

ACC

10000/142/393

MONTHLY LEGAL REPORT
APR. - AUG. 1944

10000/142/393

MONTHLY LEGAL REPORTS, REGION 7
APR. - AUG. 1944

2 August 1944 FILE CLOSED

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PARTITO FASCISTA REPUBBLICANO
FEDERAZIONE DELL'URBE

IL COMMISSARIO FEDERALE

4043/10
HEADQUARTERS REGION VII

ALLIED CONTROL COMMISSION

File Ref: VII/L/701/4

Date: 2 August 44

SUBJECT: Monthly report of RLC Region VII
for period 1 - 31 July 44 inclusive.
TO: CLO Legal Subcommittee ACC Rome.

1. Attention is invited to legal activity report Region VII for period 1 July to 31 July 44.

a. AMG Courts none since March 44.

b. Cases affecting allied interests in Italian Courts.

(1) Pending cases on 31 July 44 totaled 93 cases and 150 defendants; for categorical breakdown, of such pending criminal cases see exhibit 1 attached hereto.

(2) Cases disposed of by trial in Italian Courts for period 1 to 31 July 44 totaled 50 criminal cases (93 defendants); for categorical breakdown see exhibit 2.

2. Proceedings and reports on working of Italian Courts.

Catanzaro Province (criminal cases)

Catanzaro Tribunale disposed of 90 criminal cases (164 defendants) during the 1 to 31 July 44 period, as compared to 138 cases (236 defendants) during June 44. On 31 July there were 31 persons reported in jail awaiting trial before this Tribunale as compared to 59 persons awaiting such trial on 30 June 44.

Vibo Valentia Tribunale disposed of 46 criminal cases (67 defendants) during the 1 to 31 July 44 period, as compared to 21 criminal cases (31 defendants) during June. On 31 July 44 there were 33 persons reported in jail awaiting trial before the Tribunale, as compared to 25 persons awaiting such trial on 30 June 44.

Nicastro Tribunale disposed of 63 criminal cases (102 defendants) during the 1 to 31 July 44 period, as compared to 72 cases (119 defendants) during June 44. On 31 July 44 there were 39 persons reported in jail awaiting trial before this Tribunale, as compared to 31 persons awaiting such trial on 30 June 44.

Cosenza Province.

Cosenza Tribunale disposed of 92 criminal cases (99 defendants) during the 1 to 31 July 44 period, as compared to 82 cases (137 defendants) during June 44. On 31 July there were 20 persons reported in jail awaiting trial before this Tribunale, as compared to 19 persons awaiting such trial on 30 June 44.

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- a. AMG Courts none since March 44.
- b. Cases affecting allied interests in Italian Courts.
 - (1) Pending cases on 31 July 44 totaled 93 cases and 150 defendants; for categorical breakdown, of such pending criminal cases see exhibit 1 attached hereto.
 - (2) Cases disposed of by trial in Italian Courts for period 1 to 31 July 44 totaled 50 criminal cases (93 defendants); for categorical breakdown see exhibit 2.

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Vibo Valentia Tribunale disposed of 46 criminal cases (67 defendants) during the 1 to 31 July 44 period, as compared to 21 criminal cases (31 defendants) during June. On 31 July 44 there were 33 persons reported in jail awaiting trial before the Tribunale, as compared to 25 persons awaiting such trial on 30 June 44.

Nicastro Tribunale disposed of 63 criminal cases (102 defendants) during the 1 to 31 July 44 period, as compared to 72 cases (119 defendants) during June 44. On 31 July 44 there were 39 persons reported in jail awaiting trial before this Tribunale, as compared to 31 persons awaiting such trial on 30 June 44.

Cosenza Province.

Cosenza Tribunale disposed of 92 criminal cases (99 defendants) during the 1 to 31 July 44 period, as compared to 82 cases (137 defendants) during June 44. On 31 July there were 20 persons reported in jail awaiting trial before this Tribunale, as compared to 39 persons awaiting such trial on 30 June.

Castrovillari Tribunale disposed of 28 criminal cases (66 defendants) during the 1 to 31 July 44 period, as compared to 28 cases (65 defendants) during June 44. On 31 July 44 there were 12 persons reported in jail awaiting trial before this Tribunale, as compared to 9 persons awaiting such trial on 30 June 44.

Rossano Tribunale disposed of 35 criminal cases (76 defendants) during the 1 to 31 July 44 period, as compared to 35 cases (55 defendants) during June 44. On 31 July there were 3 persons reported in jail awaiting trial before this Tribunale, as compared to 3 persons awaiting such trial on 30 June 44.

Reggio Calabria Province.

Reggio Calabria Tribunale disposed of 123 criminal cases (237 defendants) during the 1 to 31 July 44 period, as compared to 123 cases (202 defendants) during June 44. On 31 July 44 there were 60 persons reported in jail awaiting trial before this Tribunale, as compared to persons awaiting such trial on 30 June 44.

Palmi Tribunale disposed of 60 criminal cases (87 defendants) during the 1 to 31 July 44 period, as compared to 58 cases (91 defendants) during June 44. On 31 July 44 there were 13 persons reported in jail awaiting trial before this Tribunale, as compared to 10 persons awaiting such trial on 30 June 44.

Locri Tribunale disposed of 56 criminal cases (83 defendants) during the 1 to 31 July 44 period, as compared to 58 cases (89 defendants) during June 44. On 31 July there were 62 persons reported in jail awaiting trial before this Tribunale, as compared to 71 such persons awaiting trial on 30 June 44.

- b. Court of Appeal Catanzaro disposed of 95 criminal cases (174 defendants) during the 1 to 31 July 44 period, as compared to 105 cases (164 defendants) during June 44. On 31 July 44 there were 114 persons reported in jail awaiting trial before this Court, as compared to 76 ~~XXXXX~~ persons awaiting such trial on 30 June 44.
Court of Appeal Reggio: On 31 July 44 there were 62 persons reported in jail awaiting trial before this Court, as compared to 53 persons awaiting such trial on 30 June.
- c. Juvenile Tribunale in Catanzaro disposed of 11 criminal cases (16 defendants) during the 1 to 31 July 44 period, as compared to 7 cases (10 defendants) during June 44. On 31 July 44 there were 4 persons reported in jail awaiting trial before this Court, as compared to 15 persons awaiting such trial on 30 June 44.
- d. Italian Military Tribunale in Catanzaro disposed of 167 criminal cases (240 defendants) during the 1 to 31 July 44 period, as compared to 119 cases (174 defendants) during June 44. On 31 July 44 there were 37 persons reported in jail awaiting trial before this Court, as compared to 22 persons awaiting such trial on 30 June 44.
- e. Court of Assizes Catanzaro, Court of Appeal circuit. Since last monthly report this Court has shown increased

- compared to 123 cases (202 defendants) during June 44. On 31 July 44 there were 60 persons reported in jail awaiting trial before this Tribunale, as compared to persons awaiting such trial on 30 June 44.
- Palmi Tribunale disposed of 60 criminal cases (87 defendants) during the 1 to 31 July 44 period, as compared to 58 cases (91 defendants) during June 44. On 31 July 44 there were 13 persons reported in jail awaiting trial before this Tribunale, as compared to 10 persons awaiting such trial on 30 June 44.
- Locri Tribunale disposed of 56 criminal cases (83 defendants) during the 1 to 31 July 44 period, as compared to 58 cases (89 defendants) during June 44. On 31 July there were 62 persons reported in jail awaiting trial before this Tribunale, as compared to 71 such persons awaiting trial on 30 June 44.
- b. Court of Appeal Catanzaro disposed of 95 criminal cases (174 defendants) during the 1 to 31 July 44 period, as compared to 105 cases (164 defendants) during June 44. On 31 July 44 there were 114 persons reported in jail awaiting trial before this Court, as compared to 76 ~~XXXXX~~ persons awaiting such trial on 30 June 44.
- Court of Appeal Reggio: On 31 July 44 there were 62 persons reported in jail awaiting trial before this Court, as compared to 53 persons awaiting such trial on 30 June.
- c. Juvenile Tribunale in Catanzaro disposed of 11 criminal cases (16 defendants) during the 1 to 31 July 44 period, as compared to 7 cases (10 defendants) during June 44. On 31 July 44 there were 4 persons reported in jail awaiting trial before this Court, as compared to 15 persons awaiting such trial on 30 June 44.
- d. Italian Military Tribunale in Catanzaro disposed of 167 criminal cases (240 defendants) during the 1 to 31 July 44 period, as compared to 119 cases (174 defendants) during June 44. On 31 July 44 there were 37 persons reported in jail awaiting trial before this Court, as compared to 22 persons awaiting such trial on 30 June 44.
- e. Court of Assizes Catanzaro, Court of Appeal circuit. Since last monthly report this Court has shown increased activity; Court held sessions at Locri, Palmi, and will hold several sessions during August and September 44. As previously reported at least 2 additional Judges and 2 Giudici Istruttori are needed.
- This Court disposed of 14 criminal cases (34 defendants) during the 1 to 31 July 44 period, as compared to 4 cases (6 defendants) during June 44.
- Court of Assizes Reggio tried no cases during June and July; 8 cases set for trial at Reggio during August 44.

f. Preture Courts 84 such Courts in Region VII all functioning, great majority reflect satisfactory activity.

g. Grain Laws received by this RLO on 26 July 44; lack of earlier publication created some confusion. Such difficulty was anticipated and acting Procuratore Generale was advised to notify all Procuratori del Regno to grant no provisional liberty; this he did on 10 June 44; only one case has been reported (from Pretura of Amantea), where misinterpretation and lack of instruction resulted in provisional liberty and light fine. The strongest advise has been repeatedly disseminated by RLO concerning severe application of the new law.

3. Legal personnel ACC Region VII consists of 1 officer, this RLO assigned and stationed in Calabria (Region VII) since 9 Sep. 43, (11 months).

4. Due to absence of RLO at Regional Legal Officers Conference Rome 1 Aug. 44, being period when reports from Italian Courts are received and analysed, a supplemental report of RLO's estimate of monthly situation for Region VII will be forwarded at later date.

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Donald C. Little

DONALD C. LITTLE
Captain CMP AUS
RLO Region VII

(2 inclosures)
Copy to RC Region VII

JULY 44

ALLIED INTEREST CASES PENDING ON 31 JULY 44 IN ITALIAN COURTS

PENDING CASES 93 cases - 150 def.	CATANZARO	JUVENILE TRIBUNAL	NICASTRO	VIBO VALENTIA	COSENZA	ROSSANO	CASTRO VILLARI	REGGIO CALABRIA
Forging, altering allied cur- rency, passing and possessing same.	1 case 3 def.				5 cases 7 def.			
Theft and wrongful possession of allied benzine.					3 cases 3 def.			
Theft and wrongful posses- sion allied clothing, blan- kets, equipment.	6 cases 9 def.		2 cases 2 def.	3 cases 7 def.	2 cases 2 def.		3 cases 17 def.	3 cases 14 def.
Theft and wrongful posses- sion allied flour and food.	2 cases 3 def.	1 case 1 def.						12 cases 23 def.
Unlawful possession allied cigarettes and tobacco.	4 cases 4 def.	1 case 1 def.	3 cases 3 def.	2 cases 3 def.	6 cases 7 def.	2 cases 2 def.		2 cases 2 def.
Miscellaneous.	1 case 6 def.							

Ex. 1

[illegible]

JULY 44

ALLIED INTEREST CASES DISPOSED OF DURING JULY 44 BY ITALIAN COURTS REG

DISPOSED OF CASES 50 cases - 93 def.	CATANZARO JUVENILE TRIBUNAL		NICASTRO VIBO VALENTIA	COSENZA	CASTRO VILLARI	ROSSANO	REGGIO CALABRIA	T.O.
Forging and altering allied currency, passing and posses- sing same.								
Theft and wrongful posses- sion of allied benzine.				2 cases 5 def.				
Theft, wrongful possession allied clothing, blankets, equipment.	2 cases 3 def.	1 case 1 def.		1 case 2 def.			3 cases 6 def.	1 case 1 def.
Theft, wrongful possession allied flour and food.	2 cases 4 def.	1 case 1 def.					8 cases 29 def.	
Unlawful possession allied cigarettes and tobacco.	13 cases 15 def.		1 case 1 def.	1 case 1 def.			6 cases 6 def.	1 case 1 def.
Miscellaneous.							3 cases 5 def.	

Ex. 2

ALLIED INTEREST CASES DISPOSED OF DURING JULY 44 BY ITALIAN COURTS REGION VII

SAVANZARO TRIBUNAL	JUVENILE	NICASTRO VALENTIA	COSENZA	CASTRO VILLARI	ROSSANO	REGGIO CALABRIA	T. OCRI	PALMI	MILITARY TRIBUNAL
			2 cases 5 def.						1 case 9 def.
cases def.	1 case 1 def.		1 case 2 def.			3 cases 6 def.	1 case 1 def.		2 cases 2 def.
cases def.	1 case 1 def.					8 cases 29 def.			1 case 1 def.
cases def.		1 case 1 def.	1 case 1 def.			6 cases 6 def.	1 case 1 def.		
						3 cases 5 def.			

HEADQUARTERS REGION VII

ALLIED CONTROL COMMISSION

File Ref: VII/L/701

Date: 3 July 44

SUBJECT: Monthly Report of RLO Region VII
for period 1 - 30 June 44 inclusive.
TO: CLO Legal Sub-Commission ACC Salerno

1. Attention is invited to Legal activity report Region VII for period 1 June to 30 June 44.

Italian Courts are functioning well in trying Allied interest cases promptly (except Assizes Courts). Sentences of punishment generally continue to be adequate. A slight decrease in the amount of work of the 9 Tribunali is becoming apparent. RLO attributes decrease to increasing hot weather, Calabrian custom of slow down during the summer months and change in the office of the first President of the Court of Appeal ie Carlomagno vice Mauro.

a. AMG Courts none since March 44.

b. Cases affecting Allied interest in Italian Courts:

- (1) Pending cases on 30 June 44 totaled 88 cases and 169 defendants; for categorical breakdown of such pending criminal cases see exhibit 1 attached hereto.
- (2) Cases disposed of by trial in Italian Courts for period 1 to 30 June 44 totaled 53 criminal cases (103 defendants); for categorical breakdown see exhibit 2.

(3) Special cases disposed of:

- (a) Case of Capitano Arturo DOMINICI of the CC.RR. of Reggio Calabria charged with 1. appropriating firearms which Italian civilians turned in under AMG Proclamation 2 at Reggio during September, October, November 1943. 2. wrongful possession of American Army carbine at Reggio during September, October, November 43. 3. cancelling from register names of owners of fire arms. Case finally sent by CC.RR. on 9 May 44 to Military Tribunal Catanzaro, defendant in jail since 12 May 44, case tried at Catanzaro on 27 and 28 June 44 before "Tribunale Militare Territoriale di Guerra presso il XXXI° Corpo d'Armata". Generale di Divisione Comandante Emilio Valerini presiding Judge. Convicted on 1st charge under

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a. AMG Courts none since March 44.

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(1) Pending cases on 30 June 44 totaled 88 cases.

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of accused). Col. Trotta, Procuratore Militare, states that notwithstanding that both the accused and the Procuratore Militare have appealed the decision of the Court, accused will immediately suffer loss of rank (art. 33 n2 CPMP) and will be demobilized and proceed to serve his sentence (see art. 2, Proc. 26 dated 26 May 44 which forbids the Military Tribunale to differ the execution of the sentence under circumstances similar to the Dominici case). Copy of original sentence of Court is attached hereto and marked exhibit 3.

2. Reorganization of the Italian Bar completed: in Region VII on 9 May 44 as previously reported. The 9 Bar Councils of Region VII all show activity in assuming their new responsibilities.
3. Proceedings and reports on working of Italian Courts.
 - An increase in disposal of Civil causes has been apparent during the month of June.
 - Catanzaro Province (criminal cases)
 - Catanzaro Tribunale disposed of 138 criminal cases (236 defendants) during the 1 to 30 June 44 period as compared to 179 cases (289 defendants) during May 44. On 30 June 44 there were 59 persons reported in jail awaiting trial before this Tribunale as compared to 78 persons awaiting such trial on 31 May.
 - Vibo Valentia Tribunale disposed of 21 criminal cases (31 defendants) during the 1 to 30 June 44 period as compared to 90 cases (137 defendants) during May 44. On 30 June 44 there were 25 persons reported in jail awaiting trial before this Tribunale as compared to 25 awaiting such trial on 31 May 44.
 - Nicastro Tribunale disposed of 72 criminal cases (119 defendants) during the 1 to 30 June 44 period, as compared to 107 cases (238 defendants) during May 44. On 30 June 44 there were 31 persons reported in jail awaiting trial before this Tribunale, as compared to 18 persons awaiting such trial on 31 May.
 - Cosenza Province.
 - Cosenza Tribunale disposed of 82 cases (137 defendants) during the 1 to 30 June 44 period, as compared to 97 cases (148 defendants) during May 44. On 30 June 44 there were 39 persons reported in jail awaiting trial before this Tribunale, as compared to 18 persons awaiting such trial on 31 May 44.
 - Castrovillari Tribunale disposed of 28 criminal cases (65 defendants) during the 1 to 30 June 44 period, as compared to 93 cases (143 defendants) during May 44. On 30 June 44 there were 9 persons reported in jail awaiting trial before this Tribunale, as compared to 25 persons awaiting such trial on May.
 - Rossano Tribunale disposed of 35 criminal cases (55 defendants) during the 1 to 30 June 44 period, as compared to 37 cases (132 defendants) during May 44. On 30 June 44 there were 3 persons reported in jail awaiting trial before this Tribunale, as com-

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- Reggio Calabria Province.
Reggio Tribunale disposed of 123 criminal cases (202 defendants) during the 1 to 30 June 44 period, as compared to 128 cases (228 defendants) during May 44. On 30 June 44 there were 63 persons reported in jail awaiting trial before this Tribunale as compared to 73 persons awaiting such trial on 31 May 44.

Palmi Tribunale disposed of cases (defendants) during the 1 to 30 June 44 period, as compared to 92 cases (228 defendants) during May 44. On 30 June 44 there were persons reported in jail awaiting trial before this Tribunale, as compared to 10 persons awaiting such trial on 31 May 44.

Locri Tribunale disposed of criminal cases (defendants) during the 1 to 30 June 44 period, as compared to 82 cases (106 defendants) during May 44. On 30 June 44 there were persons reported in jail awaiting trial before this Tribunale, as compared to 56 persons awaiting such trial on 31 May 44.

- b. Court of Appeal Catanzaro disposed of 105 criminal cases (164 defendants) during the 1 to 30 June 44 period, as compared to 139 cases (249 defendants) during May 44. On 30 June 44 there were 76 persons reported in jail awaiting trial before this Court, as compared to 134 persons ~~XXX~~ on 31 May 44.
- c. Court of Appeal Reggio: On 30 June 44 there were 53 persons reported in jail awaiting trial before this Court, as compared to 53 persons awaiting such trial on 31 May 44.

- c. Court of Assizes Catanzaro Court of Appeal circuit.

As previously reported attention of this Court and of the acting First President of Court of Appeal Carlomagno has been repeatedly directed to the ever increasing number of persons awaiting trial before this Court. Despite the ardent promises of acting first President Carlomagno that there would be 3 sessions of the Court of Assizes in June, 1 at Locri, 1 at Palmi and 1 at Catanzaro, and despite a 2 hours conference with acting President Carlomagno, it now appears that no cases have been tried by this Court during the month of June. RLO previously reported that lack of additional personnel was seriously hampering justice, that the number of persons awaiting trial would steadily increase and that the Court with its present personnel was and would continue to be unable to cope with the situation. At that time President Carlomagno stated he needed 2 additional Judges, 2 Giudici Istruttori. Promised to assign Judges from other Courts to assist in cleaning up the back log of Assizes cases. President Carlomagno now states (3 July 44) that he has fixed Assizes trials for July, August and September. President Carlomagno also stated that he had written the Ministry of Justice requesting additional personnel but that the Ministry had not even answered his letter. RLO pointed out to the First President that in as much as the 4 Judges already assigned to him had failed to try any cases during June in spite of his assurances, that they would have 3 sessions during the month, that the first thing needed was a change of policy. RLO is of the opinion after several months of observation that this situation can only be corrected if the Ministry send a very strong directive to First President Carlomagno insisting that his Court of Assizes actually try 20 or more cases each month until the back log of cases is brought under control. Attention is invited to par. 3 c. May report Region VII.

As previously reported to dispose of any cases dur-

- b. Court of Appeal Catanzaro disposed of 105 criminal cases (164 defendants) during the 1 to 30 June 44 period, as compared to 139 cases (249 defendants) during May 44. On 30 June 44 there were 76 persons reported in jail awaiting trial before this Court, as compared to 134 persons ~~MAKI~~ on 31 May 44.
- c. Court of Appeal Reggio: On 30 June 44 there were 53 persons reported in jail awaiting trial before this Court, as compared to 53 persons awaiting such trial on 31 May 44.
- c. Court of Assizes Catanzaro Court of Appeal circuit. As previously reported attention of this Court and of the acting First President of Court of Appeal Carlomagno has been repeatedly directed to the ever increasing number of persons awaiting trial before this Court. Despite the ardent promises of acting first President Carlomagno that there would be 3 sessions of the Court of Assizes in June, 1 at Locri, 1 at Palmi and 1 at Catanzaro, and despite a 2 hours conference with acting President Carlomagno, it now appears that no cases have been tried by this Court during the month of June. RLO previously reported that lack of additional personnel was seriously hampering justice, that the number of persons awaiting trial would steadily increase and that the Court with its present personnel was and would continue to be unable to cope with the situation. At that time President Carlomagno stated he needed 2 additional Judges, 2 Giudici Istruttori. Promised to assign Judges from other Courts to assist in cleaning up the back log of Assizes cases. President Carlomagno now states (3 July 44) that he has fixed Assizes trials for July, August and September. President Carlomagno also stated that he had written the Ministry of Justice requesting additional personnel but that the Ministry had not even answered his letter. RLO pointed out to the First President that in as much as the 4 Judges already assigned to him had failed to try any cases during June in spite of his assurances, that they would have 3 sessions during the month, that the first thing needed was a change of policy. RLO is of the opinion after several months of observation that this situation can only be corrected if the Ministry send a very strong directive to First President Carlomagno insisting that his Court of Assizes actually try 20 or more cases each month until the back log of cases is brought under control. Attention is invited to par. 3 c. May report Region VII.
- c. Court of Assizes Reggio also failed to dispose of any cases during the month of June. On 30 June 44 there were 27 persons reported in jail awaiting trial before this Court.
- d. Juvenile Tribunale in Catanzaro disposed of 7 cases (10 defendants) during the 1 to 30 June 44 period as compared to 33 cases (15 defendants) during May 44. On 30 June 44 there were 15 persons reported in jail awaiting trial before this Court as compared to 22 persons awaiting such trial on 31 May 44.
- e. Italian Military Tribunale: this Court disposed of 119 criminal

cases (174 defendants) during the 1 to 30 June 44 period as compared to 73 cases (92 defendants) during May 44. On 30 June there were 22 persons in jail awaiting trial before this Court as compared to 51 on 31 May 44.

f. Preture Courts: 84 such Courts in Region VII the great majority of which reflect satisfactory activity.

4. Legal personnel ACC Region VII consists of 1 officer, this RLO assigned and stationed in Calabria (Region VII) since 9 Sep. 43, has been the only Legal Officer in Calabria since March 44.

Donald C. Little
DONALD C. LITTLE
Captain CMP AUS 96
RLO Region VII

(3 enclosures)
Copy to RC Region VII

EXHIBIT 1.

JUNE 44

ALLIED INTEREST CASES PENDING ON 30 JUNE 44 IN ITALIAN COURTS REGIO

PENDING CASES 88 cases - 169 def.	CATANZARO	JUVENILE TRIBUNAL	NICASTRO	VIBO VALENTIA	COSENZA	CASTRO VILLARI	ROSSANO	REGGIO	LOC
Forging and altering Allied 2 cases currency, passing and posses-4 def. sing same					2 cases 3 def.			2 cases 4 def.	
Theft and wrongful posses- sion of Allied benzine			1 case 2 def.		1 case 4 def.				
Theft and wrongful posses- sion Allied clothing, blankets, equip- ment	2 cases 2 def.	2 cases 2 def.	2 cases 5 def.	3 cases 7 def.	6 cases 10 def.			1 case 10 def.	
Theft and wrongful posses- sion Allied flour and food	6 cases 12 def.							13 cases 3 38 def. 3	
Unlawful possession Allied cigarettes and tobacco	8 cases 18 def.			5 cases 7 def.				16 cases 16 def.	
Miscellaneous	2 cases 5 def.								

CS

ALLIED INTEREST CASES PENDING ON 30 JUNE 44 IN ITALIAN COURTS REGION VII

[illegible]

EXHIBIT 2

JUNE 44

ALLIED INTEREST CASES DISPOSED OF DURING JUNE 44 BY ITALIAN COURTS REGION

DISPOSED OF CASES 53 cases-103 def.	CATANZARO	JUVENILE TRIBUNALE	NICASTRO	VIBO VALENTIA	COSENZA	CASTRO VILLARI	ROSSANO	REGGIO	LOC
Forging and altering Allied currency, passing and posses- sing same.	1 case 1 def.								
Theft and wrongful posses- sion of Allied benzine				1 case 2 def.		1 case 2 def.		2 cases 4 def.	
Theft and wrongful posses- sion of Allied clothing, blan- kets, equipment	3 cases 3 def.	2 cases 2 def.	1 case 1 def.					1 case 1 def.	1 1
Theft and wrongful posses- sion Allied flour and food								4 cases 9 def.	
Unlawful possession of Allied cigarettes and tobacco	20 cases 29 def.		1 case 1 def.		1 case 1 def.	1 case 1 def.		4 cases 4 def.	2 3
Miscellaneous	1 case 1 def.								

73.

ALLIED INTEREST CASES DISPOSED OF DURING JUNE 44 BY ITALIAN COURTS REGION VII

CATANZARO	JUVENILE TRIBUNALE	NICASTRO	VIBO VALENTIA	COSENZA	CASTRO VILLARI	ROSSANO	REGGIO	LOCRI	PALMI	MILITARY TRIBUNAL
ed s- 1 case 1 def.										
			1 case 2 def.		1 case 2 def.		2 cases 4 def.			1 case 28 def.
3 cases 5 def.	2 cases 2 def.	1 case 1 def.					1 case 1 def.	1 case 1 def.		5 cases 7 def.
							4 cases 9 def.			
lied 20 cases 29 def.		1 case 1 def.		1 case 1 def.	1 case 1 def.		4 cases 4 def.	2 cases 3 def.		
1 case 1 def.										

EXHIBIT 3. (translation by mz)

The Tribunale Militare Territoriale di Guerra in Catanzaro
has given the following sentence to De Vici Arturo

(CHARGES)

- a.(1) Mulversation to the Prejudice of Private Individuals
(art. 315 C.P.)
- b.(2) Material Falsity (art. 476 C.P.)
- c.(3) Theft in prejudice to Allied Military Forces (art. 624, 625
H). 7 C.P.)

DECLARIES

Arturo DOMINICI is responsible for unlawful appropriation in violation of letter a. above and against art. 93 C.P.M.G. so modified the above letter c. in consideration of mitigatory circumstances of good behaviour, and he is condemned to 2 years imprisonment under charge 1 and to 4 months imprisonment under charge 3, sentenced altogether to 2 years, 4 months military imprisonment and to pay the sum of L. 633,33 as a fine and the expenses of the case. Acquits Dominici from charge 2 as the facts do not constitute a crime; orders the restitution of the guns to their owners - Noti Angelo, Pellicano Giuseppe, Meduri Paolo, and Malara Demotrio. Orders that Pellicano Giuseppe be given back the pistol recognized by him; orders that the weapons be given back to their owners through the CC. RR. of Reggio by regular receipt previously given to them. Orders, finally, the adjournment of the execution of the sentence as by art. 9 and 10 Law July 1940, as pertaining to a mobilized Unit, and the immediate release of Dominici if not accused under other charges.

Signed: The President Generale Vallerini
The Giudice Relatore Cap. Francesco Piano
The Cancelliere Lt. Armando Garces.

EXHIBIT 3.

Il Tribunale Militare Territoriale di Guerra in Catanzaro ha pronunziato la seguente sentenza nella causa contro DOMINICI Arturo fu Giovanni

ACCUSATO

- a. di malversazione (art. 315 C.P.)
- b. di falso (art. 476 C.P.)
- c. di furto in danno dell'Amministrazione Militare Amleata (art. 624, 625 N). 7 C.P.)

Letti ed applicati gli articoli di Legge

DICHIARA

Arturo Dominici responsabile di malversazione a danno di privati di cui alla lettera a. del Capo d'imputazione, nonché di violazione all'art. 93 CPMG, così modificata la rubrica in ordine al reato di furto di cui alla lettera c. con l'attenuante della ottima condotta, partendo da anni 2 di reclusione per la malversazione e da mesi 4 di reclusione militare per il secondo reato, alla pena complessiva previa conversione, di anni 2 e mesi 4 di reclusione Militare, nonché al pagamento delle spese processuali e ad ogni altra conseguenza di legge. Assolve il Dominici dal reato di falso perché il fatto a lui addebitato non costituisce reato. Ordina la restituzione dei fucili sequestrati ai legittimi proprietari che li hanno riconosciuti: Foti Angelo, Pellicano Giuseppe, Meduri Paolo e Malara Demetrio. Ordina che al Pellicano Giuseppe sia anche restituita la pistola debitamente riconosciuta. Ordina altresì che il fucile e le altre pistole non riconosciute siano restituiti tramite i CC.RR. di Reggio Calabria ai legittimi proprietari previa restituzione delle ricevute loro rilasciate. Ordina, infine, il differimento della esecuzione della pena nel confronto del Dominici a norma degli art. 9 e 10 Legge Luglio 1940; appartenendo egli a Ente mobilitato e la immediata escarcerazione di esso Dominici sempre che non sia detenuto per altra causa.

Firmato: Presidente Generale Vallerini
Giudice Relatore Cap. Francesco Piano
Cancelliere Ten. Armando Garcea

4043110
HEADQUARTERS REGION VII
ALLIED CONTROL COMMISSION

File Ref: VII/L/701

Date: 2 June 44

SUBJECT: Monthly Report of RLO Region VII
for period 1 - 31 May 44 inclusive.
TO: CLO Legal Subcommittee ACC Salerno

1. Attention is invited to Legal activity report Region VII for period 1 May 44 to 31 May 44. RLO has now completed establishment of advisory Liaison with all Italian Courts and Officials on a regional basis. Since this RLO has served since 15 Oct. 43 as LO Cosenza Province and since 22 Feb. 44 as LO for the 3 Provinces of Catanzaro, Cosenza and Reggio Calabria, which now constitute Region VII, it was possible to organize and explain the new chain of Regional Liaison and responsibility with a minimum of the usual confusion. All of the Appeal Courts, the Military Tribunale, the Juvenile Tribunale, each of the 9 Tribunali, 9 Procure del Re and their assistants have been contacted by both this RLO and by their immediate Italian Superiors (notably the invaluable acting Procuratore Generale Flavio Cossu), and their functions carefully explained to them. Results for the month of May are gratifying.

a. AMG Courts none since March 44.

b. Cases affecting Allied interests in Italian Courts.

- (1) Pending cases on 31 May 44 totaled 65 cases and 102 defendants; for categorical breakdown of such pending criminal cases see exhibit 1 attached hereto.
- (2) Cases disposed of by trial in Italian Courts for period 1 May to 31 May 44 totaled 42 criminal cases (72 defendants), for categorical breakdown of disposed of cases see exhibit 2.
- (3) Cases disposed of by trial in Italian Courts for period 1 April to 30 April 44 totaled 25 criminal cases (32 defendants), for categorical breakdown see exhibit 3.
- (4) Many of cases now pending have been set for trial during the first 2 weeks of June.

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 - (3) Cases disposed of by trial in Italian Courts for period 1 April to 30 April 44 totaled 25 criminal cases (32 defendants), for categorical breakdown see exhibit 3.
 - (4) Many of cases now pending have been set for trial during the first 2 weeks of June.
 - (5) 8 pending cases of altering, passing or wrongfully possessing altered or counterfeited Allied currency (see exhibit 1).
 - (6) The attached card index system (3 enclosures) has been installed in Regional Legal Office. Italian Police or Legal Authorities fill out exhibit A and forward same to this HQ where the case is registered and the information translated and transferred to exhibit B, which has on its back the report indicating the stage of progress toward final conclusion and sentence; after, sentence card is removed from pending file and moved to closed file. Exhibit C is used in all cases where arrest is made by Allied personnel (of which there are very few

in Region VII), can and probably will be used hereafter in all cases of arrest by Italian Police Agents where the case involves Allied interests.

(7) Sentences : for May more severe than in the preceding month but are just.

(8) Great care has been taken to advise all Italian Legal Officials of the necessity of preparing Allied cases carefully and with dispatch. Delays caused by confusion in jurisdiction of cases is being reduced to the minimum. RLO's aim and object is that all Italian Courts in Region VII will hereafter dispose of all Allied interest cases within 20 days from the time the case is turned over to them by the Italian Police.

(9) Special cases disposed of :

(a) Theft of Allied flour - 21 persons were tried in Reggio Calabria Tribunale for the theft, diversion and unlawful sale of 10 q. of American flour; trial lasted from the 15 to the 30 May and was attended at all times by either the Provincial Commissioner, the Provincial Public Safety Officer or RLO. Daily reports of the progress of trial appeared at the Reggio-news-papers and Court room was at all times filled with spectators.

Two of the defendants were locally prominent, Avv. Umberto COCHIUTO, wealthy lawyer, large mill owner, and former Vice-Pretore of Reggio, was convicted and sentenced to 3 years imprisonment, 100,000 Lire fine and 5 years suspension from Public Offices; Rosario PREVITI, wealthy merchant was sentenced to 8 years imprisonment, 45,000 L. fine and perpetual suspension from Public Offices; SCARDELLA - 5 years imprisonment, 10,000 Lire fine and perpetual suspension from Public Offices; PAVIGLIANITI - 3 years, 6 months, 17,000 Lire fine and 5 years suspension from Public Offices; TO+ NOZZI - 2 years, 6 months, 14,000 Lire fine; LOPEZ - RA - 2 years, 3 months, 12,000 Lire fine; CANALE and 1 year, 6 months, 10,000 Lire fine; MICELLI STILITANO - 1 year, 4 months, 4000 Lire fine; CLEO- and AMODEO - 1 year, 1 month, 3500 Lire fine; MAFRICA - PATRA - 1 year, 1 month, 3000 Lire fine; FATTORI - 3 months, 20 days, 2400 Lire fine; 7 defendants were acquitted for insufficient proof. Costs of the prosecution to be born by the defendants. Fines totaled 240,000 Lire. Satisfaction was expressed by the general public as to the penalties imposed.

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During the trial the Pubblico Ministero Cav. Giuseppe Perricone astonished the Court and spectators by asking for 10 months imprisonment and 20,000 Lire fine for defendant OCCHIUTO (see exhibits 4, 5 and 6 attached hereto). Perricone's attitude was, to say the least, unexpected, since in the conversation with RLO he gave no indication of his intentions and when told by his superior the Procuratore del Re of Reggio to be severe in

this matter he failed to inform his superior of what he intended to do in open Court. On being informed of Perricone's action RLO promptly contacted the President of the Reggio Tribunale, Comm. Viola (not sitting in the case) and asked him to advise. President Viola stated that he had been surprised at Perricone's action but assured RLO that the trial Court was not bound by Perricone's recommendation.

Recommend that First President of the Tribunale Viola and the presiding trial Judge, Cav. Nicodemo Tranconesi be commended for their correct attitude in this case. Further report on the unusual action of the Pubblico Ministero Perricone will be forwarded if after investigation the facts justify such report. Reggio' 4 remaining (flour diversion) cases and 9 defendants therein are small cases and will be disclosed during the month of June.

- (b) Fascist case of 84 persons from Catanzaro and Cosenza Provinces arrested by the CC.RR. during April and May 44 for conspiracy to reorganize the fascist party, disseminate fascist propaganda and for acts of violence, was first reported to this RLO by Col. Trotta, Procuratore Militare of the "Tribunale Militare Territoriale di Guerra presso il XXXI^o Corpo d'Armata" about the 22 May 44. RLO reported the same in preliminary monthly report to Region VII dated 25 May 44. On 30 May 44 Col. Trotta informed this RLO that all arrested defendants and all persons concerning this case were transported to Naples for further investigation and trial at that destination. Preliminary report of case has been translated and attached hereto as exhibit 7.

- (c) Case of Capitano Arturo DOMINICI of the CC.RR. of Reggio Calabria charged with wrongful possession of American Officer's carbine; appropriating fire arms which Italian civilians turned in under AMG Proclamation 2 and cancelling from the register the names of the owners of the fire arms; unlawful possession of a quantity of goods; all violations occurring at Reggio in September 43. Accused charged under sections 315, 232 No. 2, 357, 476, 624, 625 No. 7 C.P. Case finally sent by CC.RR. on 9 May 44 to Military Tribunale Catanzaro, defendant in jail since 12 May 44, will be tried in June 44.

2. Reorganization of the Italian Bar completed. On 19 April 44 a new Bar Council was elected by the Avvocati of Palmi (Reggio Province) and on 9 May 44 a similar Bar Council was elected in Locri (Reggio Province). As a result of such elections, the reorganization of the Italian Bar in all Provinces of Region VII (Calabria) has been completed, fascist influences have

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Region VII (Calabria) has been completed, fascist influences have
been liquidated and all new Bar Councils are composed of Avvoca-
ti who are predominately anti-fascists. At Palmi the following
Council was elected: President - Domenico Cardone; Vice-Presi-
dent - Bruno Carbone; Secretary - Pasquale Lombardo; treasurer -
Francesco Barone; Fondacaro Antonio, Francesco Carbone, Rovers
Nicola - Consiglieri.
At Locri the new Council is: President - Bova Eugenio; Vice-Pre-
sident - Autelitano Francesco; Secretary - De Agostino Pietro; Tre-
surer - Mordaca Filippo; Musitano Domenico, Rodinò Edoardo, Spa-
gnolo Gerolamo - Consiglieri.

3. Proceedings and reports on working of Alien Courts.

a. Tribunali : Commencing 22 Feb. 44 much time has been spent by the RLO in persuading the Italian Courts of Calabria (Region VII since 24 April 44) to hold more frequent sessions and work longer hours in order to clear the jails of persons awaiting criminal trial (some as long as 2 years). Progress has been made in spite of fact that all Italian Court activity is subject to war time imponderables such as miserable communications, mislaid and missing papers, missing material witnesses, serious lack of transportation and by overcoming other almost unsurmountable difficulties with which the CLO is familiar. Results are indicated by the following table of comparison, (figures include only the cases disposed of by the 9 Civil Tribunali of Region VII).

January :	cases tried	363	-	defendants	616
February :	"	449	"	"	693
March :	"	612	"	"	1140
April :	"	624	"	"	1157 (no session Easter week)
May :	"	905	"	"	1576

Of 1576 defendants above, 513 were disposed of under Royal Decree 5 April 44 No. 96 (amnesty).

Increase of trial of Civil cases is also noted but such increase is not comparable to the increase in trial of criminal cases shown above.

RLO believes that the results have justified 3½ months of intensive effort to persuade Courts to dispose of criminal cases with dispatch and henceforth less time will be devoted to this work and more time spent on other duties.

Catanzaro Province

Catanzaro Tribunale disposed of 179 criminal cases - 289 defendants during the 1 to 31 May 44 period, as compared to 67 cases - 201 defendants during April 44. On 31 May there were 78 persons reported in jail awaiting trial before this Tribunale. Vibo Valentia Tribunale disposed of 90 criminal cases - 137 defendants during the 1 to 31 May 44 period, as compared to 80 cases - 124 defendants during April 44. On 31 May there were 25 persons reported in jail awaiting trial before this Tribunale. Nicastro Tribunale disposed of 107 criminal cases - 238 defendants during the 1 to 31 May 44 period, as compared to 44 cases - 72 defendants during April 44. On 31 May there were 22 persons reported in jail awaiting trial before this Tribunale.

Cosenza Province

Cosenza Tribunale disposed of 97 criminal cases - 148 defendants during the 1 to 31 May 44 period, as compared to 102 cases - 174 defendants during April 44. On 31 May there were 18 persons reported in jail awaiting trial before this Tribunale.

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Cosenza Province

Cosenza Tribunale disposed of 97 criminal cases - 148 defendants during the 1 to 31 May 44 period, as compared to 102 cases - 174 defendants during April 44. On 31 May there were 18 persons reported in jail awaiting trial before this Tribunale. Rossano Tribunale disposed of 37 criminal cases - 132 defendants during the 1 to 31 May 44 period, as compared to 26 cases - 111 defendants during April 44. On 31 May there were 2 persons reported in jail awaiting trial before this Tribunale. Castrovillari Tribunale disposed of 93 criminal cases - 143 defendants during the 1 to 31 May 44 period, as compared to 40 cases - 58 defendants during April 44. On 31 May there were 25 persons reported in jail awaiting trial before this Tribunale.

Reggio Calabria Province

Reggio Calabria Tribunale disposed of 128 criminal cases - 228 defendants during the 1 to 31 May 44 period, as compared to 115 cases - 176 defendants during April 44. On 31 May there were 73 persons reported in jail awaiting trial before this Tribunale.

Locri Tribunale disposed of 82 criminal cases - 106 defendants during the 1 to 31 May 44 period, as compared to 35 cases - 52 defendants during April 44. On 31 May 44 there were 56 persons reported in jail awaiting trial before this Tribunale.

Palmi Tribunale disposed of 92 criminal cases - 228 defendants during the 1 to 31 May 44 period, as compared to 115 cases - 189 defendants during April 44. On 31 May 44 there were 10 persons reported in jail awaiting trial before this Tribunale.

b.

Court of Appeal Catanzaro disposed of 139 criminal cases - 249 defendants during the 1 to 31 May 44 period, as compared to 53 cases - 78 defendants during the 1 to 25 April 44 period. On 31 May there were 134 persons reported in jail awaiting trial before this Court.

Court of Appeal Reggio: On 31 May 44 there were 53 persons reported in jail awaiting trial before this Court.

c.

Court of Assizes Catanzaro Court of Appeal Circuit.

RLO has again been active in seeing that arrangements were made for the holding of the Assizes Court, and First President of the Court of Appeal Carlomagno states that there will be 3 sessions of the Court of Assizes in June at Locri and Palmi (Reggio Province) and at Catanzaro. This Court disposed of 19 cases - 27 defendants during the 1 to 31 May 44 period. As previously reported attention of this Court has been repeatedly directed to the ever increasing number of persons awaiting trial before this Court. On 31 March there were 120 persons awaiting in jail Assizes trial; on 25 April there were 142 and on 31 May there were 190 in jail awaiting such trial.

RLO is of the opinion that lack of additional personnel is seriously hampering justice, that number of persons awaiting trial will steadily increase and the Court with its present personnel is and will continue to be unable to cope with the situation. First President Carlomagno states the Assizes Court has 4 Judges and needs 2 additional, 2 Giudici Istruttori are also needed. RLO respectfully submits that under Italian law authority exists to appoint non career practising lawyers to judicial positions; such appointments, if made for a short period of time to this Court, could clear up the back log of cases awaiting trial.

Court of Assizes Reggio disposed of 3 cases - 6 defendants during the 1 to 31 May 44 period; on 31 May there were 24 persons reported in jail at Reggio awaiting trial before this Court.

Juvenile Tribunale in Catanzaro disposed of 13 cases - 15 defendants during the 1 to 31 May 44 period, as compared to 8 cases - 9

during the 1 to 31 May 44 period. On 31 May 44 there were 10 persons awaiting trial before this Tribunal.

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Juvenile Tribunale in Catanzaro disposed of 13 cases - 15 defendants during the 1 to 31 May 44 period, as compared to 8 cases - 9 defendants during the 1 to 25 April 44 period. On 31 May there were 22 persons reported in jail awaiting trial before this Court.

d. Italian Military Court: only Italian Military Court in Calabria is the "Tribunale Militare Territoriale di Guerra presso il XXXI° Corpo d'Armata" located in Catanzaro. This Court disposed of 73 criminal cases - 92 defendants during the 1 to 31 May 44 period, as compared to 18 cases - 32 defendants during the 1 to 25 April 44 period. On 31 May there were 51 persons reported in jail awaiting trial before this Court.

e. Preture Courts: 28 in Catanzaro Province; 28 in Cosenza Province;

28 in Reggio Calabria Province; total 84. Advisory pressure continues to be applied through acting Procuratore Generale Cossu and the 9 Procuratori del Re on the 84 Preture Courts with the aim and object to secure their increased activity.

At present time due to poor communications and lack of sufficient motor transportation to enable Italian legal officials to ride circuit on these Courts, their close supervision presents considerable difficulty. Analysis of such reports as are received clearly indicate that there has again been considerable increase in disposal of cases by Pretore Courts.

4. There are no local PSS, CMP or other bodies of Allied Forces carrying out arrests in Region VII. Arrests are made by local Italian Police.

5. Plans are being made by local Italian Legal Officials to vigorously prosecute anticipated violations of Laws for the collection of grain.

6. Personnel consists of only one Officer (RLO) for all of Region VII, no Allied enlisted personnel, 2 Italian employees. Lack of personnel has been temporarily overcome by close cooperation with Italian Legal Officials and by repeated personal visits to the various Tribunali of the Region. RLO as the only Legal Officer of the Region will be called upon to render an infinite variety of Legal advice to all ACC Regional and Provincial Officers on questions of Italian Law, and as a consequence it may be necessary to employ additional help. RLO can with difficulty communicate by telephone with Italian Legal Officials in Catanzaro, Cosenza, Reggio Calabria, Vibo Valentia, Nicastro, Palmi and sometimes with Castrovillari and Rossano.

7. RLO respectfully submits that a. Italian Courts (except Assizes) have almost reached their present capacity in disposing of Italian criminal cases and will hereafter need little advisory supervision. b. That all evidence of fascist control of Bar Associations has been eradicated and independent anti-fascist control established. c. That effective system of collecting information on Italian Police arrests in Allied interest cases has been established. d. That such cases will hereafter be disposed of with dispatch and guilty defendants adequately punished. All of which has been accomplished with minimum Allied personnel and through close cooperation with Italian Legal Officials.

Donald C. Little

DONALD C. LITTLE

CAPTAIN CMP AUS

RLO REGION VII

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Donald C. Little
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 CAPTAIN CMP AUS
 RLO REGION VII

(10 enclosures)
 Copy to RC Region VII

EXHIBIT 1.

MAY 44
PENDING CASES:

65 cases - 102 def.

4. ALLIED INTEREST CASES PENDING ON 31 MAY BY ITALIAN CIVIL CODE

	CATANZARO MILITARY TRIBUNALE TRIBUNAL	JUVENILE TRIBUNAL	NICASERO	VISO VALENZIA	COSENZA	CASTROVILLI LARI	ROSSANO
Counterfeiting Allied currency, passing and posses- sing same.	2 cases 4 def.			2 cases 3 def.			1 case 3 def.
Theft and wrongful posses- sion of Allied benzine		1 case 1 def.					
Theft and wrongful posses- sion of Allied clothes, blankets, equipment	2 cases 2 def.			2 cases 3 def.			2 cases 3 def.
Theft and wrongful possession of Allied flour and food		1 case 1 def.					5 cases 10 def.
Unlawful possession of Allied cigarettes and tobacco	16 cases 18 def.	1 case 1 def.	3 cases 5 def.	2 cases 3 def.	1 case 1 def.		9 cases 10 def.
Miscellaneous	2 cases 2 def.					1 case 1 def.	

ALLIED INTEREST CASES PENDING OR SUBMIT BY ITALIAN CIVIL COURTS REGION VII

CATANZARO MILITARY TRIBUNALE TRIBUNAL	JUVENILE TRIBUNAL	NICASTRO	VERO VALENTIA	COSENZA CASTROVILL-ROSSANO LARI	REGGIO PALMI	LOCRI
2 cases 4 def.	1 case 1 def.	2 cases 3 def.	1 case 3 def.	2 cases 3 def.	1 case 1 def.	2 cases 2 def?
2 cases 2 def.	2 cases 3 def.	2 cases 3 def.	5 cases 10 def.	1 case 1 def.	2 cases 5 def.	1 case 27 def.
1 case 1 def.	1 case 1 def.	5 cases 10 def.	1 case 1 def.	9 cases 10 def.	3 cases 3 def.	1 case 1 def.
16 cases 18 def.	1 case 1 def.	3 cases 5 def.	2 cases 3 def.	1 case 1 def.	1 case 1 def.	1 case 1 def.
2 cases 2 def.			1 case 1 def.			

Exhibit 2.

MAY 44
=====

DISPOSED OF CASES:

42 cases - 72 def.

B. ALLIED INTEREST CASES TRIED DURING MAY BY ITALIAN COURTS REGIONCATANZARO JUVENILE NICASTRO VIBO COSENZA CASTRO- ROSSANO REGGIO
TRIBUNAL VALENTIA VILLARI

Forging and altering Allied 1 case
currency, passing and poses- 1 def.
sing same.

Theft and wrongful possession
of Allied benzine

1 case 1 case
2 def. 3 def.

Theft and wrongful possession
of Allied clothing, blankets,
equipment

3 cases 1 case
10 def. 2 def. 1 case
1 def.

Theft and wrongful possession
of Allied flour and food

3 cases
5 def.

5 cases
23 def.

Unlawful possession of Allied 11 cases
cigarettes and tobacco 19 def. 1 case
1 def.

1 case 9 cases
1 def. 9 cases

Miscellaneous

1 case
1 def.

a. ALLIED INTEREST CASES TRIED DURING MAY BY ITALIAN COURTS REGION VII

CAZARO	JUVENILE TRIBUNAL	NICASTRO	VIBO VALENTIA	COSENZA	CASTRO- VILLARI	ROSSANO	REGGIO	LOCRI	PALMI	b.MILIT. TRIBUNAL
1 case 1 def.				1 case 2 def.	1 case 3 def.					
				3 cases 10 def.	1 case 2 def.		1 case 1 def.		2 cases 3 def.	
	3 cases 5 def.						5 cases 23 def.			
1 case 1 def.					1 case 1 def.		9 cases 9 cases	1 case 1 def.		
				1 case 1 def.					1 case 1 def.	

Exhibit 3.

APRIL 44

DISPOSED OF CASES :

(25 cases - 32 def.)

a. ALLIED INTEREST CASES TRIED DURING APRIL BY ITALIAN COURTS REGION VII

CATANZARO JUVENILE TRIBUNALE	NICASTRO	VIBO VALENTIA	COSENZA	CASTRO- VILLARI	ROSSANO	REGGIO	LOCRI
Forging and altering Allied currency, passing and posses- sing same.							
Theft and wrongful possession of Allied benzine			2 cases 3 def.				
Theft and wrongful possession of Allied clothing, blankets, equipment			1 case 2 def.				
Theft and wrongful possession of Allied flour and food		1 case 1 def.				1 case 1 def.	
Unlawful possession of Allied cigs, pipes and tobacco						12 cases 12 def.	2 cases 2 def.
Miscellaneous	1 case 3 def.		1 case 2 def.				

a. ALLIED INTEREST CASES TRIED DURING APRIL BY ITALIAN COURTS REGION VII

CATANZARO JUVENILE TRIBUNALE	NICASTRO	VIBO VALENTIA	COSENZA	CASTRO- VILLARI	ROSSANO	REGGIO	LOCRI	PALMI	b.MILIT. TRIBUNALE
			2 cases 3 def.						
			1 case 2 def.						1 case 3 def.
	1 case 1 def.					1 case 1 def.			1 case 1 def.
						12 cases 12 def.	2 cases 2 def.	2 cases 2 def.	
1 case 3 def.			1 case 2 def.						

Exhibit A.

Register No. _____ Ref: VII/L/711 _____
(Name of Italian Court trying case)

21

_____ of _____ at _____
(name of accused) (age) (residence) (place offence occurred)
on the _____ day of _____ 1944; DID _____
(state what accused did)

and is now charged under _____ ; accused was arrested on the _____ day
(section of Italian Penal Code)
of _____ 1944 by _____ ; accused is ☐ ; is not ☐ ;
(name, rank, and station of arresting officer)
now in jail at _____ since the _____ day of _____ 1944; Police report No. _____
(name of prison)
_____ was received _____ day of _____ 1944 from _____
(name, rank, and station of reporting officer)

witnesses (who saw or heard) are: _____
(officer)
physical evidence: _____
(state in whose custody)

(over)

785016

Police investigation completed _____ (date) _____; Procura del Re preparation completed _____ (date) _____; Istuttore or Pretore preparation completed _____ (date) _____; case sent to the Court for trial on _____ (date) _____; case set for trial _____ (date) _____; actual trial was on the _____ day of _____ 1944.

Sentences were:

Disposal of property:

Appeals:

Remarks:

Exhibit B.

(Magistrato competente)

(Nome dell'imputato)

(età)

da

(residenza)

in

(Luogo del reato)

di

del mese

1944. Imputazione

(relazione del reato)

Accusa

(Articoli di legge)

; arrestato addì

del mese di

1944

d

(indicazione di chi ha eseguito l'arresto)

; liberi

(nomi degli imputati liberi)

detenuti

(nomi degli imputati detenuti)

; nelle carceri di

; dal

mese di

1944. Rapporto No.

; redatto

1944

(data)

dal

; testimoni

(Nome del Verbodizzante)

Corpo del reato

(luogo dove è custodito)

(/oltare)

Co ia del processo verbale insieme alla scheda riempita e mandata all'ufficio Legale Catanzaro
addi _____ del mese di _____ 1944

Notizie e schiarimenti sulle particolari del caso _____

Exhibit C.

Form No. 11

ALLIED CONTROL COMMISSION COMMISSIONE ALLEATA DI CONTROLLO

Form to be completed on arrest of a prisoner who is to be brought before a Court for trial

Modulo che deve essere riempito all'atto dell'arresto di un prigioniero che deve essere
tradotto dinanzi ad un

IF, ON ARREST, the prisoner is taken before a military, naval or air force officer or N. C. O., this form must be completed by the person making the arrest and countersigned by the officer or N. C. O. On completion it will be handed over together with the prisoner to the Carabinieri or other person detaining the prisoner until he is brought to trial.

IF, ON ARREST, the prisoner is taken direct to the Carabinieri barracks, this form must be completed at the Carabinieri barracks by the person making the arrest and left with the Carabinieri.

SE, ALL'ATTO DELL'ARRESTO, il detenuto è condotto dinanzi ad un Ufficiale o N. C. O. dello Esercito, della Marina, o dell'Aviazione, il presente modulo deve essere riempito dalla persona che opera l'arresto e controfirmato dall'Ufficiale o dal N. C. O. Quando è stato completato dovrà essere consegnato insieme al detenuto ai Carabinieri o ad altra persona che abbia custodia del detenuto finché egli non venga tradotto in giudizio.

SE, ALL'ATTO DELL'ARRESTO, il detenuto è condotto direttamente alla Caserma dei Carabinieri, questo modulo deve essere riempito nella caserma stessa dalla persona che ha operato lo arresto, e lasciato ai Carabinieri.

Name of Person Arrested:
Nome della persona arrestata:

Address of Person Arrested:
Indirizzo della persona arrestata:

Name, Rank, Number and unit or organization of Person making arrest:

Nome, grado, numero e unità o organizzazione della persona che opera l'arresto:

CHARGE:

(Such as (a) interfering with communications by cutting wire, (b) being in unlawful possession of firearms, (c) acquiring by gift or purchase any military, equipment or war material belonging to the Allied Forces).

ACCUSA:

(Come, per esempio, (a) interrompere le comunicazioni tagliando un filo, (b) era in possesso di armi da fuoco, (c) ottenere per regalo o acquisto qualsiasi materiale militare, equipaggiamento o materiale di guerra appartenente alle Forze Alleate).

Form to be completed on arrest of a prisoner who is to be brought before a Court-Martial

Modulo che deve essere riempito all'atto dell'arresto di un prigioniero che deve essere

tradotto dinanzi ad un

IF, ON ARREST, the prisoner is taken before a military, naval or air force officer or N. C. O.; this form must be completed by the person making the arrest and countersigned by the officer or N. C. O. On completion it will be handed over together with the prisoner to the Carabinieri or other person detaining the prisoner until he is brought to trial.

IF, ON ARREST, the prisoner is taken direct to the Carabinieri barracks, this form must be completed at the Carabinieri barracks by the person making the arrest and left with the Carabinieri.

SE, ALL'ATTO DELL'ARRESTO, il detenuto è condotto dinanzi ad un Ufficiale o N. C. O. dello Esercito, della Marina, o dell'Aviazione, il presente modulo deve essere riempito dalla persona che opera l'arresto e controfirmato dall'Ufficiale o dal N. C. O. Quando è stato compilato dovrà essere consegnato insieme al detenuto ai Carabinieri o ad altra persona che abbia custodia del detenuto finchè egli non venga tradotto in giudizio.

SE, ALL'ATTO DELL'ARRESTO, il detenuto è condotto direttamente alla Caserma dei Carabinieri, questo modulo deve essere riempito nella caserma stessa dalla persona che ha operato lo arresto, e lasciato ai Carabinieri.

Name of Person Arrested:

Nome della pers. in arresto:

Address of Person Arrested:

Indirizzo della persona arrestata:

Name, Rank, Number and unit or organization of Person making arrest:

Nome, grado, numero e unità o organizzazione della persona che opera l'arresto:

CHARGE:

(Such as (a) interfering with communications by cutting wire, (b) being in unlawful possession of firearms, (c) acquiring by gift or purchase any military, equipment or war material belonging to the Allied Forces).

ACCUSA:

(Come per esempio (a) interrompere le comunicazioni tagliando un filo, (b) esser in illecito possesso di armi da fuoco, (c) ottenere in dono o per acquisto un capo di vestiario militare o un oggetto di materiale bellico appartenente alle Forze Alleate).

SKETCH: (if necessary for clearer understanding of case).
 DISEGNO: (quando sarà necessario per la migliore esposizione del caso).

Names of witnesses, giving rank and number if service personnel and address if civilians:
 Nome dei testimoni, indicando il grado e il numero se persone di servizio, l'indirizzo se civili:

1. Signature of Person making arrest:
1. Firma della persona che opera l'arresto:
2. Countersignature of officer or N. C. O. (if any):
2. Controfirma dell'Ufficiale o N. C. O. (se occorre):
3. Signature of Carabinieri officer if accused is handed over direct to Carabinieri:
3. Firma dell'Ufficiale dei Carabinieri se l'accusato è consegnato direttamente ad essi:

UNIT
 UNITÀ

STATION
 STAZIONE

*Names of witnesses, giving rank and number if service personnel and address if civilians;
Nome dei testimoni, indicando il grado e il numero se persone di servizio, l'indirizzo se civili:*

1. Signature of Person making arrest:
1. Firma della persona che opera l'arresto:

2. Countersignature of officer or N. C. O. (if any):
2. Controfirma dell'Ufficiale o N. C. O. (se occorre):

3. Signature of Carabinieri officer if accused is handed over direct to Carabinieri:
3. Firma dell'Ufficiale dei Carabinieri se l'accusato è consegnato direttamente ad essi:

.....
UNIT
UNITA

.....
STATION
STAZIONE

STATEMENT OF FACTS:

(Describe simply in the first person, that is, using the form of words "I saw..." or "I heard..." the facts which caused you to make this arrest. Example: "At 1400 hours on 21st May 1943 I was on patrol duty at X when I saw the accused crouching behind a hedge cutting a piece of wire. As soon as he saw me he ran away. I chased and captured him then took him back to the spot where I had seen him crouching. There I found that a length of wire, about 30 feet, had been cut and was lying on the ground. The wire was British wire.")

DESCRIZIONE DEL REATO:

(Si espongono brevemente in prima persona, usando le parole "Io ho visto..." o "Io ho udito..." oppure "Non abbiamo visto..." o "Non abbiamo udito..." quale è il motivo che ha spinto ad operare l'arresto. Esempio: "Alle ore 14 del 21 Maggio 1943 mentre ero di servizio ho visto l'accusato accovacciato dietro una siepe e intento a tagliare un tratto di filo. Appena egli mi vide si diresse alla fuga. Io lo inseguii, lo catturai e lo ricondussi sul luogo dove lo avevo visto accovacciato. Cola ho trovato un tratto di filo, della lunghezza di circa 30 piedi, ora stato tagliato e giaceva in terra. Il filo era di fattura inglese").

AT hours on (day) (Month) (Year)
 ALLE ORE del giorno del mese dell'anno

I / We,
 lo / Noi

ترتیباً

REPORT SUBMITTED TO RLO BY QUESTORIUM ON REGGIO CALABRIA.

REGGIO CALABRIA 24 May 44

Exhibit 4

Yesterday morning was the end of the hearing of witnesses in the flour case against OCCHIUTO Umberto, Previti Rosario and others. Immediately after the Pubblico Ministero Cav. Periconi made the "requisitoria" that lasted until late afternoon. He began by saying that he would have preferred to have the case tried in another place and that his job was a hard one due to the fact that Occhiuto, in his quality of Vice Pretore Onorario has for so many years cooperated with all the Judicial Officials of Reggio. He expressed his fear that the case would not be finished in the Tribunale but would go on to the Court of Appeal and probably to the Court of Cassazione and therefore he advised the Court to give a fair and just sentence. After that he gave the picture of the case, and the responsibility of each of the accused. About the case Occhiuto - Previti, the most important of all, he did not say much and only vaguely mentioned the meeting the 2 had had on the day previous to the arrest and on which Occhiuto said he could furnish some flour. In the same way he mentioned the meeting the 2 had on the 2 February during which, if Occhiuto promised to replace the 10 q. of flour as was the wish of Previti, he did it only on the insistence of the latter who, in his turn, was urged by the false traders. About the request of 4000 L. the q., he only said that the price had not been specified by Occhiuto, although it was obvious that it would be high. He spoke at length about the doubtful question of the return "resa" and finished by saying that every return was to be sent to the Offices of Alimentation. He then explained that he considered the offence of Occhiuto punishable under art. 3 (law 22 Apr. 43) which contemplates the offence of subtracting the bound goods to the use established by law, or under art. 1 of the same law contemplating the omitted denunciation of the goods, and which both have the same penalty, that is from 3 months to 3 years and the fine.

During the afternoon, the Pubblico Ministero opposed the personality of Occhiuto against that of "Previti, showing the greater responsibility of Previti and the good reputation of Occhiuto throughout his position as Vice Pretore Onorario. He insisted on this point and advised the Tribunale to take into consideration the art. 133 C.P. by which the good precedents of an individual must be considered in applying the sentence. He finished his speech by asking for 10 months prison, 20,000 Lire fine for Occhiuto, 5 years, 8 months prison and 25,000 Lire fine for Previti and for the others sentences that vary from 4 months to 4 years and the fine.

The request of the Pubblico Ministero did not satisfy the numerous people present at the trial as all the population retains Occhiuto the main responsible and therefore a more heavy sentence.

There were many comments and disapproval among the crowd.

However the people trust the final decision of the Tribunale.

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able and therefore a more heavy sentence. There were many comments and disapproval among the crowd.

There were many convictions. However the people trust the final decision of the Tribunale.

(translated from Italian in Regional Legal Office Catanzaro by K.Z. on 25 May 44

REPORT ON GIUSEPPE PERRICONE SUBMITTED TO RLO BY QUESTORE OF REGGIO.
on 24 May 44.

Exhibit 5

Dr. Giuseppe Perricone, Substitute Procurator del Re, was written in the Fascist party since 1924, and although without any important political charge, has always made propaganda for the Fascism, especially among the Court Officials who consider him still of fascist feelings.

He has many friends among the ex-leaders, especially through gambling, as he goes often into their houses to play cards; and often his personal friendships prevent him from handling his duties as a Judge, with the Justice expected from his position.

He is also a good friend of Occhiuto since many years, and the 2 went often to play cards in the house of Paolo and Francesco Montesano, well known fascists; in fact, in the occasion of the arrest of the brothers Montesano by the Allied Authorities, ^{Perricone} ~~Previtera~~ tried to help them.

Occhiuto also goes often, always with the excuse of playing cards, to the bar ex "3 October" where the fascist elements come together? With those he still maintains friendly relations, a fact that authorizes to think that he still is faithful to the passed fascist regime.

(Translated from the Italian in Regional Legal Office Catanzaro by M.Z. on 25 1

Exhibit 6.

FROM THE SUBSEQUENT PROSECUTOR MODEL RE PERICOM.

TO APPOINT LITIS = LEGAL OFFICIAL CATANZARO.

REGIO CALABRIA

I send you the requested report.

Previti, Occhiuto, Paviglianiti and Lopez were charged under art. 8 R.D.L. 22/4/43 No. 245 and art. 18 of the same law. These are the facts: Lopez and Previti heard of 2 trademen (Lanzelago and Rizzo who spread the voice they were willing to pay flour at a high price - 800 L. the q. and for that purpose had relations with a great quantity of people) who wanted to buy flour at a very high price, and to that effect tried to find the possibility to get hold of a great quantity of it. All Previti did was to go to Occhiuto who, in his quality of merchant and baker, was able to give him the part of flour called "resa". The "resa" is the part of flour that remains after the grinding of the flour and should be given to the Ufficio Alimentazione, a very small amount but considering the total amount of grain - 6000 q. - would give about 10 q.

Occhiuto yielded to the pressure of Previti and agreed to give him the 10 q. which he, temporarily, would subtract from the amount given to him for the making of grain bread. From the statement of Previti (statement which was not confirmed by Occhiuto) it appears that Occhiuto, on 1 February, had promised him 10 q. of flour, and, as to the price, always according to Previti's statement which is the only element, nothing has been said, but it was understood that it would be high. Rizzo and Lanzara, having heard that the flour could be obtained and even 22 q. more, induced Previti to go to Occhiuto on the 2 Feb. 44 and ask for the 10 q. of flour. However Occhiuto, knowing that he was watched by the P.S. who had made a search in his house with no result some time before, resisted to the pressure of Previti although the latter insisted there was no danger and the truck was in the vicinity of his mill, ready to start with the flour. Urged again by Rizzo and Lanzara, Previti went again to Occhiuto who, finally said to Previti with reference only to the promised 10 q.: "give it from the quantity you have, I will return it to you."

It so happened that the truck was loaded with the 10 q. of flour and as Previti together with others went to the Banca Nazionale del Lavoro, they were arrested. The offence is not the one contemplated by art. 8 (subtraction of goods from normal use) in which possession on one comes violating the laws of rationing. In this particular case Previti and Occhiuto were in possession of the flour in a legal way as it had been assigned to them from the competent authorities, and they only illegally changed the destination. This offence is contemplated by art. 3, R.D.L. 22/4/43 No. 245 which with a sentence that varies from 3 months to 3 years and a fine from 50 to 20,000 Lire. It is also to be taken into consideration that the flour which remains from the "resa" is normally distributed by the mill owner to his clients, although it should be sent to the Ufficio Alimentazione. On the other hand the other accused had to answer for the offence of selling the flour for a higher price; taking into consideration the circumstances contemplated by art. 133 C.P., the request was of a sentence of 10 months prison and 20,000 Lire fine. The Codice considers that the precedent of the accused have to be kept in mind in the application of the sentence, and therefore Occhiuto, who has been a lawyer for 20 years and was Vice Pretore Onorario for about 15, was sentenced justly, as for him 10 months prison would mean more than for a common criminal, as the sentence involves the loss of esteem from the people and a heavy moral punishment and it should also be remembered that he suffers from angina pectoris.

It had to answer for much heavier offences, as a search from

quality of merchant and baker, was able to give him the part of flour called "resa". The "resa" is the part of flour that remains after the grinding of the flour and should be given to the Ufficio Alimentazione, a very small amount but considering the total amount of grain - 6000 q. - would give about 10 q.

Occhiuto yielded to the pressure of Previti and agreed to give him the 10 q. which he, temporarily, would subtract from the amount given to him for the making of ~~XXXX~~ bread. From the statement of Previti (statement which was not confirmed by Occhiuto) it appears that Occhiuto, on 1 February, had promised him 10 q. of flour, and, as to the price, always according to Previti's statement which is the only element, nothing has been said, but it was understood that it would be high. Rizzo and Lanzara, having heard that the flour could be obtained and even 22 q. more, induced Previti to go to Occhiuto on the 2 Feb. 44 and ask for the 10 q. of flour. However Occhiuto, knowing that he was watched by the P.S. who had made a search in his house with no result some time before, resisted to the pressure of Previti although the latter insisted there was no danger and the truck was in the vicinity of his mill, ready to start with the flour. Urged again by Rizzo and Lanzara, Previti went again to Occhiuto, who, finally said to Previti with reference only to the promised 10 q.: "give it from the quantity you have, I will return it to you."

It so happened that the truck was loaded with the 10 q. of flour and as Previti together with others went to the Banca Nazionale del Lavoro, they were arrested. The offence is not the one contemplated by art. 8 (subtraction of goods from normal use) in which possession one comes violating the laws of rationing.) In this particular case Previti and Occhiuto were in possession of the flour in a legal way as it had been assigned to them from the competent authorities, and they only illegally changed the destination. This offence is contemplated by art. 3, R.D.L. 22/4/43 No. 245 which with a sentence that varies from 3 months to 3 years and a fine from 50 to 20,000 Lire. It is also to be taken into consideration that the flour which remains from the "resa" is normally distributed by the mill owner to his clients, although it should be sent to the Ufficio Alimentazione. On the other hand the other accused had to answer for the offence of selling the flour for a higher price; taking into consideration the circumstances contemplated by art. 123 C.P., the request was of a sentence of 10 months prison and 20,000 Lire fine. The Codice considers that the precedent of the accused have to be kept in mind in the application of the sentence, and therefore Occhiuto, who has been a lawyer for 20 years and was Vice Pretore Onorario for about 15, was sentenced justly, as for him 10 months prison would mean more than for a common criminal, as the sentence involves the loss of esteem from the people and a heavy moral punishment and it should also be remembered that he suffers from angina pectoris.

Previti and Scarcella had to answer for much heavier offences, as a search from the Questura brought to light that Scarcella furnished Previti thousands of tickets by which he was able to get hold of a great quantity of flour, which partly he kept for himself and partly was sold by Scarcella for enormous prices the profit of which they divided; the date of that offence did not appear at the trial, but the undersigned, in another charge against Scarcella and others was able to establish that it happened during the Occupation, between October and November. For these reasons the request of the Pubblico Ministero was for Previti and Scarcella for a sentence of 4 years, 6 months prison and the fine.

(Synopsis of explanation of conduct sent to RLO by Substitute Procuratore del Re of Reggio Dr. Perricone dated 25 May 44, translated by M.Z. in Reg. Leg. Office R.VII)

Exhibit 7.
(sheet 1)

HEADQUARTERS REGION VII

ALLIED CONTROL COMMISSION

File Ref: VII/L/718

Date: 25 May 44

SUBJECT: Fascist agitators arrested by CC.RR. of Catanzaro and Cosenza Province Region VII during April and May 44.
TO: Regional Commissioner Region VII Catanzaro.

1. 84 persons, 69 from Catanzaro Province and 15 from Cosenza Province have been arrested by the CC.RR. during April and May 44 for conspiracy to reorganize the fascist party, disseminate fascist propaganda, undermine the success of the Allied Military Forces, aid the enemy in case of Allied retreat with assault and the use of weapons and explosives. Case of arrested defendants is now in the hands of the "Tribunale Militare Territoriale di Guerra presso il XXI^o Corpo d'Armata" located in Catanzaro, with the exception of the CC.RR. report from Grotone (8 defendants) which has not yet been received. The Military Tribunale is now assembling information and has informed this RIO that it is their present intention to prosecute all defendants under the following charges:
- 1st: that all defendants while in Catanzaro and Cosenza Provinces between the dates of 20 Oct. 43 and April - May 44, did unlawfully conspire (conspire) in the continuing crime of anti-national propaganda (art. 81, 110, 272 C.P.) in that mutual agreements with executive acts of the same criminal intent were executing propaganda for the restoration with violence of the fascist dictatorship in liberated Italy.
 - 2nd: Concurrence in the detention of explosive materials (art. 110; 435 C.P.) in that in the circumstances of time and place of A) above, in mutual agreement were collecting and detaining explosive material to the end of disturbing public safety.
 - 3rd: Concurrence in the continued crime of intimidation with the use of explosive material (art. 81, 110, 420 C.P.) in that ~~the use of~~ ~~explosive material~~ in the circumstances of time and place of A) above, in mutual agreement and with executive acts of the same criminal intent to the sole end of exciting tumult and public disorder were causing bombs and other explosive material to explode.
 - 4th: Concurrence (art. 110 C.P.) in the crime of which in art. 93 C.P.M. of war in relation to the Order No. 2 of the "Comando di Corpo d'Armata", in date 25 Feb. 44 in that within 10 days of the above date in mutual agreement were not observing the injunctions of the above Order omitting to bring to the nearest CC.RR. station the explosive material referred to in B) above

1. 84 persons, 69 from Catanzaro Province and 15 from Cosenza Province have been arrested by the CC.RR. during April and May 44 for conspiracy to reorganize the fascist party, disseminate fascist propaganda, undermine the successes of the Allied Military Forces, aid the enemy in case of Allied retreat with assault and the use of weapons and explosives. Case of arrested defendants is now in the hands of the "Tribunale Militare Territoriale di Guerra presso il XXII^o Corpo d'Armata" located in Catanzaro, with the exception of the CC.RR. report from Crotone (8 defendants) which has not yet been received. The Military Tribunal is now assembling information and has informed this RIO that it is their present intention to prosecute all defendants under the following charges:
 - 1st: that all defendants while in Catanzaro and Cosenza Provinces between the dates of 28 Oct. 43 and April - May 44, did unlawfully conspire (conspire) in the continuing crime of anti-fascist propaganda (art. 81, 110, 272 C.P.) in that mutual agreements with explosive acts of the same criminal intent were exercising propaganda for the restoration with violence of the fascist dictatorship in liberated Italy.
 - 2nd: Concurrence in the detention of explosive material (art. 110; 435 C.P.) in that in the circumstances of time and place of A) above, in mutual agreement were collecting and detaining explosive material to the end of disturbing public safety.
 - 3rd: Concurrence in the continued crime of intimidation with the use of explosive material (art. 81, 110, 420 C.P.) in that ~~examined~~ in the circumstances of time and place of A) above, in mutual agreement and with executive of acts of the same criminal intent to the sole end of exciting tumult and public disorder were causing bombs and other explosive material to explode.
 - 4th: Concurrence (art. 110 C.P.) in the crime of which in art. 93 C.P.M. of war in relation to the Order No. 2 of the "Comando di Corpo d'Armata", in date 25 Feb. 44 in that within 10 days of the above date in mutual agreement were not observing the injunctions of the above Order omitting to bring to the nearest CC.RR. station the explosive material referred to in B) above which they detained.
 - 5th: Association for delinquency (art. 416 C.P.) first par., in that in the circumstances of the time and place referred to in A) above, they were associating together with the purpose of committing crimes above referred to.

(24 of the 29 persons arrested in Nicastro (Catanzaro Province) are under 25 years of age; 10 of the 15 persons arrested in Crotone are over 25 years of age; all 16 of the persons arrested in Catanzaro are over 20 years of age).
2. Partial reports of investigations by the CC.RR. have been sent to this RIO by the Military Tribunal; such partial reports

Exhibit 7
(Sheet 2)

have been translated and attached hereto, other reports will be analysed, translated, abstracted and forwarded as soon as they are received from the Military Tribunale. Col. Trotta who is in direct charge of the preparation of this case for trial, has assured this RLO that the case will not be set down for trial until all reports and investigations are complete and have been transmitted to this RLO for translation and analysis; Col. Trotta has further stated to this RLO that no affirmative action will be taken in this case (except further investigation) without first notifying this RLO of such intended action.

3. Attention is invited to par. 3 (war crimes) executive Memo No. 7 page 14 of "Instructions for the guidance of the Officers of the Commission" 1 March 44; and of par. 7 (war crimes) ltr ACC Legal Subcommission dated 1 May 44, ref. ACC/4135/I to Regional Commission.

From the information so far received by RLO it does not yet appear that the offences complained of constitute war crimes of the type mentioned in AF HQ Circular dated 27 Nov. 43.

DONALD C. LITTLE
CAPTAIN CMP AUS
RLO REGION VII

Note: On 30 May 44 Col. Trotta, Procuratore Militare, informed RLO that all reports, statements, papers and all arrested defendants have been sent under guard to Naples for further investigation and trial at that destination.

25 May 44
Exhibit 7
(Sheet 3)

Subject: Synopsis of CC.RR. arrest report of fascist agitators received from Italian Military Tribunale on 25 May 44.

To: EC Region VII/

From: RLO (translated from the Italian by M.Z.)

Group of Cosenza (15 persons arrested)

1. The Lt. Bruni Vittorio of the 16th Inf. of Cosenza on 24 April 44 wanted to carry to his house 4 metal boxes containing each ammunitions for German machine guns which he said he wanted to use for hunting; he meets Pastore Teodoro and asks him to keep the boxes in his house; Pastore who has to go to Catanzaro asks Micicché Beniamino to carry them and bring them to the house of Perfetti Emilio, the latter is not at home and the mother takes charge of the boxes; she states Micicché was together with a friend Giardino Ferdinando. In the house of Giardino there has been found an automatic gun; in the house of Perfetti 20 hand bombs, 5 guns, 1 pistol and 4 boxes. Perfetti says that the weapons were given him by Pastore, suspected leader of a fascist organization and collector of fire arms for the purpose of using them.

For these reasons we proceeded to arrest some squadristi and ex-fascists who were supposed to have made propaganda: Noce Gaetano, Scuola Arturo, Codeville Vero, Carmagnola Vincenzo, Passarelli Francesco, Morrone Pietro, Carratelli Orazio, Mezzotta Orlando, Maeri Rosario, Giardino Ferdinando. (Their houses were searched but with no result).

It seems that the above frequently met in the house of Scuola Arturo and of the lawyer Luigi Filosa, the latter now unfindable.

The arrested Mezzotta and Noce sang fascist songs while in jail.

Group of Nicastro (29 persons arrested)

The reasons of their arrest are: the following facts:

1° On the night from 27 to 28 Oct. 43, anniversary of the "Marcia su Roma", some papers were thrown in the streets with words exalting the fascist regime and Mussolini. The arrested were released by the Juvenile Tribunale of Catanzaro. Among them there were: Fiore Maserinia Napoleone, Renda, Vasta, Sicilia, Musumeci, Caruso.

2° On 28 Nov. 43 at Nicastro 2 bombs were thrown at the entrance of 2 antifascist newspapers printers which did little damage only to the building. (Authors the same as in first fact).

3° On 1 Dec. 43 at Nicastro a hand bomb was thrown in the house of Nicotera Pasquale (antifascist). (Authors the same as in No. 2)

4° On 18 Nov. 43 a bomb was thrown against the Caserma C3.RR. of Sambiasi (Del Re Giuseppe condemned by AMG Court to 5 yrs. prison).

5° On 1 Jan. 44 a bomb was thrown at the Municipio of Sambiasi which caused little damage. (The responsables at first unknown then identified as Lento Domenico, Capparello Basilio, Ferri Francesco, Caporale Raffaele).

Group of Cosenza (15 persons arrested)

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It seems that the above frequently met in the house of Scuola Arturo and of the lawyer Luigi Filosa, the latter now unfindable.

The arrested Mazzotta and Noce sang fascist songs while in jail.

12.

Group of Nicastro (22 persons arrested)

The reasons of their arrest are: the following facts:

- 1° On the night from 27 to 28 Oct. 43, anniversary of the "Marcia su Roma", some papers were thrown in the streets with words exalting the fascist regime and Mussolini. The arrested were released by the Juvenile Tribunale of Catanzaro. Among them there were: Fiore Malescrinia Napoleone, Renda, Vasta, Sicilia, Musumeci, Caruso.
- 2° On 28 Nov. 43 at Nicastro 2 bombs were thrown at the entrance of 2 antifascist newspapers printers which did little damage only to the building. (Authors the same as in first fact).
- 3° On 1 Dec. 43 at Nicastro a hand bomb was thrown in the house of Nicotera Pasquale (antifascist). (Authors the same as in No. 2)
- 4° On 18 Nov. 43 a bomb was thrown against the Caserma CC. RR. of Sambiasi (Del Re Giuseppe condemned by AMG Court to 5 yrs. prison).
- 5° On 1 Jan. 44 a bomb was thrown at the Municipio of Sambiasi which caused little damage. (The responsables at first unknown then identified as Lento Domenico, Capparello Basilio, Ferri Francesco, Caporale Raffaele).
- 6° On 4 Dec. 43 a bomb was thrown at the Caserma CC. RR. of Nicastro (authors the same as in No. 1).
- 7° On 30 Jan. 44 a hand bomb was thrown at the house of the barber Monterello in Sambiasi. (Authors unknown).

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(sheet 4)

- 8° On 7 Feb. 44 the pictures of the King were destroyed in the school of Nicastro. (Raso Francesco, Serridone Vincenzo, Begnato Domenico).
 - 9° On 12 Feb. 44 a bomb was thrown at the Communist section at Nicastro and some minutes after a second was thrown against the house of a well known fascist Ugo Notaro; in the vicinity some papers were thrown with the words "enough with the parties, we want bread, Viva the Allied". (Authors unknown).
 - 10° On 13 Feb. 44 a bomb was thrown at the Communist section at Nicastro which produced great damage and much panic. (Authors unknown).
 - 11° On 23 Feb. 44 a bomb was thrown at the school of Nicastro; some broken glass. (Authors unknown).
 - 12° From 5 to 6 March 44 ~~an~~ fire was set to the school of Nicastro; one room was damaged. (Authors unknown).
 - 13° On 15 March 44 a hand bomb was thrown at the house of the shop keeper Cartaudo at Sambiasi. (Authors unknown).
 - 14° On 10 March 44 a hand bomb was thrown at the house of the Preside of the Liceo (school) of Nicastro. (Authors unknown).
 - 15° On 23 March 44 day of foundation of the "Fasci di Combattimento" students put flowers on the graves of German soldiers in the cemetery of Nicastro. (Servidone, Innocente, Malerba, Diano, Scalzo, -now in the reeducational house of Catanzaro).
 - 16° On 24 March 44 some Allied Orders which were on the walls of Nicastro were destroyed. (Authors unknown).
 - 17° On 30 March 44 a hand bomb was thrown at the jail of Nicastro. **23**
(Authors unknown).
 - 18° In the night from 19 to 20 April 44, 3 boxes of dynamite were put by the house of Ing. Nicotera at Nicastro but it did not explode.
 - 19° On 22 April 44 a hand bomb was thrown at the house of Zaffira Salvatore in Sambiasi; the CC.RR. arrested 2 boys who threw a second bomb which did not explode. (Sergi Giovanni, De Jesi Benito).
- After this the CC.RR. made a search in the house of Bisurgi Carmela and found a great quantity of hand bombs and ammunitions brought by Sergi Giovanni, Cuffireggi Giulio, Stella Pietro, Caporale Raffaele.
- Group of Catanzaro (16 persons arrested - see attached report next page)
Individual statements from arrested defendants are now in hands of Italian Military Tribunal.

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10° On 18 Feb. 44 a bomb was thrown at the Communist section at Nicastro which produced great damage and much panic. (Authors unknown).

11° On 23 Feb. 44 a bomb was thrown at the school of Nicastro; some broken glass. (Authors unknown).

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14° On 10 March 44 a hand bomb was thrown at the house of the Preside of the Liceo (school) of Nicastro. (Authors unknown).

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Group of Catanzaro (16 persons arrested - see attached report next page)
Individual statements from arrested defendants are now in hands of Italian Military Tribunal.

Exh. 7
(sheet 5)
Legion Territoriale dei Carabinieri di Reggio Catanzaro

Compagnia di Catanzaro

No. 33/2 prot. Div. Riserv. Pers. Catanzaro the 14 May 1944.

Subject: Denunciation of the persons responsible of reorganization of the ex-fascist party, with the plain desire to undermine the success of the Allied Military Forces and to help the Germans in case of an Allied retreat, with assault and use of explosive.

6

1. CAPOCASALE Pietro of Giuseppe and Daniele Anna, born on 20/6/1915 in Petronà living there, Geometra.
2. COLOSIMO Antonio of Stefano and Maueri Filomena, born in Naples on 7/6/1925 living in Catanzaro, via Milano 26, student, bachelor.
3. CALLERANO Gaetano of Ernesto and Proto Chiara, born on 9/6/1924 in Catanzaro and living there, via Tripoli 44, student.
4. SESTINO Aldo of Rgidio and Garcea Laura, born on 2/8/1923 in Catanzaro and living there, via Dietro Monte 16, student.
5. FATICA Francesco of Gaetano and Tefi Maria, born on 20/4/1925 in Naples, living in Catanzaro Sala, student.
6. ANSANI Simone of Simone and Marone Maria, born on 11/3/1902 in Catanzaro and living Sella Marina (Feudo di Seta).
7. GIMIGLIANO Mino of Quintino and Beatrice Pellegrini, born on 3/3/1923 in Catanzaro, living there in via Nazionale per Tiriolo 45, student.
8. PAPARO Aldo of Cosimo and Spadea Maria Antonietta, born on 29/1/1923 in Gasperia, living in Catanzaro via Nazionale per Tiriolo 12, student.
9. CHIEFARI Antonio of Domenico and Chiefari Maria, born on 4/3/1926 in Soverato and living there in via Corso Roma 42 student in Catanzaro, largo Pianicello 6 by Reg. Braccio.
10. BERNARDI Antonio of Vincenzo and Ptronio Francesco, born on 29/9/1923 in Sambiasi and living in Catanzaro via Torretta 36, student.
11. TROVATO Salvatore of Giovanni and Castaldo Carmela, born in Vibo Valentia on 10/3/1925 living in Catanzaro Corso Vittorio Emanuele 26, student.
12. PROVINO Mauro of Vincenzo and Astorino Maria Antonia; born on 9/3/1923 in Catanzaro, living there in via Francesco Crispi 3, regioniere.
13. CRECO Domenico of Arnaldo and Campagna Caterina; born on 1/3/1923 in Rocca di Neto, living in Catanzaro in via Vittorio Veneto 1, Geometra.
14. SCHIFINO Gioacchino of Francesco and Frato Elena, born on 21/6/1924 in Casole Bruzio, living in Catanzaro via Corso Piave 4, student.
15. GUARNIERI Gino of Luigi and Targuinio Anna, born on 28/4/1924 in Torino, living in Catanzaro via Francesco. Aciri 19, student.
16. DODARO Luigi of Giuseppe and Guzzo Vincenza, born on 18/3/1927 in Catanzaro and living there in via Poerio 16, student.

TO THE PROCURATORE DEL RE OF THE MILITARY TRIBUNAL OF COSENZA IN

= C A T A N Z A R O =

1. CAPOCASALE Pietro of Giuseppe and Daniele Anna, born on 20/8/1915 in Petronà living there, Geometre.
2. COLOSIMO Antonio of Stefano and Muzgeri Filomena, born in Naples on 7/6/1925 living in Catanzaro, via Milano 26, student, bachelor.
3. GALLERANO Gaetano of Ernesto and Proto Chiara, born on 2/6/1924 in Catanzaro and living there, via Tripoli 44, student.
4. SESTINO Aldo of Egidio and Garcea Laura, born on 2/8/1923 in Catanzaro and living there, via Dietro Monte 16, student.
5. PATICA Francesco of Gaetano and Tefi Maria, born on 20/4/1925 in Naples, living in Catanzaro Sala, student.
6. ANSANI Simone of Simone and Marone Maria, born on 11/3/1902 in Catanzaro and living Sellia Marina (Feudo di Sete).
7. GIMIGLIANO Nino of Quintino and Beatrice Pellegrini, born on 3/3/1923 in Catanzaro, living there in via Nazionale per Tiriolo 45, student.
8. PAPARO Aldo of Cosimo and Spadea Maria Antonietta, born on 29/1/1923 in Casperina, living in Catanzaro via Nazionale per Tiriolo 12, student.
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10. BERNARDI Antonio of Vincenzo and Ptronio Francesco, born on 29/9/1923 in Sambiese and living in Catanzaro via Torretta 36, student.
11. TROVATO Salvatore of Giovanni and Castaldo Carmela, born in Vibo Valentia on 10/3/1925 living in Catanzaro Corso Vittorio Emanuele 26, student.
12. PROVINO Mauro of Vincenzo and Astorino Maria Antonia; born on 9/3/1923 in Rocca Greco Domenico of Arnaldo and Campegna Caterina; born on 1/3/1923 in Rocca di Neto, living in Catanzaro in via Vittorio Veneto 1, Geometre.
13. SCHIRINO Gioachino of Francesco and Prato Elena, born on 21/6/1924 in Casole Bruzio, living in Catanzaro via Corso Piave 4, student.
14. GUARNIERI Gino of Luigi and Tarquinio Anna, born on 28/4/1924 in Torino, living in Catanzaro via Francesco. Acri 19, student.
15. DODARO Luigi of Giuseppe and Guzzo Vincenzo, born on 18/3/1927 in Catanzaro and living there in via Poerio 16, student.

TO THE PROCURATOR DEL RE OF THE MILITARY TRIBUNAL OF COSENZA IN
= C A T A N Z A R O =

After a very delicate investigation, the Arms of Carabinieri could establish that in the province of Catanzaro there were many people who had reorganized the ex-fascist party with the purpose to help the Germans.

The Command of the Legion gave precise instructions to all the lesser Legions to proceed to very accurate investigation to find the responsables and to prevent any trouble for the passing Allied Forces.

In consequence of these investigations, ~~it appeared~~ the Carabinieri arrested the students COLOSIMO Antonio and GALLERANO Gaetano, who, on being questioned, first declared that they ~~had~~ had nothing to do with the fascist party, but afterwards it appeared that after the armistice and the invasion by the Allies the students COLOSIMO Antonio, GALLERANO Gaetano; PAPARO Aldo, GIMIGLIANO Nino, TROVATO Roberto, PROVINO Mario, GRECO Domenico, GUARNIERI Gino, SESTINO Aldo and

Ex 7
(Sheet 6)

SCHIRINO?Gionchino held a meeting in the house of PAPARO Aldo and decided to create an organization to reestablish the Fascist party, collect money, get hold of fire arms and ammunitions to help the Germans and the Italians in unoccupied territory and to be able to throw out the Allied Forces.

At the head of this organization were PAPARO and GIMIGLIANO and the others were supposed to make the propaganda and make as many persons as possible su to this organization, whilst the money collected was given to S. STINO who was the cashier.

The tenente di fanteria CAPOCCASALE Pietro stationed in Catanzaro, when he heard of that movement, got in touch with COLOSIMO and GALLERANO with the purpose of helping the students and organize their activity. CAPOCCASALE encouraged the collection of arms and ammunitions, to be able to prevent the Allied Forces to go on. CAPOCCASALE furnished a list of the military deposits throughout the Province; he went also to Sambiasi and Picastra to establish contact between Catanzaro, Reggio and Cosenza.

Between CAPOCCASALE and COLOSIMO there went on a correspondence in conventional letters; CAPOCCASALE also told the students, that the leader of this movement was the Prince PIGNATELLI who passed the orders through his employee ANSANI Sino. The latter communicated with CAPOCCASALE by conventional letters; in fact some day in March 44, CAPOCCASALE sent COLOSIMO and GALLERANO with a special message to ANSANI; COLOSIMO and GALLERANO said that they did not understand it but ANSANI said it meant the Prince PIGNATELLI was in Naples expecting to pass the lines.

CAPOCCASALE, also arrested, confirmed the declarations made by COLOSIMO and GALLERANO, but, realizing his responsibility, says that he mentioned the name of PIGNATELLI only to seem more important in the eyes of the students; he admitted the conventional messages between himself and COLOSIMO but denies one between himself and ANSANI. The latter, also arrested, declares he is completely out of this movement, and never to have had any message from CAPOCCASALE.

Having COLOSIMO asserted that PATICA Francesco and SESTITO Aldo had bombs and ammunitions, they also have been arrested. PATICA has been found in possession of 4 hand bombs, 8 cartridges for pistol, 2 pistols and various ammunitions. SESTITO said the firearms and ammunitions he possessed were thrown by him in the little river Albi and in a cistern by his house, where in fact ammunitions were found. The sum of 1100 Lire has also been requisitioned from SESTITO as the remaining of the money collected for the organization. It appears from the statement of COLOSIMO and GALLERANO, that TROVATO Salvatore had been sent to Cosenza to establish a connection between Catanzaro and Cosenza and had been given the sum of 1000 Lire for the expenses. TROVATO admits to have been sent to Cosenza, but says he did not meet anybody.

In an attempt to join Rom, the student BERNARDI had been given 1000 Lire, but he could not reach the capital; he spontaneously declared to have hurried a certain quantity of ammunitions which were found in his garden; he also declared that the leaders were GIMIGLIANO Nino and PAPARO Aldo from whom he got the instructions as to what persons he had to meet in Rom and to send some messages through the radio and other conventional signs.

GIMIGLIANO confirms these statements, whilst PAPARO denies it also in the presence of BERNARDI. From the statement of COLOSIMO and GALLERANO it appears that CHIEPARI had in mind to mine a bridge on the river Anginale; he admits only to have made the attempt.

heard of that movement, got in touch with COLOSIMO and GALLERANO with the purpose of helping the students and organize their activity. CAPOCASALE encouraged the collection of arms and ammunitions, to be able to prevent the Allied Forces to go on. CAPOCASALE furnished a list of the military deposits throughout the Province; he went also to Sambiasi and Nicasastro to establish contact between Catanzaro, Reggio and Cosenza.

Between CAPOCASALE and COLOSIMO there was correspondence in conventional letters; CAPOCASALE also told the students, that the leader of this movement was the Prince PIGNATELLI who passed the orders through his employee ANSANI. Some day in March 44, CAPOCASALE sent COLOSIMO by conventional letters; in fact some to ANSANI; COLOSIMO and GALLERANO sent COLOSIMO and GALLERANO with a special message. ANSANI said it meant the Prince PIGNATELLI was in Naples expecting to pass the lines.

CAPOCASALE, also arrested, confirmed the declarations made by COLOSIMO and GALLERANO, but, realizing his responsibility, says that he mentioned the name of PIGNATELLI only to seem more important in the eyes of the students; he admitted the conventional messages between himself and COLOSIMO but denies one between himself and ANSANI. The latter, also arrested, declares he is completely out of this movement, and never to have had any message from CAPOCASALE.

Having COLOSIMO asserted that FATICIA Francesco and SUSTITO Aldo had bombs and ammunitions, they also have been arrested. FATICIA has been found in possession of 4 hand bombs, 8 cartridges for pistol, 2 pistols and various ammunitions. SUSTITO said the firearms and ammunitions he possessed were thrown by him in the little river Albi and in a cistern by his house, where in fact ammunitions were found. The sum of 1100 Lire has also been requisitioned from SUSTITO as the remaining of the money collected for the organization. It appears from the statement of COLOSIMO and GALLERANO, that TROVATO Salvatore had been sent to Cosenza to establish a connection between Catanzaro and Cosenza and had been given the sum of 1000 Lire for the expenses. TROVATO admits to have been sent to Cosenza, but says he did not meet anybody.

In an attempt to join Rom, the student BERNARDI had been given 1000 Lire, but he could not reach the capital; he spontaneously declared to have hurried a certain quantity of ammunitions which were found in his garden; he also declared that the leaders were GIMIGLIANO Nino and PAPARO Aldo from whom he got the instructions as to what persons he had to meet in Rom and to send some messages through the radio and other conventional signs.

GIMIGLIANO confirms these statements, whilst PAPARO denies it also in the presence of BERNARDI. From the statement of COLOSIMO and GALLERANO it appears that CHIEMARI had in mind to mine a bridge on the river Anginale; he admits only to have made the suggestion. As appears from a requisition made in the house of COLOSIMO, there was a map where the Province had been divided into 5 regions (Catanzaro, Crotone, Nicasastro, Vibo Valentia and Soverato).

CAPOCASALE was in possession of an automatic gun, which he destroyed, the moment he knew of the arrests, but the pieces have been found in the open country; it has not been possible to find out whether the accused are in possession of more ammunitions.

The following are arrested under the charge of having tried to reorganize the ex-fascist party in prejudice to the Allied Military Forces: CAPOCASALE Pietro, GIMIGLIANO Nino; PAPARO Aldo, COLOSIMO Antonio, GALLERANO Gaetano, SIMONE Ansani, CHIEMARI Antonio, TROVATO Salvatore, SUSTITO Aldo and FATICIA Francesco;

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(Sheet 7)

The 18 years old BERNARDI Antonio, quite capable to understand and to have his own opinions, is in a house of correction at the disposal of the Tribunale. We enclose a cheque of 1100 Lire No. 658, 223 sequestered from SUSTITO. PROVINO Mario, GRECO Domenico, GUARNIERI Gino, and SCHIRINO Gioachino have been denounced for having taken part in the meetings held in the house of PAZARO. DODARE Luigi has been denounced for having had 7 hand bombs which he gave to COLOSIMO.

24 more persons had been denounced but released as there did not appear any charge against them.

It has not been possible to find the Prince PIGNATELLI. The search made in Caccuri to find the transmitant radio has not given any result.

All arms and ammunitions have been deposited by the Tribunale Militare.

The Captain Commander the Compagnia

Carmelo Piccone.

HEADQUARTERS
ALLIED CONTROL COMMISSION
REGION 7

Ref: CIO/1

Subject: Monthly report Legal Division
for period 1 Apr. to 25 Apr. 44

Catanzaro 26 Apr. 44

To: CIO Legal Sub Commission ACG Salerno
(thru RLO Region 2 Matera)

1. Attention is invited to activity report Calabria District (now Region 7) for period 1 Apr. to 25 Apr. 1944 inclusive.

a. AMG Courts : as previously reported all trials by AMG Courts ended in March 44. All cases involving Allied interests arising since March 44 have been sent to the Italian Courts for disposition.

b. Cases affecting Allied interests.

(1) Number of offences affecting Allied interests pending on 31 March 44 totaled 38, of which 13 occurred prior to 10 Feb. 44; 13 between 10 Feb. and 29 Feb. 44; 12 between 1 March and 31 March 44.

(2) Number of offences disposed of affecting Allied interests where offences occurred prior to 10 Feb. 44 = 8; where offences occurred from 10 Feb. to 29 Feb. 44 = 6; where offences occurred from 1 March to 31 March 44 = 2; total number of such cases disposed of by Italian Courts for period 10 Feb. to 31 March 44 = 16.

(3) For nature of cases pending or disposed of prior to 31 March 44 and for sentences given by Italian Courts for same see LO's March 44 report.

(4) April : additional pending cases involving Allied interests reported during period 1 Apr. to 25 Apr. 44 inclusive. Total 18 cases of which 10 cases were from Reggio Tribunale (7 thefts Allied flour; 1 case altering Allied currency; 1 theft of tires; 1 receiving Allied property).

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 - (4) April : additional pending cases involving Allied interests reported during period 1 Apr. to 25 Apr. 44 inclusive. Total 18 cases of which 10 cases were from Reggio Tribunale (7 thefts Allied flour; 1 case altering Allied currency; 1 theft of tire; 1 receiving Allied property). 2 cases from Palmi Tribunale (1 altering Allied money; 1 theft from Allied truck). 2 cases from Nicastro Tribunale (1 by unidentified person who bit driver in the hand while attempting to mount Allied truck; 1 theft of soldier's bag from Allied truck); 1 case from Military Tribunal (theft of Allied property originating in Castrovillari).

HEADQUARTERS
ALLIED CONTROL COMMISSION
REGION 7

3 cases from Cosenza Tribunale (1 case theft of AMG stamp by ex-interpreter of AMG, used in attempt to forge permit to transport chestnuts; 1 theft Allied benzine; 1 insult, accused reported saying to another Italian citizen "I am a squadrist, you are a friend of the Allies, but the day will come when we will settle you and those dogs").

(5) April : Number of cases affecting Allied interests disposed of for period 1 Apr. to 25 Apr. 44 inclusive (Courts did not sit Easter week 5 Apr. to 12 Apr. 44). Totaled 11 cases (16 defendants) and are as follows:
Catanzaro Military Tribunale: 1 case (4 defendants), on Jan. 44 theft of Allied benzine; 2 defendants sentenced 15 Apr. 44 to 8 months prison and 400 Lire fine each, other defendants acquitted for insufficient proof.

Catanzaro Province.

Catanzaro Tribunale: 1 case (3 defendants), on 5 Nov. 43³ vaulting credit with Allies and one defendant possession of pistol; on 25 Apr. 44 one defendant sentenced to 3 years and 10 months prison and 7500 Lire fine, one defendant to 3 years and 7 months prison and 7000 Lire fine, one acquitted for insufficient proof.

Nicastro Tribunale: 1 case (1 defendant), in Jan. 44 theft of 20 meat tins, soap and empty sacks; on 14 Apr. 44 acquitted for lack of proof.

Vibo Valentia Tribunale - none.

Cosenza Province.

Cosenza Tribunale: 1 case (1 defendant), in early March 44 found in possession of 20 cans Allied benzine; on 13 Apr. 44 sentenced to 11 months prison, 1500 Lire fine and 5 years

accused reported saying to another Italian citizen "I am a squadrist, you are a friend of the Allies, but the day will come when we will settle you and those dogs").

- (5) April : Number of cases affecting Allied interests disposed of for period 1 Apr. to 25 Apr. 44 inclusive (Courts did not sit Easter week 5 Apr. to 12 Apr. 44). Totaled 11 cases (16 defendants) and are as follows:
- Catanzaro Military Tribunale: 1 case (4 defendants), on Jan. 44 theft of Allied benzine; 2 defendants sentenced 15 Apr. 44 to 8 months prison and 400 Lire fine each, other defendants acquitted for insufficient proof.
- Catanzaro Province.
- Catanzaro Tribunale: 1 case (3 defendants), on 5 Nov. 43⁵ vaunting credit with Allies and one defendant possession of pistol; on 25 Apr. 44 one defendant sentenced to 3 years and 10 months prison and 7500 Lire fine, one defendant to 3 years and 7 months prison and 7000 Lire fine, one acquitted for insufficient proof.
- Nicastro Tribunale: 1 case (3 defendant), in Jan. 44 theft of 20 meat tins, soap and empty sacks; on 14 Apr. 44 acquitted for lack of proof.
- Vibo Valentia Tribunale - none.
- Cosenza Province.
- Cosenza Tribunale: 1 case (1 defendant), in early March 44 found in possession of 20 cans Allied benzine; on 13 Apr. 44 sentenced to 11 months prison, 1500 Lire fine and 5 years suspended sentence.
- (2 cases closed in pretrial investigation on 15 Apr. 44 for theft of Allied property occurring on 11 Dec. and 2 Apr. because thieves not identified).
- Castrovillari Tribunale - none.
- Rossano Tribunale - none.

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Reggio Calabria Province.

Reggio Calabria Tribunale: 3 cases (6 defendants).

1 case (1 defendant), on 16 March 44, theft of Allied soldier's shoes and other articles, at Bagnara; on 15 Apr. 44 accused sentenced to 8 months prison.

1 case (3 defendants), on 26 Feb. 44 at Reggio; theft of 300, 700 and 350 gr. Allied sugar; on 6 Apr. 44 2 defendants sentenced to 600 Lire fine and 15 days suspended sentence, one defendant to 450 Lire fine and 15 days suspended sentence.

1 case (2 defendants), on Jan. 44 at Reggio, possession of 3q. Allied flour, tried on 6 Apr. 44, both acquitted, at trial it was shown accused were bakers and entitled to possession of flour. (Giudice Istruttore will send 2 letters, one to the CC Calabria and the other to Capt. Hobbs, ACC Police Officer Reggio, explaining the defence on which the accused were acquitted).

Locri Tribunale: 2 cases (2 defendants), for possession of Allied cigarettes one on 31 Jan. 44, one on 14 Feb. 44; defendants sentenced on 19 Apr. 44, to 3 months prison and 700 Lire fine each.

Palmi Tribunale: 2 cases (2 defendants), possession of Allied cigarettes one on 9 March 44, other on 25 March 44; sentenced on 14 Apr. 44, one fined 1000 Lire, other fined 500 Lire. (1 case theft Allied property, closed in pretrial investigation, as thieves not identified).

(6) April : at least 5 pending cases involving Allied interests are definitely set for trial during the last days of April, 2 on 27 Apr., 1 on 28 Apr., 2 on 29 Apr.; several other cases are scheduled to be tried before 1 May 44.

c. AMG Courts : uncollected fines outstanding as of 20 Apr. 44.

1 case (3 defendants), on 28 Feb. 44. 2 defendants sentenced 700 and 350 gr. Allied sugar; on 6 Apr. 44 2 defendants sentenced to 500 Lire fine and 15 days suspended sentence, one defendant to 450 Lire fine and 15 days suspended sentence. 1 case (2 defendants), on Jan. 44 at Reggio, possession of 3q. Allied flour, tried on 6 Apr. 44, both acquitted, at trial it was shown accused were bakers and entitled to possession of flour. (Giudice Istruttore will send 2 letters, one to the ID Calabria and the other to Capt. Hobbs, ACC Police Officer Reggio, explaining the defence on which the accused were acquitted).

Locri Tribunale: 2 cases (2 defendants), for possession of Allied cigarettes one on 31 Jan. 44, one on 14 Feb. 44; defendants sentenced on 19 Apr. 44, to 3 months prison and 700 Lire fine each. Palmi Tribunale: 2 cases (2 defendants), possession of Allied cigarettes one on 9 March 44, other on 25 March 44; sentenced on 14 Apr. 44, one fined 1000 Lire, other fined 500 Lire. (1 case theft Allied property, closed in pretrial investigation, as thieves not identified).

(6) April : at least 5 pending cases involving Allied interests are definitely set for trial during the last days of April, 2 on 27 Apr., 1 on 28 Apr., 2 on 29 Apr.; several other cases are scheduled to be tried before 1 May 44.

c. AMG Courts : uncollected fines outstanding as of 20 Apr. 44. Cosenza Province : 1 case (1 defendant) fine of 500,000 Lire unpaid. Catanzaro Province : 5 cases (5 defendants) fines totaling 205,000 Lire unpaid. Reggio Calabria Province : 13 cases (16 defendants) fines totaling 21,600 Lire unpaid. (Figures for Reggio Province are as accurate as can be supplied at the present time, as previously reported to RIO Region 2, effort is being made to contact individuals concerned for receipts showing payment).

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2. Proceedings and reports on working of Italian Courts, for period 1 Apr. 44 to 25 Apr. 44 inclusive. (in reviewing these figures, attention is invited to the important fact that during Easter week 5 Apr. to 13 Apr. 44 these Courts did not function and as a consequence the figures set out herein represent only about half of one month's Court activity).

Catanzaro Province.

Catanzaro Tribunale disposed of 50 criminal cases (139 defendants) during the 1 to 25 Apr. 44 period, as compared to 122 criminal cases (383 defendants) during month of March 44, and 61 cases (135 defendants) during the month of Feb. 44. On 25 Apr. 44 there were 38 persons reported in jail awaiting trial before this Tribunale, as compared to 140 persons awaiting such trial on 31 March 44 and 136 persons on 29 Feb. 44.

Vibo Valentia Tribunale disposed of 40 criminal cases (62 defendants) during the 1 to 25 Apr. 44 period as compared to 53 criminal cases (75 defendants) during the month of March 44 and 33 cases (52 defendants) during the month of Feb. 44. On 25 Apr. 44 there were 7 persons reported in jail awaiting trial before this Tribunale as compared to 34 persons awaiting such trial on the 31 March 44 and 5 persons on 29 Feb. 44.

Nicastro Tribunale disposed of 37 criminal cases (59 defendants) during the 1 to 25 Apr. 44 period, as compared to 75 criminal cases (130 defendants) during the month of March 44 and 33 cases (68 defendants) during the month of Feb. 44. On 25 Apr. 44 there were 60 persons reported in jail awaiting trial before this Tribunale, as compared to 40 persons awaiting such trial on 31 March 44 and 58 persons on 29 Feb. 44.

Cosenza Province.

Cosenza Tribunale disposed of 54 criminal cases (86 defendants)

consequence the figures set out herein represent only about for one month's Court activity).

Catanzaro Province.

Catanzaro Tribunale disposed of 50 criminal cases (139 defendants) during the 1 to 25 Apr.44 period, as compared to 122 criminal cases (383 defendants) during month of March 44, and 61 cases (135 defendants) during the month of Feb.44. On 25 Apr.44 there were 38 persons reported in jail awaiting trial before this Tribunale, as compared to 140 persons awaiting such trial on 31 March 44 and 136 persons on 29 Feb.44.

Vibo Valentia Tribunale disposed of 40 criminal cases (62 defendants) during the 1 to 25 Apr.44 period as compared to 53 criminal cases (75 defendants) during the month of March 44 and 33 cases (52 defendants) during the month of Feb.44. On 25 Apr.44 there were 7 persons reported in jail awaiting trial before this Tribunale as compared to 34 persons awaiting such trial on the 31 March 44 and 5 persons on 29 Feb.44.

Nicastro Tribunale disposed of 37 criminal cases (59 defendants) during the 1 to 25 Apr.44 period, as compared to 75 criminal cases (130 defendants) during the month of March 44 and 33 cases (68 defendants) during the month of Feb.44. On 25 Apr.44 there were 60 persons reported in jail awaiting trial before this Tribunale, as compared to 40 persons awaiting such trial on 31 March 44 and 58 persons on 29 Feb.44.

Cosenza Province.

Cosenza Tribunale disposed of 54 criminal cases (86 defendants) during the 1 to 25 Apr.44 period, as compared to 63 criminal cases during the month of March 44 and 51 cases during the month of Feb.44. On 25 Apr.44 there were 28 persons reported in jail awaiting trial before this Tribunale as compared to 4 persons awaiting such trial on 31 March 44 and 0 person on 29 Feb.44.

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Castrovillari Tribunale disposed of 36 criminal cases (51 defendants) during the 1 to 25 Apr.44 period, as compared to 56 criminal cases during the month of March 44 and 30 cases during the month of Feb.44. On 25 Apr.44 there were 37 persons reported in jail awaiting trial before this Tribunale, as compared to 23 persons awaiting such trial on 31 March and 30 persons on 29 Feb.44.

Rossano Tribunale disposed of 16 criminal cases (93 defendants) during the 1 to 25 Apr.44 period, as compared to 35 criminal cases during the month of March 44 and 25 cases during the month of Feb.44. On 25 Apr.44 there were 3 persons reported in jail awaiting trial before this Tribunale, as compared with 10 persons awaiting such trial on 31 March 44 and 4 persons on 29 Feb.44.

Reggio Calabria Province.

Reggio Calabria Tribunale disposed of 83 criminal cases (131 defendants) during the 1 to 25 Apr.44 period, as compared to 88 criminal cases (177 defendants) during the month of March 44 and 73 cases (94 defendants) during the month of Feb.44. On 25 Apr.44 there were 16 persons reported in jail awaiting trial before this Tribunale. Palmi Tribunale disposed of 67 criminal cases (115 defendants) during the 1 to 25 Apr.44 period, as compared to 84 criminal cases (85 defendants) during the month of March 44 and 105 cases (109 defendants) during the month of Feb.44. On 25 Apr.44 there were 21 persons reported in jail awaiting trial before this Tribunale, as compared to 16 persons awaiting such trial on 31 March 44 and 0 person on 29 Feb.44.

Locri Tribunale disposed of approximately 34 criminal cases (exact figures not yet available) during the 1 to 25 Apr.44 period, as compared to 36 criminal cases (52 defendants) during the month of March 44 and 38 cases (49 defendants) during the month of Feb.44. On 25 Apr.44 there were approximately 49 persons reported in jail awaiting trial before this Tribunale, as compared to 7 persons awaiting such

on 31 March and 30 persons on 29 Feb.44. Rossano Tribunale disposed of 16 criminal cases (93 defendants) during the 1 to 25 Apr.44 period, as compared to 35 criminal cases during the month of March 44 and 25 cases during the month of Feb.44. On 25 Apr.44 there were 3 persons reported in jail awaiting trial before this Tribunale, as compared with 10 persons awaiting such trial on 31 March 44 and 4 persons on 29 Feb.44.

Reggio Calabria Province.

Reggio Calabria Tribunale disposed of 83 criminal cases (131 defendants) during the 1 to 25 Apr.44 period, as compared to 88 criminal cases (177 defendants) during the month of March 44 and 73 cases (94 defendants) during the month of Feb.44. On 25 Apr.44 there were 16 persons reported in jail awaiting trial before this Tribunale. Palmi Tribunale disposed of 67 criminal cases (115 defendants) during the 1 to 25 Apr.44 period, as compared to 84 criminal cases (85 defendants) during the month of March 44 and 105 cases (109 defendants) during the month of Feb.44. On 25 Apr.44 there were 21 persons reported in jail awaiting trial before this Tribunale, as compared to 16 persons awaiting such trial on 31 March 44 and 0 person on 29 Feb.44.

Locri Tribunale disposed of approximately 34 criminal cases (exact figures not yet available) during the 1 to 25 Apr.44 period, as compared to 36 criminal cases (52 defendants) during the month of March 44 and 38 cases (49 defendants) during the month of Feb.44. On 25 Apr.44 there were approximately 49 persons reported in jail awaiting trial before this Tribunale, as compared to 7 persons awaiting such trial on 31 March 44 and 4 persons on 29 Feb.44.

Court of Appeal Catanzaro, disposed of 53 criminal cases (78 defendants) during the 1 to 25 Apr.44 period, as compared to 82 criminal cases (106 defendants) during the month of March 44 and 63 cases (74 defendants) during the month of Feb.44. On 25 Apr.44 there were 68 persons reported in jail awaiting trial before the Court of Appeal,

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Court of Assizes Catanzaro Court of Appeal Circuit disposed of 5 criminal cases (5 defendants) during the 1 to 25 Apr.44 period, as compared to 16 criminal cases (20 defendants) during the Feb.-March 44 term. This Court commenced its term at Catanzaro on 18 Apr.44 and has 7 more cases to dispose of at this sitting. Another section of the Court commenced its session at Nicastro on 24 Apr.44 and will dispose of 10 cases at Nicastro before it commences its session at Cosenza on the 28 Apr.44, where it will dispose of 9 cases before it returns again to Catanzaro. On 25 Apr.44 there were 142 persons reported in jail awaiting trial before this Court, as compared to 120 persons awaiting such trial on 31 March 44. As previously reported the attention of this Court has been repeatedly directed to all cases of persons awaiting trial, much of the difficulty of getting this Court into action is due to the lack of activity of the Giudice Istruttore. During the last month strong pressure has been exerted by the Procuratore Generale Cossu and the acting First President, Mauro to increase their activity.

Preture Courts: 28 in Catanzaro Province; 28 in Cosenza Province; 28 in Reggio Calabria Province. Total 84 Preture Courts. The steady and constant pressure that has been exerted through the acting Procuratore Generale of Catanzaro and the 9 Procuratori del Re on the Preture Courts together with the excellent example of most of their Tribunali has resulted in the Preture Courts disposing of more than twice as many cases during March as during January in most of the 84 Preture; a supplemental consolidated report of Pretore's activities is being prepared but is as yet incomplete.

During April 44, personal visits have again been made by the LO to the Tribunali of Catanzaro, Cosenza, Reggio, Locri and to the Military Tribunale of Calabria. During April 44 this LO has been in weekly communication by telephone with the Procuratore del Re and other Officials of the Tribunali of Cosenza, Castrovillari, Rossano, Vibo Valentia, Palmi and Reggio. XXXX Personal conferences have been held almost daily

compared to 16 criminal cases (20 defendants) during the Feb.-March 44 term. This Court commenced its term at Catanzaro on 18 Apr. 44 and has 7 more cases to dispose of at this sitting. Another section of the Court commenced its session at Nicastro on 24 Apr. 44 and will dispose of 10 cases at Nicastro before it commences its session at Cosenza on the 28 Apr. 44, where it will dispose of 9 cases before it returns again to Catanzaro. On 25 Apr. 44 there were 142 persons reported in jail awaiting trial before this Court, as compared to 120 persons awaiting such trial on 31 March 44. As previously reported the attention of this Court has been repeatedly directed to all cases of persons awaiting trial, much of the difficulty of getting this Court into action is due to the lack of activity of the Giudice Istruttore. During the last month strong pressure has been exerted by the Procuratore Generale Cossu and the acting First President, Mauro to increase their activity.

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Italian Military Court: only Italian Military Court in Calabria is the "Tribunale Militare Territoriale di Guerra presso il XXXI° Corpo d'Armata" located in Catanzaro. This Court disposed of 18 criminal cases (32 defendants) during the 1 to 25 Apr. 44 period, as compared to 47 criminal cases (54 defendants) during the month of March 44 and 41 cases (50 defendants) during the month of Feb. 44. On 25 Apr. 44 there were 57 persons reported in jail awaiting trial before this Court as compared to 60 persons awaiting such trial on 31 March and 51 persons on 29 Feb. 44.

Juvenile Tribunale Catanzaro disposed of 8 cases (9 defendants) during the 1 to 25 Apr. 44 period. On 25 Apr. 44 there were 9 persons reported in jail awaiting trial before this Tribunale. 6 will be tried on 2 May 44.

3. Reorganization of the Italian Bar. Elections of the new Council were completed in each of the 3 ~~PROVINCIAL~~ Tribunali of Cosenza Province by 5 Feb. 44 and in each of the 3 Tribunali of Catanzaro Province by 29 March 44. In Reggio Province only Locri and Palmi Tribunali have not yet elected their Council, but reports indicate these elections will be completed in May 44.
4. Attention is invited to recent appointment of Avv. Pietro Mancini, AMG Prefect of Cosenza as Ministro without Portafoglio, and Avv. Fausto Gullo as Minister of Agriculture in the new Italian Cabinet. Both of these Avvocati served as members of the AMG Provisional Committee of the Cosenza Bar and cooperated wholeheartedly with the RLO while he was LO of Cosenza in reorganizing the new Bar Council throughout that Province. Avv. Nicola Lombardi, newly appointed under Secretary of Justice, served as President of the Catanzaro Provisional Bar Committee and has been extremely helpful to this LO in Bar Association matters in Catanzaro Province.

5. Attention is invited to report by Legal Officials of increasing

to 47 criminal cases (54 defendants) during the month of March 44 and 41 cases (50 defendants) during the month of Feb. 44. On 25 Apr. 44 there were 57 persons reported in jail awaiting trial before this Court as compared to 60 persons awaiting such trial on 31 March and 51 persons on 29 Feb. 44.

Juvenile Tribunale Catanzaro disposed of 8 cases (9 defendants) during the 1 to 25 Apr. 44 period. On 25 Apr. 44 there were 9 persons reported in jail awaiting trial before this Tribunale. 6 will be tried on 2 May 44.

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5. Attention is invited to report by Legal Officials of increasing number of thefts of foodstuffs, pigs, chickens and personal property in Calabrian rural areas.

Donald C. Little

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Captain CMP AUS
R.I.C. Region 7.

