guilty of clandestine prostitution and pimping.

The Italian Courts are now dealing with cases affecting Allied interests and a weekly report is being submitted in all Provinces. The more serious cases are not being tried due to the delay of the Minister of Justice in issuing the new decree granting jurisdiction in Allied Military cases.

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The Regional Legal Officer has visited all the Local Italian Tribunals and has found them all in operation and were functioning satisfactorily, considering the unsuitability of the locales.

The Regional Legal Officer had a conference with the President and Procurators of the Italian Military Court which is now located in Palermo. The Italian Military authorities were requested to send weekly reports to this office of all cases effecting Allied interests.

3. Prisons : Investigation of Prisons particularly in the City of Palermo reveals that they are overcrowded. Various conferences have been held regarding this condition but at present no solution has been attained. Similar conditions exist in Catania where on basis of information received Prisons are at present being occupied by Allied Forces thus creating the same congested conditions as exist in Palermo.

4. Personnel : The personnel in the Legal Division Region 1 have ~~remained~~ unchanged.

5. Records : This office has experienced some difficulty in the compilation of complete records of some Provincial cases due to the premature withdrawal of Legal Officers and their staffs. It is advisable that in the future, wherever possible, such staff should be retained as to enable a complete and full record to be submitted to the Regional Legal Officer. It has been found in many instances that a search of available records in this office has resulted in the disclosure that certain Provincial Records have not been forwarded to the Regional Officer. This has resulted in unnecessary delay and inability to properly judge appeals for submission to the Legal Sub-Commission.

All sentences imposed by Allied Military Courts in which the punishment was for a period of one year or over has been prepared and submitted in accordance with ACC/4013/4/L dated 6 April 1944, para 3c. The preparation of this report has entailed a great deal of search and classification of all convictions. The number of individuals that have received the aforementioned penalty as shown by this report are as follows:-

(39)

PALERMO	-	255
CATANIA	-	160
SIRACUSA	-	58
AGRIGENTO	-	47
ENNA	-	40
TRAPANI	-	31
CALTANISSETTA	-	30
MESSINA	-	22
RAGUSA	-	4

TOTAL 647

Preparation of a more adequate and complete filing system of all records and documents of all cases is now in progress. Further instructions regarding the standardising of filing systems of all Regions may be deemed advisable.

6. Petitions : The consideration of numerous petitions for pardon and grace as to any merit they may possess for further action is being continued and the volume of same is steadily increasing. Several petitions for the temporary release of prisoners due to physical condition have been referred to the Regional Public Health Officer for examination and through its co-operation necessary action was taken.

In view of the transitory stage which is still in progress and its resulting uncertainties it has become necessary to render numerous opinions to the various Regional Divisions so as to determine the legality or clarification of permissible action contemplated by them.

7. Conferences : Captain Mathews Legal Liaison Officer at present in Catania attended the Police Conference held there. Captain Vecchiolla attended the Legal Conference in Naples. All information and recommendations received as a result of attending the aforementioned conferences have been put into practice under permitting circumstances.

Frank L. Vecchiolla
FRANK L. VECCHIOLLA
Captain, JAGD.
Regional Legal Officer.

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 ALLIED CONTROL COMMISSION
 SICILY REGION HQ.
 APO 394

Legal Sub Com.
 2-115

File: RLE 013.29/HD

19 February 1944

SUBJECT: Instructions to Legal Officers on transfer of territory to the Italian Government.

TO : Executive Commissioner
 R.C. & M.G. Section, A.C.C. HQ., APO 394.

1. Executive Memorandum No. 7 ⁽¹¹⁰⁾ has been received and the contents communicated to the Legal Officers in all Provinces.

2. In accordance with para. 1 (e), report of the Regional Legal Officer for the period 1st - 11th February in duplicate is sent herewith.

3. The following officers have been appointed to act as Legal Liaison Officers with the First Presidents of the Courts of Appeal in their respective districts, as required by para. 8 (b) of the Directive:

Catania	-	Major I.G.H. Campbell (B)
Messina	-	Capt. E.K. Matthews (B)
Palermo	-	Capt. F.L. Vecchiolla (A)

4. Further reports required in accordance with the terms of the Directive will be forwarded by the Regional Legal Officer at an early date.

A. N. Hancock
 A. N. HANCOCK, *Lt. Col*
 Lt. Colonel,
 Regional Commissioner.

Incl: Report

jd

To Major Hancock ✓

ALLIED CONTROL COMMISSION
SICILY REGION HQ.

AFO 394

File: RLE 013.031/WRJ

15 February 1944

SUBJECT: Report of Legal Division, Sicily Region Hq.

TO : Regional Commissioner, Region I.

1. Herewith report of the Legal Division, this headquarters covering the period from 1 February 1944 to and including 10 February 1944.

Report of Region I 1 Feb 1944 to 10 Feb 1944 enclosure
2. Statistical Tables: Two statistical tables are submitted, one showing all convictions and acquittals in cases, General, Superior and Summary, by Province and one showing a breakdown by Province of the principal categories of offenses. During the ten days of February covered by this report 581 cases were reported to this office.

3. A.M.G. Courts:

a. Pursuant to instructions from A.C.C. HQ. of 4 February 1944, all legal officers were instructed that except under exceptional circumstances, all cases not directly involving Allied interests would be tried by Italian Courts. (Numbered Memo Number 20, dated 5 February 1944 a copy of which is attached)

b. New cases, after date of this order, have been confined to the limitations set out in paragraph 3 a. The completion of pending matters is proceeding. Most Provinces are reported to be well up-to-date on their trials except Catania and Palermo, where because of a large volume of business and reduced personnel, a considerable number of important cases remain undisposed of.

4. Review of Cases:

a. During the period of this report, 81 applications for review have been received and processed.

b. Studies have been continued, looking toward recommendations to A.C.C. HQ. concerning a reduction in sentence in some

3. A.M.G. Courts:

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4. Review of Cases:

a. During the period of this report, 81 applications for review have been received and processed.

b. Studies have been continued, looking toward recommendations to A.C.C. HQ. concerning a reduction in sentence in some cases where the penalty is deemed greater than necessary under existing conditions.

5. General Court Cases: No General Court cases have been reported during the period of this report.

6. Italian Courts:

a. The Italian Courts, throughout the Island, are generally making progress. A shortage of personnel exists in some areas and by an Order of the R.C.A.C. dated 8th February 1944 a number of transfers to meet the urgent need was sanctioned.

b. A further meeting of the Judicial Committee to recommend filling of vacancies and transfer of personnel was set for the last of this month. Whether this Committee will meet will depend upon the wishes of the First Presidents of the Courts of Appeals. As this Committee is merely advisory

much preliminary work could be accomplished by such a meeting and it is understood to be the wish of the members that it should be held, any recommendations to be submitted to the Minister of Justice in the Italian Government.

7. Personnel: No changes in legal personnel have occurred, except the transfer to other duty of Lt. (J.G.) Irving Parker U.S.N. and the assignment to this division of 1st. Lt. Anthony Ciliberti C.E. (A).

8. Inspections: No inspections have been made. Visits, however, have been had from the legal officers from Trapani, Messina and Caltanissetta.

9. Directives:

a. Directives based upon orders from A.C.C. HQ. have been issued.

b. A preliminary directive was issued on February 11, 1944, looking toward an orderly winding up of the work of the Provincial legal offices and upon the receipt of an official plan for such transition from Allied Military Government to Italian control full directions will be given.

William R. Jordan
WILLIAM R. JORDAN,
Lt. Col. C. A. C.,
Regional Chief Legal Officer.

jd

Analysis of Cases according to Categories

Province	Black Market		Thefts, and Poss. of Military Prop.		Curfew Blackout Circulation		Poss. of fire arms		Wire Cutting		All Others		Totals	
	G	NG	G	NG	G	NG	G	NG	G	NG	G	NG	G	NG
PALESTINE	87	5	84	9	49	8	19	5	4	0	50	13	293	40
CATANIA	1	0	25	3	2	0	4	0	0	0	0	1	32	4
MESSINA	0	0	0	0	0	0	5	2	0	0	0	0	5	2
AGRIGENTO	0	0	1	0	0	0	0	0	0	0	0	1	1	1
TRAPANI	0	0	19	0	5	0	5	0	0	0	5	2	34	2
SIRACUSA	0	0	53	7	0	0	7	2	0	0	6	0	66	9
RAGUSA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
CALABRISSETTA	13	0	15	4	2	0	16	2	1	0	10	0	57	6
ENNA	3	2	0	0	0	0	21	3	0	0	0	0	24	5
TOTALS	104	7	197	23	58	8	77	14	5	0	71	17	512	69

Chart showing breakdown by Provinces of cases reported

PROVINCE	GENERAL COURTS			SUPERIOR COURTS			SUMMARY COURTS			TOTAL CASES Feb. 1, Feb. 10, 1944 Incl.	Appeals	TOTAL CASES July 12, 1943 to Feb. 10, 1944 Incl.
	G	NG		G	NG		G	NG				
PALERMO	0	0		20	4		273	36		333	17	5425
CATANIA	0	0		11	0		21	4		36	32	2033
MESSINA	0	0		5	2		0	0		7	3	402
AGRIGENTO	0	0		1	1		0	0		2	2	2067
TRAPANI	0	0		0	0		34	2		36	2	864
SIRACUSA	0	0		11	0		55	9		75	14	619
RAGUSA	0	0		0	0		0	0		0	0	216
C. ANISSETTA	0	0		27	6		30	0		63	6	214
ENNA	0	0		24	5		0	0		29	5	137
TOTAL	0	0		99	18		413	51		581	81	11977

Cases reported from 1 Feb. 1944 to 11 Feb. 1944 inclusive, with number of appeals during that period and the total of all cases reported during the occupation, shown in right hand column.

NOTIFICATION TO THE
JANUARY 1961

FBI

File: 100-110-110-110

15 February 1961

Subject: Report of Legal Advisor, 1st Region HQ.

1. Regional Commissioner, Region I.

1. Harvith report of the legal advisor, 1st Region HQ, covering the period from 1 February 1961 to and including 1 February 1961.

2. Statistical tables: Two statistical tables are submitted, one showing all convictions and acquittals in cases, General, District and County, by divisions and one showing a breakdown by division of the principal categories of offenses. During the two days of hearings covered by this report all cases were reviewed in this office.

3. Analysis:

a. Pursuant to instructions from the Department of Justice, 1961, all legal advisors were instructed that cases involving organized criminal organizations, all cases not directly involving alleged interests would be tried by Federal courts. (Numbered cases Number 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 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1. Initial Contact

On 10/10/68, the subject was contacted by a person who identified himself as a member of the "Black Liberation Army" (BLA). The subject was advised that the BLA was a revolutionary organization and that it was seeking individuals who were willing to commit acts of violence against the government. The subject was advised that the BLA was a "people's army" and that it was fighting for the liberation of the black people. The subject was advised that the BLA was a "people's army" and that it was fighting for the liberation of the black people.

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2. Recruitment

The subject was advised that the BLA was a "people's army" and that it was fighting for the liberation of the black people. The subject was advised that the BLA was a "people's army" and that it was fighting for the liberation of the black people. The subject was advised that the BLA was a "people's army" and that it was fighting for the liberation of the black people.

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3. Training

The subject was advised that the BLA was a "people's army" and that it was fighting for the liberation of the black people. The subject was advised that the BLA was a "people's army" and that it was fighting for the liberation of the black people. The subject was advised that the BLA was a "people's army" and that it was fighting for the liberation of the black people.

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such preliminary work could be accomplished by such a meeting and it is understood to be the wish of the staff members that it should be held, any recommendations to be submitted to the Minister of Justice in the Italian Government.

7. Personnel: No changes in legal personnel have occurred, except the transfer to other duty of Lt. (J.G.) Irving Barker D. J., and the assignment to this division of Lt. Lt. Anthony Gilberti J.G. (A).

8. Inspections: No inspections have been made. Visits, however, have been had from the legal officers from Trepani, Messina and Catania.

9. Directives:

- a. Directives based upon orders from J.G.C. HQ, have been issued.
- b. A preliminary directive was issued on February 11, 1944, looking toward an orderly winding up of the work of the former legal officers and upon the receipt of an official plan for such transition from Allied Military Government to Italian control all directions will be given.

William R. Jordan

WILLIAM R. JORDAN

Lt. Col. J.G.

Regional Chief Legal Officer.

Chart showing breakdown by provinces of cases reported

PROVINCE	ORIGINAL COUNT	SUBSIDIARY COUNTS	SUMMARY COUNTS	TOTAL COUNT Feb. 1, Feb. 10, 1944 incl.	REMARKS	TOTAL CASES July 10, 1943 to Feb. 10, 1944 incl.
PALERMO	0	20	4	273	36	317
CATANIA	0	11	0	21	4	26
MESSINA	0	5	2	0	0	7
AGRIGENTO	0	1	1	0	0	2
TRAPANI	0	0	0	14	2	36
SIRACUSA	0	13	0	55	9	78
RAVUSA	0	0	0	0	0	0
CATANZARUOLA	0	27	6	30	0	63
ENNA	0	24	5	0	0	29
TOTAL	0	99	18	413	51	561

Cases reported from 1 Feb. 1944 to 11 Feb. 1944 inclusive, with number of reports during that period and the total of all cases reported during the occupation, shown in right hand column.

Analysis of Cases according to Categories

Province	Black Market	Thefts and Arsons of Military Property	Curfew Violation	Losses of fire arms	Fire Setting	All Others	Totals
	C NG	C NG	C NG	C NG	C NG	C NG	C NG
PALESTINE	87 5	84 3	40 2	19 5	4 0	50 13	293 40
CATANIA	1 0	25 3	2 0	4 0	0 0	0 1	32 4
MESSINA	0 0	0 0	0 0	5 2	0 0	0 0	5 2
AGRIGENTO	0 0	1 0	0 0	0 0	0 0	0 1	1 1
TRAPANI	0 0	19 0	5 0	5 0	0 0	5 2	34 2
SIRACUSA	0 0	53 7	0 0	7 2	0 0	5 0	66 9
RAGUSA	0 0	0 0	0 0	0 0	0 0	0 0	0 0
CALTANISSETTA	19 0	25 4	2 0	16 2	1 0	10 0	57 6
ENNA	3 2	0 0	0 0	21 3	0 0	0 0	24 5
TOTALS	104 7	197 23	58 8	77 14	5 0	71 17	512 69

ALLIED MILITARY GOVERNMENT
DIS. OF ALLIED HEADQUARTERS
APO 304

5 February 1944

DEFERRED MEMORANDUM

To

CC:

ALLIED MILITARY COURTS

1. Except under exceptional circumstances, all cases not directly involving Allied interests, will be tried by Italian courts.

2. Arrangements to put into effect paragraph 1, will be made by the Italian courts to avert delay.

By Order of Lt. Col. MONTI.

William R. Jordan
WILLIAM R. JORDAN,
Lt. Col. U. S. A.,
Regional Legal Officer.

Distribution:

034

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ALLIED MILITARY GOVERNMENT
MILITARY REGIONAL HEADQUARTERS
MFC 324

5 February 1946

MEMORANDUM

TO : 201

ALLIED MILITARY COURTS

1. Except under exceptional circumstances, all cases not directly involving Allied interests, will be tried by Italian Courts.

2. Arrangements to put into effect paragraph 1, will be made with the Italian Courts without delay.

By Order of Lt. Col. FORDINI:

William R. Jordan
WILLIAM R. JORDAN,
Lt. Col. G. A. C.,
Regional Legal Officer.

Distribution:

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ALLIED MILITARY GOVERNMENT
SICILY REGION HEADQUARTERS
APO 394

*Adm. Sec-
Legal*

4676
24

File: RLE 013.031/WRJ

1 February 1944

SUBJECT: Report of Legal Division, Region I.

TC : C.L.O., A.C.C. HQ., APO 394.

Herewith enclosed two copies of the report of the Legal Division, this Headquarters, covering the month of January 1944.

For Lt. Col. POLETTI:

William R. Jordan
WILLIAM R. JORDAN,
Lt. Col. C. A. G.,
Regional Legal Officer.

jd

Incl: 2 copies of Report.

ALLI MILITARY GOVERNMENT
SICILY REGION HEADQUARTERS
APO 394

File: RL3 013.031/WRJ

1 February 1944

SUBJECT: Report of Legal Division, Region I.

TO : C.L.O., A.G.C. HQ., APO 394.

Herewith enclosed two copies of the report of the Legal Division, this Headquarters, covering the month of January 1944.

For Lt. Col. ROBERTI:

WILLIAM R. JORDAN,
Lt. Col. C. A. C.,
Regional Legal Officer.

jd

Incl: 2 copies of report.

4043

ALLIED MILITARY GOVERNMENT
FEDERAL BUREAU OF INVESTIGATION

AEC 354

File: HHS 013, 031/AD

1 February 1944

Subject: Report of Legal Division, Italy, Region II.

TO : A.G.A.C., Region I.

1. Herewith report of the Legal Division, this Headquarters.

I. Statistical Tables: Included herewith are two statistical tables, one showing the convictions and acquittals of all cases, General, Superior and Summary by Province and one showing a breakdown by provinces of the principal categories of cases. 1,779 cases are reported during January 1944 while 1,536 cases were recorded in the preceding month. The figures for December in some cases are inaccurate in that they include the total number of defendants where as in January as in all months previous to December 1943 the total is based upon the number of cases without regard to the number of defendants. This change is being made in order that the statistics may be harmonized with the earlier reports. Actually the January cases are about the same in number as the December cases.

2. A.G.A.C. Courts: It is believed that the number of prosecutions in A.G.A.C. Courts is now definitely falling off, by reason of the policy of submitting all matters to the Italian Courts that do not affect the Military and also the policy of discontinuing the services of Civil Affairs Officers in the Communes. All provinces report that the trial work is well up to date and there are indications that in spite of a heavy reduction in legal personnel for Italy, the judicial work can be kept up to date.

3. Review of Cases:

a. During January 1944 appeals or applications for review of the number of 151 were received. This represents a decrease from December 1943 when 194 applications were received. Appeals are being processed promptly.

b. This division is making a careful study of all cases since the inception of Allied jurisdiction. Assistance is given of all

marked by white X + Y

Arthur Sec
Legal

Italian Courts:

- a. Italian Courts throughout Sicily are making progress in expediting their business and are showing more reliance on their own efforts.
- b. During the month an order was signed by the A.C.A.C. making necessary readjustments in assignments. Consultation with a committee of the leading representatives of Sicily forms the basis for these changes in station for personnel.
- c. Bar Associations are functioning in all provinces and are active in making recommendations concerning new legislation. Some of these recommendations have been sent to higher Headquarters for consideration by the new government.

7. Personnel:

- a. ^{Seven} American Legal Officers have been lost ^{to} ~~in~~ this division during January with one replacement.
- b. Capt. Davis (British) has been assigned as A.L.C. Syracuse.
Capt. Matthews (British) is now the A.L.C. Messina.
- c. One legal officer is now assigned each Province.
- d. Palermo with a heavy volume of business is in need of a replacement, if the transition is long delayed.
- e. Inspection: Mr. Dickie, D.A.A.C., has inspected the legal offices in Catania, Messina and Enna during the month. Conferences have been held at Headquarters with the A.L.C. from Agrigento, Syracuse, Messina, Catania, Caltanissetta, Trapani and Palermo.
- f. Directives:
 - g. Directives based upon orders from higher Headquarters have been issued.

the problems of transition from Military

- Seven American loyal officers have been lost in this division during January with one replacement.
- a. Capt. Davis (British) has been assigned as D.L.O. Syracuse.
 - b. Capt. Withams (British) is now the D.L.O. Messina.
 - c. One legal officer is now assigned each Province.
 - d. Palermo with a heavy volume of business is in need of a replacement, if the transition is long delayed.
8. Inspections: Col. Dickie, D.S.L.O., has inspected the legal offices in Catania, Messina and Enna during the month. Conferences have been held at Headquarters with the D.L.O.s from Agrigento, Syracuse, Messina, Catania, Caltanissetta, Trapani and Palermo.

9. Directives:

- a. Directives based upon orders from higher Headquarters have been issued.
- b. A directive covering the problems of transition from military to Civil Government was issued on December 29, 1943, and work there under is proceeding. It is believed that the legal work can be transferred to the Italian Government in an orderly manner.

William R. Jordan
 William R. Jordan,
 Lt. Colonel, U.S.A., C-1,
 Regional Legal Officer.

Chart showing breakdown by provinces of cases reported

PROVINCE	GENERAL COURTS		SHERIFFS COURTS		MUNICIPAL COURTS		TOTAL CASES	
	Guilty	Not Guilty	Guilty	Not Guilty	Guilty	Not Guilty	Jan 1- Jan 31 1944.	TOTAL CASES July 14, 1943 to Jan. 31, 1944.
PALERMO	4	0	60	7	65	94	320	5032
CATANIA	4	0	34	9	219	27	292	1971
MESSINA	0	0	33	10	6	0	49	395
AGRIGENTO	0	0	19	4	212	37	268	2065
TRAPANI	1	0	4	0	61	9	75	828
SIRACUSA	0	0	4	0	3	0	7	543
MESSINA	0	0	5	0	0	0	5	216
CALTANISSETTA	0	0	6	0	0	0	14	151
ENNA	2	0	35	8	0	0	48	108
TOTALS	14	0	196	40	1162	157	1579	11369

Cases reported from Jan. 1, 1944 to Jan. 31, 1944 inclusive with total number of cases reported during the occupation shown in the right hand column.

Analysis of cases according to categories

Province	Black Market	Thefts, and poss. of military prop.	Curfew blackout - Circulation	Poss. of fire arms	Wire cutting	All Others	Totals
	G NC	G NC	G NC	G NC	G NC	G NC	G NC
PALERMO	92 15	163 27	171 0	93 6	0 0	180 32	719 101
CATANIA	2 0	129 22	0 0	62 4	3 0	64 10	257 36
MESSINA	3 1	8 2	0 0	22 3	0 0	6 4	39 10
AGRIGENTO	112 16	51 6	5 0	19 2	1 0	40 17	227 41
TRAPANI	6 0	1 0	0 0	15 1	0 0	44 8	66 2
SIRACUSA	0 0	3 0	0 0	0 0	0 0	4 0	7 0
RAGUSA	0 0	2 0	0 0	1 0	0 0	2 0	3 0
GALTANISSETTA	0 0	3 0	0 0	7 1	0 0	1 1	12 2
ENNA	2 3	0 0	0 0	30 2	0 0	8 4	40 8
TOTALS	217 35	380 57	176 0	349 19	4 0	350 96	1372 107

ALLIED MILITARY GOVERNMENT
SICILY REGION HEADQUARTERS
A.G. 394

File: HMA 013.411/HRJ

1 February 1944

SUBJECT: Report of Legal Division, Sicily Region Hq.

TO : A.G.A.G. Region I.

1. Herewith report of the Legal Division, this Headquarters.

a. Statistical Tables: Included herewith are two statistical tables, one showing the convictions and acquittals of all cases, General, Superior and Summary by Province and one showing a breakdown by provinces of the principal categories of cases. 1679 cases are reported during January 1944 while 1636 cases were recorded in the preceding month. The figures for December in some cases are inaccurate in that they include the total number of defendants where as in January as in all months previous to December 1943 the total is based upon the number of cases without regard to the number of defendants. This change in basis is made in order that the statistics may be harmonized with the earlier reports. Actually the January cases are about the same in number as the December cases.

3. A.M.G. Courts: It is believed that the number of prosecutions in A.M.G. Courts is now definitely falling off, by reason of the policy of submitting all matters to the Italian Courts that do not affect the Military and also the policy of discontinuing the services of Civil Affairs Officers in the Communes. All provinces report that the trial work is well up to date and there are indications that in spite of a heavy reduction in legal personnel for Sicily, the judicial work can be kept up to date.

4. Review of Cases:

a. During January 1944 appeals or applications for review to the number of 161 were received. This represents a decrease from December 1943 when 192 applications were received. Appeals are being processed promptly.

b. This division is making a careful study of all cases since the invasion of Sicily in which a sentence in excess of six

4677 Adm. Sec.
Legal

722

and Summary by Province. 1579 cases are reported in the preceding month. The figures in principal categories of cases were recorded in the preceding month. The figures for 1944 while 1636 cases were recorded in that they include the total for December in some cases are inaccurate in all months previous to number of defendants where as in January an in all months without regard December 1943 the total is based upon the number of cases without regard to the number of defendants. This change in basis is made in order that the statistics may be harmonized with the earlier reports. Actually the January cases are about the same in number as the December cases.

3. A.M.C. Courts: It is believed that the number of prosecutions in A.M.C. Courts is now definitely falling off, by reason of the policy of submitting all matters to the Italian Courts that do not affect the military and also the policy of discontinuing the services of Civil Affairs Officers in the Communes. All Provinces report that the trial work is well up to date and there are indications that in spite of a sharp reduction in legal personnel for Sicily, the judicial work can be kept up to date.

4. Review of Cases:

a. During January 1944 appeals or applications for review to the number of 161 were received. This represents a decrease from December 1943 when 192 applications were received. Appeals are being processed promptly.

b. This division is making a careful study of all cases since the invasion of Sicily in which a sentence in excess of six months was rendered with a view to making proper recommendations to higher Headquarters for a final review at the time of the transit on from Military Government to Italian control.

c. In accordance with the provisions of Proclamation 14 the A.M.C. will review all cases where no appeal is filed and the sentence does not exceed two years.

5. General Courts:

a. There are no applications for General Courts pending at this time.

b. Several important General Courts were held in Catania and in provinces during the month, the court consisting of Lt. Col. Bahrens, S/Ldr Dickie and Major Campbell, Major Justice or J. Davis.

6. Italian Courts:

- a. Italian Courts throughout Sicily are making progress in expediting their business and are showing more reliance on their own efforts.
- b. During the month an order was signed by the R.C.A.C. making necessary readjustments in assignments. Consultation with a committee of the leading Magistrates of Sicily forms the basis for these changes in station for personnel.
- c. Bar Associations are functioning in all Provinces and are active in making recommendations concerning new legislation. Some of these recommendations have been sent to Higher Headquarters for consideration by the new government.

7. Personnel:

- a. ~~to~~ ^{Seven} American Legal Officers have been lost ~~in~~ ^{to} this division during January with one replacement.
- b. Capt. Davis (British) has been assigned as S.L.C. Siracusa.
Capt. Matthews (British) is now the S.L.C. Messina.
- c. One legal officer is now assigned each Province.
- d. Palermo with a heavy volume of business is in need of a replacement, if the transition is long delayed.
- e. Inspections: S/Ldr Dickie, D.R.L.O., has inspected the legal offices in Catania, Messina and Enna during the month. Conferences have been held at Headquarters with the S.L.O.s from Agrigento, Siracusa, Mes-
sina, Catania, Caltanissetta, Trapani and Palermo.

8. Directives:

- a. Directives based upon orders from Higher Headquarters have been issued. 53
- b. A directive covering the problems of transition from Military to Civil Government was issued on December 29, 1943, and work

Personnel

7. Seven American Legal Officers have been lost ^{to} in this division during January with one replacement.

a. Capt. Davis (British) has been assigned as S.L.O. Syracuse.
 Capt. Matthews (British) is now the S.L.O. Messina.

c. One legal officer is now assigned each province.

d. Palermo with a heavy volume of business is in need of a replacement, if the transition is long delayed.

8. Inspections: S/Edr Dickie, D.R.L.O., has inspected the legal offices in Catania, Messina and Trani during the month. Conferences have been held at Headquarters with the S.L.O.s from Agrigento, Syracuse, Mes-sine, Catania, Caltanissetta, Trapani and Palermo.

9. Directives:

a. Directives based upon orders from higher Headquarters have been issued.

29

b. A directive covering the problems of transition from Military to Civil Government was issued on December 29, 1943, and work there under is proceeding. It is believed that the legal work can be transferred to the Italian Government in an orderly manner.

William R. Jordan

WILLIAM R. JORDAN,
 Lt. Col. U. S. A. C.,
 Regional Legal Officer.

Chart showing breakdown by provinces of cases reported

PROVINCE	GENERAL COURTS		SUPERIOR COURTS		SUMMARY COURTS		TOTAL CASES Jan 1 - Jan 31 1944.	TOTAL CASES July 12, 1943 to Jan. 31, 1944.
	Guilty	Not Guilty	Guilty	Not Guilty	Guilty	Not Guilty		
PALERMO	4	0	60	7	555	94	820	5092
CATANIA	4	0	34	9	219	27	293	1971
MESSINA	0	0	33	10	6	0	49	395
AGRIGENTO	0	0	15	4	212	37	268	2065
TRAPANI	1	0	4	0	61	9	75	828
SIRACUSA	0	0	4	0	3	0	7	543
RAGUSA	0	0	5	0	0	0	5	216
CALTANISSETTA	0	0	6	2	6	0	14	151
ENNA	5	0	35	8	0	0	48	108
TOTALS	14	0	196	40	1162	167	1579	11369

Cases reported from Jan. 1, 1944 to Jan. 31, 1944 inclusive with total number of cases reported during the occupation shown in the right hand column.

Analysis of Cases according to Categories

Province	Black Market		Thefts, and Poss. of Military Prop.		Curfew Blackout Circulation		Poss. of fire arms		Fire Cutting		All Others		Totals	
	C	NG	C	NG	C	NG	C	NG	C	NG	C	NG	C	NG
PALERMO	92	16	183	27	171	0	93	6	0	0	180	52	719	101
CATANIA	2	0	129	22	0	0	62	4	1	0	64	10	227	36
MESSINA	3	1	8	2	0	0	22	2	0	0	6	4	32	10
AGRIGENTO	112	16	51	6	5	0	19	2	1	0	40	17	227	41
TRAPANI	0	0	1	0	0	0	15	1	0	0	44	8	66	2
SIRACUSA	0	0	3	0	0	0	0	0	0	0	4	0	7	0
RAVIGLIA	0	0	2	0	0	0	1	0	0	0	2	0	5	0
CALTANISSETTA	0	0	3	0	0	0	7	1	0	0	2	1	12	2
ENNA	2	2	0	0	0	0	30	2	0	0	8	4	40	8
TOTALS	217	35	380	57	176	0	249	19	4	0	350	96	1372	207

Form 18-A
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Signal Corps, United States Army

RESTRICTED

Telegram

PRIORITY (2)

GPO 3-10558

Received at

PENINSULAR BASE SECTION
SIGNAL MESSAGE CENTER

19 JANUARY 1944

RESTRICTED

PRIORITY

TO (ACTION) : CG PBS FOR FARGO ATTENTION WILMER
 (INFORMATION) : NONE
 FROM : SEARS FOR POLETTI
 DATE TIME SIGNED: 191630A
 DATE TIME REC'D : 192035A
 REFERENCE NR. : S-6041
 CITE : RAG-24



AT WILMER

PERSONALLY GIVEN TO COLONEL POLLOCK ON 4TH JANUARY WAS DECEMBER
 REPORT REFERENCE YOUR FARGO 345. ADDITIONAL COPY FORWARDED THIS DATE
 BY COURIER.

Info AMG Hq. ✓
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 (a)

RESTRICTED

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STREET: No. out of barrel Division - London E.

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1. Expense Report for two months of December 1935 of the 1936
~~eligibility for membership~~ included merged together two identical
tables, one showing ~~the~~ convictions and convictions ~~for~~ by
months and ~~the~~ showing a breakdown by province of the principal not-
agencies of cases. 1936 cases were reported during the month of December
as against 3354 for the month of November, 1935.

3. Instructions: No formal objections were made during the session but the D.A.L.A. while on General Court day at Trenton had an informal chat with the D.A.L.A. of that province.

Convictions 1 Dec. 1943 to 31 Dec. 1943

Province	Black Market	Thieft, and poss. of vil- lary property	Carfaw blackout circula- tion	Poss. of fire arms	Wire cutting	All Others	Totals
PALERMO	268 18	141 52	121 13	72 13	0 0	61 28	573 130
CATANIA	67 8	150 34	32 1	26 5	1 0	33 13	274 43
MESSINA	3 0	12 8	12 0	5 1	0 0	25 11	75 20
AGRIGENTO	39 12	58 3	43 0	5 0	0 0	20 1	172 36
TRAPANI	5 2	8 0	34 13	24 0	0 0	3 10	114 25
SIRACUSA	0 0	4 0	1 0	1 1	0 0	1 0	7 1
RAGUSA	0 0	0 0	0 0	0 0	0 0	0 0	0 0
CATANZARUCCA	0 0	4 0	0 0	7 2	0 0	0 1	11 3
ENNA	10 3	4 0	0 0	20 3	0 0	3 0	37 11
TOTAL	291 48	441 104	311 27	150 24	2 0	171 38	1307 209

1357
785
1636

(2)

(1) Showing breakdown by province of all cases reported

Province	General Courts	Superior Courts	Summary Courts	Totals	Totals
				Dec 1- Dec 31	July 12- Dec 31
PALERMO	33	57	109	703	4309
CATANIA	0	47	327	437	1799
MESSINA	1	7	68	95	416
AGRIGENTO	0	10	145	191	1924
TRAPANI	2	1	111	139	789
SI RACHUSA	0	0	1	0	581
MATUSA	0	0	0	0	266
CALTANISSETTA	0	0	1	14	141
SIRACUSA	1	29	7	48	75
TOTAL	39	187	1143	1636	10302

Cases reported from Dec. 1, 1941 to Dec. 31, 1941 inclusive with total cases reported since the occupation in right hand column.

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
LEGAL SUBCOMMISSION

6 January 1944

AMG/4087/L

SUBJECT: Monthly Situation Reports.

TO : R.C.L.Os (through R.C.A.Os) Regions I and II.

separate

1. Hereforth the monthly reports of the Legal Divisions of Regions will be dispatched so as to reach this office by the Seventh of each month, latest. Rigid adherence to this schedule will be required in order to make possible compliance with AFM instructions directed to this headquarters.

separate

2. The foregoing refers only to the reports of Legal Divisions of Regions to the Chief Legal Officer, and is not to be confused with instructions AMG/319.1 issued to Regional Civil Affairs Officers, Regions I and II by AMG Hq. on 4th January, 1944.

RICHARD H. WILSON,
Lt. Colonel,
Deputy Chief Legal Officer.

To: Legal Sub-commission
From: Adm. Dir.
Date: 15 Dec. 43

Forwarded as a
matter pertaining to
a function of your
sub-commission.

ALLIED MILITARY GOVERNMENT
SICILY REGION HEADQUARTERS
APO 394

7 December 1943

File: RLE 013.031/HD

SUBJECT: Report of Legal Division - Region I.

TO : CLO, AMG HQ. and RAO.

1. Herewith two statistical tables showing the number of cases disposed of in the Region during the month of November according to reports forwarded to this HQ and a breakdown by Provinces of the principal categories of cases handled. The total shows a small reduction in cases tried as against the previous month.

2. Inspections: During the month, the undersigned paid a visit to Agrigento and conferences have been held in Palermo with the Provincial Legal Officers from Messina and Trapani and also with Major Campbell before he left for duty at Catania. Work is well in hand in all Provinces except Messina and Catania where action is being taken to clear off arrears as quickly as possible and to cope with current business which continues to be heavy especially in Catania.

3. Review of Cases: Approximately 110 cases have been forwarded to the Chief Legal Officer for review. A number of applications have been received for grant of parole on completion of half the sentence in accordance with Italian practice but SIOs and Prison Directors have been informed that such procedure is not contemplated in respect of sentences by AM Courts which are imposed on the basis that the whole term will be served.

4. Italian Courts: These are functioning throughout the island but are still faced in many districts with problems of transport and accommodations. A Commission under S. E. Messina, first president of the Court of Appeal at Catania, has met in Palermo to consider the promotion and transfer of magistrates throughout the island and an order has been signed by Brig. General Mc Sherry giving effect to their recommendations.

5. Personnel: Colonel Pollock and Lt. Col. Behrens have presided over General Courts at Agrigento and Messina during the period and the services of certain officers from British units have been made available in the latter province for General and Superior Court work.

6418

1736

19

6. Recommendations: A draft order was submitted to AMG HQ on the 6 November terminating the restrictions on the transfer of interests in realty where the value is less than £250,000. Requests continue to be received from the Provinces that action be taken on these lines and it is recommended that the necessary authority be given.

H. M. Dickie

H. M. DICKIE,
Squadron Leader,
D. R. L. O.

jd

2 Incls.

Convictions 1 Nov. 1943 to 30 Nov. 1943

	Black Market	Thefts, and Poss. of Mil- itary Property	Curfew Blackout Circula- tion	Poss. of fire arms	Wire Cutting	All Others	Totals
PALERMO	528	329	521	102	0	119	1599
CATANIA	91	209	124	29	1	45	499
MESSINA	26	64	64	6	2	59	221
AGRIGENTO	192	115	147	61	0	80	595
TRAPANI	24	25	79	31	0	6	165
SIRACUSA	7	117	39	18	0	32	213
RAGUSA	3	1	3	1	0	11	12
CATANISSETTA	2	11	4	5	0	6	28
ENNA	1	1	0	9	0	4	15
TOTALS	874	872	981	262	3	362	3354

(2)

Chart showing breakdown by Province of all cases reported

Province	General Courts		Superior Courts		Summary Courts		Totals	
	G	NG	G	NG	G	NG	Nov 1- Nov 30	July 12 Nov 30
PALERMO	0	0	52	17	1213	317	1599	3666
CATANIA	0	0	32	11	412	44	499	1362
MESSINA	1	4	31	23	132	30	221	320
AGRIGENTO	2	0	77	9	473	34	595	1733
TRAPANI	0	0	18	3	132	12	165	650
STRACUSA	6	2	1	0	183	21	213	575
RAGUSA	0	0	14	2	3	0	19	206
CALTANISSETTA	0	0	10	2	16	0	28	127
ENNA	0	0	6	0	9	0	15	27
TOTALS	9	6	241	67	2573	453	3354	8665

Cases reported from Nov. 1, 1943 to Nov. 30, 1943 inclusive with total cases reported since the occupation in right hand column.

(1)

To

R.S.L.O.

① The attached report, addressed to CLO, was delivered here in error.

② I am sending it back to you, & not to CLO direct, so that you will understand why the delivery to CLO has been delayed.

10 Dec 43.

J. Campbell
Major
SLO
Catania Province.

4087

ALLIED MILITARY GOVERNMENT
SICILY REGION HEADQUARTERS
Palermo

(16)

R1/16.031/WRJ
1 November 1943

SUBJECT: Report of Legal Division, Region I.

TO : Chief Legal Officer and R.S.C.A.O.

1. Herewith report of the Legal Division, Region I for the period from 1 October 1943 to 31 October, inclusive.

- (a) This report covers the activities of the Judicial Sub-Division of General Headquarters for the period 1 October to 31 October, inclusive and is supported by Exhibit 1, hereto attached, being a statistical table of all cases forwarded to this headquarters, and Exhibit 2, a breakdown, by Provinces, of the principal categories of cases, in which convictions were had.
- (b) This report also deals with the organization of the Legal Division of Region I, and includes Exhibit 3, a chart showing the distribution of officer personnel on October 30, 1943 and as proposed for future operations.

2. Inspections: During the period covered by this report two inspection visits were made by the undersigned in which the Provincial Legal Officers of Enna, Siracusa, Catania, Messina and Palermo were visited. Reports on these visits was submitted on 12 October 1943 and 19 October 1943, respectively. It is believed that frequent inspections are helpful, alike to the Provincial Legal Officers and to the supervising agencies at headquarters.

3. Review of Cases: Approximately 250 cases in which a review is required by Article VII, Proclamation 4 or in which an application for review has been filed by the accused, have been forwarded to the Chief Legal Officer.

4. Penalties: The sentences of the various courts have become more uniform and for serious offenses have shown some increase in severity. However, there is too great a variation in penalties and too many instances of a sentence entirely inadequate either to act as a deterrent to the criminal or other potential offenders. Action has been taken to correct these situations by

the issuance of Administrative Instructions No. 2 dated 29 October 1943, Exhibit 4, and by personal visits to the Provincial Legal Offices. This policy of close supervision will be continued.

5. The volume of business, transacted by Allied Military Courts, has continued to increase and a total of 3123 cases were tried and submitted to this headquarters during the period of this report.

6. Italian Courts: The Italian Courts are functioning throughout the island but in varying stages of efficiency. In those parts of Sicily, first occupied, where stabilized conditions exist, the courts are more nearly approaching normal. In the eastern part of the island in Messina and Catania the progress has been slower. The courts in Messina Province are not yet transferred to the City of Messina because of lack of transportation and very little real progress has been made toward normal functioning. Action has been taken which should cause these courts to move to Messina within ten days or two weeks. Nominations to fill necessary judicial vacancies have been submitted in all provinces but Catania and the nominations from that Province are reported to be in transit. Difficulties of transportation and communication still exist.

7. Organization of Region I: The organization of the Legal Division of Region I, comprising the nine provinces of Sicily, was effected pursuant to instructions from the Regional Civil Affairs Officer, Region I, on 24 October 1943.

- (a) Quarters were made available at Piazza Pretoria, Palermo.
- (b) Personnel, officers and enlisted was made available, and the new headquarters began operations on Wednesday, 27 October 1943.

8. The services of Col. George Pollock, Lt. Col. Chapman, Major George Haley, Capt. J. H. Van Duzen Jr, Lt. Col. George W. McCaffrey and certain line officers from British units in the vicinity of Messina, were made available to aid in trying cases of importance.

9. Recommendations: Authority should be delegated to the Regional Civil Affairs Officer, as soon as the re-organization of General Headquarters will permit, to appoint officers to serve on General Military Courts.

0 0 (14)
Authority should be delegated to the Regional Civil Affairs Officer, as soon as practicable, to review applications for clemency and appeals from the decisions of Allied Military Courts.

Such other delegations of authority to Region I, as seem desirable, should be made, in the event General Headquarters should move to the mainland, because of transportation and communication difficulties.

William R. Jordan
WILLIAM R. JORDAN,
Lt. Col., C. A. C.,
R. C. L. O.

jd

14

Chart showing breakdown by Province of all cases reported.

<u>Province</u>	<u>General Courts</u>		<u>Superior Courts</u>		<u>Summary Courts</u>		<u>Totals</u>	<u>Totals</u>
	G	NG	G	NG	G	NG	Oct 1- Oct 31	July 12 Oct 31
ERMO	0	0	27	7	900	275	1209	2067
CATANIA	0	0	39	1	504	109	653	863
MESSINA	3	0	15	2	34	2	56	99
AGRIGENTO	4	0	49	6	641	22	722	1138
TRAPANI	0	0	12	0	202	31	245	405
SIRACUSA	1	0	10	1	115	5	132	362
RAGUSA	0	0	0	0	35	9	44	187
CALTANISSETTA	0	0	18	2	37	1	58	99
ENNA	0	0	1	0	1	2	4	12
TOTALS	8	0	171	19	2469	456	3123	5311

Cases reported from Oct. 1, 1943 to Oct. 31 1943 inclusive with total cases reported since the occupation in right hand column.

(Exhibit 1)

Convictions 1 Oct. 1943 to 31 Oct. 1943

	Black Market	Thefts, and Poss. of Mil- itary Property	Curfew Blackout Circula- tion	Possession of fire arms	Wire Cutting	All Others	Totals
PALERMO	203	122	324	32	0	246	927
C. ANIA	134	104	221	15	9	60	543
MESSINA	19	18	3	2	0	10	52
AGRIGENTO	158	82	313	21	0	120	694
TRAPANI	71	23	96	10	0	14	214
SIRACUSA	41	40	20	2	1	22	126
RAGUSA	3	14	14	1	1	2	35
CALTANISSETTA	0	37	1	11	1	5	55
ENNA	0	2	0	0	0	0	2
TOTALS	629	442	992	94	12	479	2648

(Exhibit 2)

Chart showing distribution of Officers
LEGAL DIVISION

R1/16.20
 1. Novemb

(a) Oct. 30, (b) Proposed, (c) Permanently assigned, (d) To be transferred at this time (e) Loaned.

Province	Oct. 30	Proposed	Permanently Assigned	To be transferred at this time	Lo
PATERMO	Vecchiola-A Moore-B	Vecchiola-A Brown-A Moore-B	Brown-A	Brown-A	Ve Mo
MESSINA	Cox-A Mathews-B	Cox-A Mathews-B	Cox-A	Cox-A	Ma
CATANIA	Davis-B	Campbell-B Davis-B	Campbell-B	Campbell-B	Da
ENNA	Wright-B	Wright-B	Campbell-B		W
AGRIGENTO	Hill-A Peyton-A	Hill-A Peyton-A	Hill-A Peyton-A		
GALTANISSETTA	Wright-B	Wright-B	Hill-A Peyton-A		W
SIRACUSA	Brown-A	Staples-A	Staples-A	Brown-A	
RAGUSA	Gilshannon-B Staples-A	Gilshannon-B	Gilshannon-B	Staples-A	
PANI	Langfitt-A	Langfitt-A Fernside-A	Fernside-A	Fernside-A	Lo
HEADQUARTERS	Jordan-A Dickie-B Hemmendinger-A	Jordan-A Dickie-B Hemmendinger-A	Jordan-A Dickie-B Hemmendinger-A		

2x

Chart showing distribution of Officers
LEGAL DIVISION

R1/16.201/WRJ
 1. November 1943

(b) Proposed, (c) Permanently assigned, (d) To be transferred at this

	Proposed	Permanently Assigned	To be transferred at this time	Loaned
la-A	Vecchiola-A	Brown-A	Brown-A	Vecchiola-A
	Brown-A			Moore-B
	Moore-B			
	Cox-A	Cox-A	Cox-A	Mathews-B
-B	Mathews-B			
	Campbell-B	Campbell-B	Campbell-B	Davis-B
	Davis-B			
-B	Wright-B	Campbell-B		Wright-B
	Hill-A	Hill-A		
-A	Peyton-A	Peyton-A		
-B	Wright-B	Hill-A		Wright-B
		Peyton-A		
A	Staples-A	Staples-A	Brown-A	
nnon-B	Gilshannon-B	Gilshannon-B	Staples-A	
S-A				
tt-A	Langfitt-A	Fernside-A	Fernside-A	Langfitt-A
	Fernside-A			
-A	Jordan-A	Jordan-A		
-B	Dickie-B	Dickie-B		
dinger-A	Hemmendinger-A	Hemmendinger-A		

Exhibit 3

ALLIED MILITARY GOVERNMENT
SICILY REGION HEADQUARTERS
PL/26.011-2 TRJ
10/29/43

ADMINISTRATIVE INSTRUCTIONS NO. 2

SUBJECT: Duties of Legal Officers.

TO : All Legal Officers (through S.C.A.O.)

1. Duties of the Senior Legal Officer.

The duties of the Legal Officer assigned to each province fall into three general divisions:

- a. Supervision of, and assistance to all Italian Courts, operating within the Province.
- b. Supervision of all AMG Courts functioning within the Province, including the trial of the more important cases, maintaining the records thereof and forwarding appeals, and in general taking such steps as are necessary to insure a fair and effective enforcement of the proclamations.
- c. The rendering of such opinions and advice to the S.C.A.O. and subordinate departments, as may be required, and acting as counsel for the Provincial Military Government.

2. Procedure

- a. The supervision of all Summary Courts in the province, most of which will be conducted by C.A.O.s, is a matter of primary responsibility. The C.A.O.s are not usually lawyers and constant and careful instruction will aid them in the discharge of their duties.
- b. Superior Courts should be organized, with the Provincial Legal Officer exercising an active part, utilizing line officers from neighboring provinces whenever possible.

- a. Supervision of, and assistance to all Italian Courts, operating within the Province.
- b. Supervision of all AMG Courts functioning within the Province, including the trial of the more important cases, maintaining the records thereof and forwarding the same to the Regional Headquarters, processing appeals, and in general taking such steps as are necessary to insure a fair and effective enforcement of the Proclamations.
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- a. The supervision of all Summary Courts in the province, most of which will be conducted by C.A.O.s, is a matter of primary responsibility. The C.A.O.s are not usually lawyers and constant and careful instruction will aid them in the discharge of their duties.
- b. Superior Courts should be organized, with the Provincial Legal Officer forming an active part, utilizing line officers from neighboring areas whenever possible.
- c. The Summary Court Docket should be kept by each Summary Court Officer and frequently inspected by the Senior Legal Officer. Reports, to this headquarters, should be made on the loose Summary Court Docket sheets. Each Summary Court should keep notice of all cases but the form No. 8 reports are required in the following categories of cases, only:
 - (1) When a sentence of 90 days or more, or a fine of 4,000 Lire or more is imposed.
 - (2) When the case involves new or complicated questions of law, without regard to the extent of the penalty imposed.

- 1749
- (3) When unusual leniency or severity in the sentence is deemed necessary.
 - (4) Where there is an indication that an application for review will be filed.
 - (5) When the Summary Court Judge feels that for any reason the full record should be submitted to this headquarters.

No regular report will be required by this headquarters, other than the forwarding of the Summary Court Docket sheets and the form No. 8 reports when required. Frequent, informal, letters are invited to keep this headquarters advised with reference to legal matters in each Province.

d. Appeals or applications for review should be made through the Senior Legal Officer, on form No. 11, in English, if practicable. These appeals should be forwarded promptly, with the form No. 8 report, if it has not already gone forward together with such comment as the Senior Legal Officer may care to make. The Appeals will normally communicate with this headquarters through S.L.O.

e. Senior Legal Officers will make an informal application to this headquarters for such forms as may be needed.

3. Sentences.

f. Sentences have been entirely too light. A sentence is given to act as a deterrent to other wrongdoers as well as to punish one who has offended. It should not be harsh nor vindictive but neither should it be based upon sentimentality, undue leniency or expediency. The social implications caused to the family by imprisonment of the guilty should not be permitted to counterbalance the necessity of vigorous punishment for the crime committed.

(1) Offenses involving moral turpitude are offenses everywhere, and should be dealt with by a sen-

headquarters advised with reference to legal matters in each Province.

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(1) Offenses involving moral turpitude are offenses everywhere, and should be dealt with by a sentence sufficient to act as a deterrent to other offenders.

(2) Many offenses are made offenses by the Proclamations and do not involve an intent to commit wrong. The act is itself prohibited and therefore a violation should be punished,

b. An important function of Military Government is to control the civilian population of an area, so that the efforts of the Army will be expedited and not impeded. Certain offenses have peculiar significance to the Military, such as sabotage, interfering with communications, failing to surrender arms, arming soldiers,

thefts and the possession of Military property. These offenses should, generally, be dealt with by rendering a substantial sentence. Nominal fines, suspended sentences and undue leniency will not be sufficient to protect the Military forces from the interference which these offenses cause. Every effort should be made by the Senior Legal Officer to co-ordinate his law enforcement program with the Military in his area as well as with Public Safety Division and with local police agencies.

c. Black Markets have a far reaching effect upon the people of Sicily, by rendering it difficult or impossible for great numbers of distressed people to obtain the necessities of life. This situation is exploited by selfish interests for their own gain. The food supply of this island must be used to give at least a minimum of food to the greatest number of inhabitants. Every effort must be made to eliminate the Black Market by careful preparation of the prosecutions, coordinating the work of all agencies and by a vigorous, swift and certain sentence to wrongdoers. As in paragraph 3b, fines, suspended sentences and undue leniency will not strike at the heart of the Black Market. Whenever practicable, the wrongdoer's right to do business (his license) should be rescinded as part of the punishment.

d. Suspension of penalties is a duty and an obligation in proper cases but care should be exercised that such suspensions do not nullify the program of law enforcement nor weaken the respect due the Court. If a case is worth bringing and the guilt of the accused is evident, a proper penalty should be imposed. If a series of cases merely result in suspended sentences, perhaps the cases should never have been instituted. Suspension of penalties should not be used as an expediency to compromise with crime.

e. Collection of fines is a means to an end, to secure proper respect for law, and is not, in itself, a proper end. It is important to note at the conclusion of the

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Supervision of Italian Courts will occupy an increasingly important place in the efforts of the Senior Legal Officer. This supervision will include some of the following items:

f. Reliability, integrity and competency of the judicial personnel is of the highest importance. Recommendations for the removal from office of any person who is unorthodox in his position should be made to Regional Headquarters when good reason therefor appears.

b. The Italian Courts normally function more leisurely than do Anglo-Saxon Courts. War and the interruption of the normal life of the people of Sicily, attendant upon war and invasion, have disrupted the normal judicial schedules. Difficulties of communication and transportation exist. These Courts, therefore, must have firm but sympathetic guidance to the end that in the shortest practicable time they can be made to function efficiently for the benefit of the people of Sicily.

c. Constant supervision, inspection and helpful advice is necessary.

5. All orders, instruction and directives, heretofore or hereafter issued by Headquarters ANGOT or the Chief Legal Officer, ANGOT, are and will remain in full force and effect, except as modified by orders and instructions from this headquarters under authority from higher headquarters, and full compliance therewith will be required by each Legal Officer.

6. The Senior Legal Officer must at all times hold himself in readiness to render full, complete and intelligent service to the Provincial Military Government of which he is a part.

By order of Lt. Col. Charles POLETTI, R.C.A.O.:

WILLIAM R. JORDAN,
Lt. Col., C. A. C.,
Regional Chief,
Legal Officer.

nb

Distribution.

1 Each Staff Section Region I.
10 Headquarters, C.L.O., ANGOT
S.C.A.O.S
15 Palermo
10 Messina
10 Catania
10 Ragusa
10 Caltanissetta
10 Trapani

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- 10 Headquarters, C. L. O., ANGOT

S.C.A.O.S
15 Palermo
10 Messina
10 Catania
10 Ragusa
10 Caltanissetta
10 Enna
15 Agrigento
10 Trapani
10 Syracuse

20 Regional Legal Officer Region I

MINISTRE DU JUSTICE
HONNABLE M. J. G. B. B. B.
Palermo

21/10.011/1943
1 November 1943

SUBJECT: Report of Legal Division, Region I.

TO: Chief Legal Officer and R.I.C.A.O.

1. Herewith report of the Legal Division, Region I for the period from 1 October 1943 to 31 October, inclusive.

(a) This report covers the activities of the Judicial Sub-Division of General Headquarters for the period 1 October to 31 October, inclusive and is supported by Exhibit 1, hereto attached, being a statistical table of all cases forwarded to this headquarters, and Exhibit 2, a breakdown, by provinces, of the principal categories of cases, in which convictions were had.

(b) This report also deals with the organization of the Legal Division of Region I, and includes Exhibit 3, a chart showing the distribution of officer personnel on October 30, 1943 and as proposed for future operations.

2. Inspections: During the period covered by this report two inspection visits were made by the undersigned in which the provincial Legal Officers of Anna, Girone, Catania, Messina and Palermo were visited. Reports on these visits was submitted on 12 October 1943 and 19 October 1943, respectively. It is believed that frequent inspections are helpful, alike to the provincial Legal Officers and to the supervising agencies at headquarters.

3. Review of Cases: Approximately 250 cases in which a review is required by Article VII, Declaration 4 or in which an application for review has been filed by the accused, have been forwarded to the Chief Legal Officer.

4. Penalties: The sentences of the various courts have become more uniform and for serious offenses have shown some increase in severity. However, there is too great a variation in penalties and too many instances of a sentence entirely inadequate either to act as a deterrent to the criminal or other potential offenders. Action has been taken to correct these situations by

the issuance of Administrative Instructions No. 2 dated 29 October 1943, Exhibit 4, and by personal visits to the Provincial Legal Offices. This policy of close supervision will be continued.

5. The volume of business, transacted by Allied Military Courts, has continued to increase and a total of 1123 cases were tried and submitted to this Headquarters during the period of this report.

6. Italian Courts: The Italian Courts are functioning throughout the island but in varying stages of efficiency. In those parts of Sicily, first occupied, where stabilized conditions exist, the courts are very nearly approaching normal. In the eastern part of the island in Messina and Catania the progress has been slower. The courts in Messina Province are not yet transferred to the City of Messina because of lack of transportation and very little real progress has been made toward normal functioning. Action has been taken which should cause these courts to move to Messina within ten days or two weeks. Nominations to fill necessary judicial vacancies have been submitted in all provinces but Catania and the nominations from that Province are reported to be in transit. Difficulties of transportation and communication still exist.

7. Organization of Region I: The organization of the Legal Division of Region I, comprising the nine provinces of Sicily, was effected pursuant to instructions from the Regional Civil Affairs Officer, Region I, on 24 October 1943.

(a) Quarters were made available at Piazza Pretoria, Palermo.

(b) Personnel, officers and enlisted, was made available, and the new headquarters began operations on Wednesday, 27 October 1943.

8. The services of Col. George Pollock, Lt. Col. Chapman, Major George Daley, Capt. J. H. Van Dusen Jr, Lt. Col. George E. Mc Caffrey and certain line officers from British units in the vicinity of Messina, were made available to aid in trying cases of importance.

9. Recommendations: Authority should be delegated to the Regional Civil Affairs Officer, as soon as the re-organization of General Headquarters will permit, to appoint officers to serve on General Military Courts.

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(6)

Authority should be delegated to the Regional Civil Affairs Officer, as soon as practicable, to review applications for clemency and appeals from the decisions of Allied Military Courts.

Such other delegations of authority to Region I, as seem desirable, should be made, in the event General Headquarters should move to the mainland, because of transportation and communication difficulties.

William R. Jordan

WILLIAM R. JORDAN,
Lt. Col., C. A. C.,
A. C. L. C.

Chart showing breakdown by Province of all cases reported

Province	General Courts		Superior Courts		Summary Courts		Totals	
	G	NC	G	NC	G	NC	Oct 1- Oct 31	July 12 Oct 31
PALERMO	0	0	27	7	500	270	1038	1057
CATANIA	0	0	39	1	504	109	553	851
MESSINA	3	0	12	0	34	2	50	99
AVIGLIANTO	4	0	49	6	641	72	722	1114
TRAPANI	0	0	12	0	202	31	245	405
SIRACUSA	1	0	10	1	115	5	132	182
RAGUSA	0	0	0	0	35	0	44	107
CALICANTINATA	0	0	18	2	37	1	58	99
ENNA	0	0	1	0	1	2	4	12
TOTALS	8	0	171	18	2469	456	3223	5311

Cases reported from Oct. 1, 1943 to Oct. 31 1943 inclusive with total cases reported since the occupation in right hand column.

(Exhibit 1)

Convictions 1 Oct. 1943 to 14 Oct. 1944.

Black Market	Thefts, and Poss. of Mil- itary Property	Curtain Blackout Violation	Possession of Fire arms	Fire Cutting	All Others	Totals
PALERMO	203	324	32	0	246	527
CATANIA	134	221	15	8	60	242
MESSINA	19	11	2	0	10	52
AGRIGENTO	158	313	21	5	129	694
TRAPANI	71	26	10	0	14	214
SIRACUSA	41	20	2	1	22	136
RAFFA	3	14	1	1	2	35
CALTANISSETTA	0	1	11	1	5	55
ENNA	0	0	0	0	0	2
TOTALS	629	997	94	12	478	1640

(X-1244 2)

21/16.201/1001
1 November 1943

Chart showing distribution of officers
100th DIVISION

(a) Oct. 30, (b) Proposed, (c) Presently assigned, (d) To be transferred at this time (e) Loaned.

Province	Oct. 30	Proposed	Presently assigned	To be transferred at this time	Loaned
PALERMO	Vecchiola-A Moore-B	Vecchiola-A Brown-A Moore-B	Brown-A	Brown-A	Vecchiola-A Moore-B
MESSINA	Cox-A Mathews-B	Cox-A Mathews-B	Cox-A	Cox-A	Mathews-B
CATANIA	David-B	Campbell-B David-B	Campbell-B	Campbell-B	David-B
ENNA	Bright-B Hill-A	Bright-B Hill-A	Campbell-B Hill-A	Campbell-B	Bright-B
ACQUICICCO	Payton-A Bright-B	Payton-A Bright-B	Payton-A Hill-A	Payton-A	Bright-B
TAORMINA	Brown-A Staples-B Staples-A	Staples-A Gilbertson-B Staples-A	Staples-A Gilbertson-B	Brown-A Staples-A	
VI	Langfitt-A	Langfitt-A Fernside-B	Fernside-A	Fernside-A	Langfitt-A
TAORMINA	Jordan-A Mickle-B Remondinger-A	Jordan-A Mickle-B Remondinger-A	Jordan-A Mickle-B Remondinger-A	Jordan-A Mickle-B Remondinger-A	

UNITED MILITARY GOVERNMENT, RI/26-011-2/WRJ
SICILY REGION HEADQUARTERS 10/29/43

ADMINISTRATIVE INSTRUCTIONS NO. 2

SUBJECT: Duties of Legal Officers.

TO : All Legal Officers (through S.C.A.O.)

1. Duties of the Senior Legal Officer.

The duties of the Legal Officer assigned to each province fall into three general divisions.

- a. Supervision of, and assistance to all Italian Courts, operating within the Province.
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- c. The rendering of such opinions and advice to the S.C.A.O. and subordinate departments, as may be required, and acting as counsel for the Provincial Military Government.

2. Procedure

- a. The supervision of all Summary Courts in the province, most of which will be conducted by C.A.O.s, is a matter of primary responsibility. The C.A.O.s are not usually lawyers and constant and careful instruction will aid them in the discharge of their duties.
- b. Superior Courts should be organized, with the Provincial Legal Officer assuming an active part, utilizing line officers from neighboring provinces whenever possible.
- c. The Summary Court Docket should be kept by each Sum-

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No regular report will be required by this headquarters, other than the forwarding of the Summary Court Docket sheets and the form No. 8 reports when required. Frequent, informal, letters are invited to keep this headquarters advised with reference to legal matters in each Province.

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e. Senior Legal Officers will make an informal application to this headquarters for such forms as may be needed.

3. Sentences.

f. Sentences have been entirely too light. A sentence is given to act as a deterrent to other wrongdoers as well as to punish one who has offended. It should not be harsh nor vindictive but neither should it be based upon sentimentality, undue leniency or expediency. The social implications caused to the family by imprisonment of the guilty should not be permitted to counterbalance the necessity of vigorous punishment for the crime committed.

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c. Constant supervision, inspection and helpful advice is necessary.

5. All orders, instruction and directives, heretofore or hereafter issued by Headquarters ANGOT or the Chief Legal Officer, ANGOT, are and will remain in full force and effect, except as modified by orders and instructions from this headquarters under authority from higher headquarters, and full compliance therewith will be required by each Legal Officer.

6. The Senior Legal Officer must at all times hold himself in readiness to render full, complete and intelligent service to the Provincial Military Government of which he is a part.

By order of Lt. Col. Charles POLETTI, R.C.A.O.

WILLIAM R. JORDAN,
Lt. Col., R.A.C.,
Regional Chief,
Legal Officer.

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Distribution.

1 Each Staff Section Region I.
10 Headquarters, C.L.O., ANGOT
S.C.A.O.B.
15 Palermo
10 Messina
10 Catania
10 Ragusa
10 Caltanissetta
10 Enna

- Q4

1 Each Staff Section Region I.
10 Headquarters, C.L.O., ANGOT

TO DIRECTOR

WILLIAM R. JORDAN,
Lt. Col., C. A. C.,
Regional Chief,
Budget Officer.

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