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MAY-DEC

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REPORTS (LEGAL), LIGURIA REGION
MAY-DEC. 1945

HEADQUARTERS
LIGURIA REGION
ALLIED MILITARY GOVERNMENT
APO 394

Lig/Leg/03.1

GCR/pm.
28 December 1945

SUBJECT: Monthly Report - December 1945.

TO : Headquarters Allied Commission
(Attn: Chief Legal Adviser)
Copy to Regional Commissioner - Liguria Region

1. A.M.G. Courts.

There have been no A.M.G. Courts held during the month. Final decision is still awaited in respect of 2 death sentences and 2 sentences of imprisonment awarded by an A.M.G. Court in September. Otherwise there are no matters outstanding in respect of A.M.G. Courts held during the period of A.M.G. administration.

2. A.M.G. Cases dealt with by Italian Courts.

Since the termination of A.M.G. Courts in this Region 267 cases involving Allied interests have been handed over to the Italian Courts through A.M.G. Prosecutor's Office. Up till the present 89 have been dealt with leaving 178 cases still awaiting trial. Bail money and sequestered cash in respect of cases still awaiting trial has been handed over to the Procura-tore del Regno.

3. Extraordinary Court of Assise.

Since writing of the last monthly report no further decisions by the Rome Government on death sentences previously awarded have been received. No figures are yet available showing the work of the Court during this month.

4. Epuration.

A large number of applications for assistance are still received by persons who have been kept out of their employment by unofficial and self-appointed epuration bodies, there is also an unwillingness on the part of employers to allow persons who have been suspended for a fixed period to return to work.

1 2 5 4

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TO : Headquarters Allied Commission
(Attn: Chief Legal Adviser)
Copy to Regional Commissioner - Liguria Region

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Since writing of the last monthly report no further decisions by the Rome Government on death sentences previously awarded have been received. No figures are yet available showing the work of the Court during this month.

4. Epuration.

A large number of applications for assistance are still received by persons who have been kept out of their employment by unofficial and self-appointed epuration bodies, there is also an unwillingness on the part of employers to allow persons who have been suspended for a fixed period to return to work on the expiration of that period. An attempt has been made to induce the Commissioners under G.O.35 and the appellate Commission under G.O.46 to arrive at final decisions in as many cases as possible before this Commissions cease to operate. The appointment of the Italian Government Commissions under D.L.L. 159 has not yet been

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completed by the Rome Government.

G.C. Rafferty

G. C. RAFFERTY Lt.
R. A.
Regional Legal Officer.

| | |
|---------------------|--------------------|
| LEGAL SUBCOMMISSION | |
| CLO | <i>[Signature]</i> |
| DCLO | <i>[Signature]</i> |
| Chief Counsel | <i>[Signature]</i> |
| CJO | |
| Resident | |
| C. S. | |
| 1 JAN 1946 | |

43/16

HEADQUARTERS
LIGURIA REGION
ALLIED MILITARY GOVERNMENT
APO 394

Lig/Leg/03.1

13 December 1945
GCR/pm

SUBJECT : Monthly Report - November 1945

TO : Headquarters Allied Commission
(Attn: Chief Legal Advisor)

1. A.M.G. Courts.

There have been no A.M.G. Courts held during the month. Confirmation is still awaited of the trial of 5 defendants charged with murder and robbery of three carabinieri mentioned in the monthly report of September. All other sentences awarded by A.M.G. Courts have by now been either confirmed or quashed by the proper authority.

2. A.M.G. Cases dealt with by the Italian Courts.

In Genoa Province during the month 43 cases in which Allied interests were involved have been handed over to the Italian Courts and 31 of such cases have been dealt with. There is an average delay of 45 days between the receipt of the arrest report and the hearing which in several cases has necessitated an acquittal owing to the absence from the district of Allied witnesses. On the whole sentences awarded have been satisfactory. The matter of bail for those awaiting trial is still dealt with directly by A.M.G.

3. Extraordinary Courts of Assise.

These Courts are still making very slow progress. There are more cases awaiting trial at the end of this month than there were at the beginning owing to the increased number sent forward by the Questura.

There are still several cases awaiting confirmation of the death sentence by the Italian Government, some of which were pronounced as long ago as July. This situation is very unsatisfactory and is the cause of considerable public unrest.

4. Other Italian Courts.

These have functioned fairly satisfactorily. There has however been no reinforcement of the very depleted judicial and clerical staffs with the result that there are many men, who have been recalled from retirement and who are past the age for retirement attempting to carry on with work which is really beyond them.

SUBJECT : Monthly Report - November 1945

TO : Headquarters Allied Commission
(Attn: Chief Legal Advisor)

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These have functioned fairly satisfactorily. There has however been no reinforcement of the very depleted judicial and clerical staffs with the result that there are many men, who have been recalled from retirement and who are past the age for retirement, attempting to carry on with work which is really beyond them. At the request of the First President application has been made for authority to implement D.L. 22 of 18 January 1945 in the Region which would enable the Courts to increase their charges to meet their greater expenses.

II.

5. Epuration.

The prospect of the implementation of D.L.L. 702 in this Region and of the passing over of work from G.O.35 Commissions to the new Commissions to be set up by the Italian Government under D.L.L. 159 has caused some uncertainties and delays.

The G.O.35 Commissions are now getting reorganised to deal with the new scope of their work as laid down in recent instructions and the Commissions under D.L.L. 159 only need official appointment from the Italian Government before starting work.

Throughout the month a determined drive has been made to sort out the numerous cases of epuration by unofficial bodies and to ensure that persons so victimised return to their employment pending a judicial hearing by the proper Commission.

G.C. Rafferty

G.C. RAFFETY Lt.
 R.A.
 Regional Legal Officer.

Copy to the Regional Commissioner
 Liguria Region.

| | |
|----------------------|--------------------|
| LEGAL SUB-COMMISSION | |
| CLO | <i>[Signature]</i> |
| DCLO | <i>[Signature]</i> |
| Chief Counsel | <i>[Signature]</i> |
| CJO | <i>[Signature]</i> |
| Italian Section | <i>[Signature]</i> |
| CL RKS | <i>[Signature]</i> |
| | <i>[Signature]</i> |

HEADQUARTERS
LIGURIA REGION
ALLIED MILITARY GOVERNMENT
APO 394

G.C.R/ib

Lig/Leg/O3.1.

16 November 1945

SUBJECT : Monthly Report - October 1945.
TO : Headquarters, Allied Commission - APO 394.
(Attn: Chief Legal Advisor)

1. A.M.G. Courts.

With the exception of six cases of illegal possession of fire arms tried at a Summary Court in Imperia there have been no A.M.G. Courts held since the writing of the last monthly report. All outstanding cases have now been handed over to the Italian Courts.

2. Extraordinary Courts of Assize.

These Courts are now keeping pace with fresh cases as they come in but there are still a considerable number pending and it is estimated that these Courts will require to be kept in existence for at least a further six months if they are to complete their work. Practically all serious cases have now been dealt with and hence sentenced imposed turned to be lighter than previously. In this Region there are at the present time at least fifteen cases where the death penalty has been pronounced but final confirmation is still awaited. Monthly progress is shown in Appendix A.

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2)

Other Italian Courts.

In Genoa for the fifth consecutive month there has been a considerable reduction in the number of penal cases awaiting trial and 23 cases handed over from A.M.G. Courts have been satisfactorily dealt with.

On Imperia, however, little progress is being made in the work of the Tribunale owing to the great shortage in judicial personnel. It is estimated that at least 3 or 4 extra Judges and the same number of Chancellors are required if this Court is to function properly. In La Spezia the rate of progress of the Courts is about keeping up with the rate of receipt of fresh cases but there are a large number of cases awaiting trial.

Prisons.

Analysis is given in Appendix B.

Epuration.

Some progress has been made by the Commissions set up under G.O.35 and it can be said that practically all cases of the "immediate" category have been dealt with except in one section of Genoa where there is still a large number of this category still outstanding. The Commissions under D.L.L.159 are now ready to function in all Provinces and there has been a tendency for the Commissions under G.O.35 to slack off owing to the uncertainty of the date when these former

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3)

Commissions will begin to operate in their place.

For the Regional Commissioner:

G.C. Raffety

G.C. RAFFETY Lt.

R.A.

Regional Legal Officer.

| LEGAL SUB COMMISSION | |
|----------------------|--------------|
| CLO | |
| DCLO | |
| Chief Clerk | <i>ASL</i> ← |
| CJE | |
| Relief | |
| CL Rks | |
| 19 NOV 1970 | |

APPENDIX "A"

Table showing progress made by Extraordinary Court of Assize in Liguria Region during month of October 1945 with analysis of Verdicts and Sentences pronounced -

| PROVINCE 1 | Cases pending in Prosecution office as at 1 Oct. 1945 2 | New cases received during October 3 | Total of Cols 2 * 3 4 | Cases disposed of during October 5 | | | Total of Cols. (a) (b) and (c) of preceding Col. 6 | Cases pending as at 31 October 1945 (Difference between Col.4 & Col.6) 7 |
|---------------|--|--|--------------------------|---------------------------------------|---|--------------------|---|---|
| | | | | Released for lack of evidence (a) | Transferred to other jurisdictions (b) | Cases Tried (c) | | |
| GENOA | 206 | 83 | 289 | - | - | 22 | 22 | 267 |
| IMPERIA | 64 | 37 | 101 | 21 | 8 | - | 29 | 72 |
| LA SPEZIA | 165 | 23 | 188 | 15 | 5 | 2 | 22 | 166 |
| SAVONA | NO FIGURES RECEIVED | | | | | | | |
| TOTAL | 435 | 143 | 578 | 36 | 13 | 24 | 73 | 505 |

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APPENDIX "A"

Table showing progress made by Extraordinary Court of Assize in Liguria Region during month of October 1945 with analysis of Verdicts and Sentences pronounced -

| Cases pending in court as of Oct. 5 | New cases received during October | Total of Cases 2 & 3 | Cases disposed of during October | | | Total of Cases (a) (b) and (c) of preceding Col. 6 | Cases pending as at 31 October 1945 (Difference between Col.4 & Col.6) | REMARKS |
|-------------------------------------|-----------------------------------|----------------------|-----------------------------------|--|-----------------|--|--|---------|
| | | | Released for lack of evidence (a) | Transferred to other jurisdictions (b) | Cases Tried (c) | | | |
| | 83 | 289 | - | - | 22 | 22 | 267 | |
| | 37 | 101 | 21 | 8 | - | 29 | 72 | |
| | 23 | 188 | 15 | 5 | 2 | 22 | 166 | |
| NO FIGURES RECEIVED | | | | | | | | |
| | 143 | 578 | 36 | 13 | 24 | 73 | 505 | |

APPENDIX "B"

Table showing approximate state of Prisons
in Liguria Region for month of October 45

| PROVINCE | No. of Prisoners on 31 October 1945 | | No. of Prisoners admitted during month | | No. of Prisoners released during month | | No. of Prisoners detained as at 31 October 1945 | |
|--------------|--|------------------|---|------------------|--|------------------|---|------------------|
| | Political | non Political | Political | non Political | Political | non Political | Political | non Political |
| <u>GENOA</u> | | | | | | | | |
| Marassi | 443 | 395 | 250 | 264 | 191 | 198 | 513 | 450 |
| S.P.D'Arena | - | 35 | 3 | 45 | 3 | 47 | - | 33 |
| Alb. Poveri | 278 | - | 105 | 27 | 250 | 27 | 133 | - |
| Chiavari | 103 | 29 | 20 | 16 | 37 | 30 | 86 | 15 |
| LA SPEZIA | 10 | 180 | 16 | 46 | 9 | 60 | 19 | 166 |
| IMPERIA | 164 | 74 | 57 | 30 | 58 | 48 | 163 | 56 |
| SAVONA | NO FIGURES RECEIVED | | | | | | | |
| TOTAL | 998 | 713 | 451 | 428 | 548 | 410 | 914 | 720 |

APPENDIX "B"

Table showing approximate state of Prisons
in Liria Region for month of October 45

| Prisoners on October 1945 | | No. of Prisoners admitted during month | | No. of Prisoners released during month | | No. of Prisoners detained as at 31 October 1945 | | REMARKS |
|------------------------------|------------------|---|------------------|--|------------------|---|------------------|---------|
| Total | non Political | Political | non Political | Political | non Political | Political | non Political | |
| | 395 | 250 | 264 | 191 | 198 | 513 | 450 | |
| | 35 | 3 | 45 | 3 | 47 | - | 33 | |
| | - | 105 | 27 | 250 | 27 | 133 | - | |
| | 39 | 20 | 16 | 37 | 30 | 86 | 15 | |
| | 180 | 16 | 46 | 9 | 60 | 19 | 166 | |
| | 74 | 57 | 30 | 58 | 48 | 163 | 56 | |
| FIGURES RECEIVED | | | | | | | | |
| | 713 | 451 | 428 | 548 | 410 | 914 | 720 | |

4043/16

HEADQUARTERS
LIGURIA REGION
ALLIED MILITARY GOVERNMENT
AFO 394

LiE/Les/03.1

WGE/sf
9 October 1945

SUBJECT : Monthly Report - September 1945.

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

1. A.M.G. Courts

- (1) Summary - Analysis given at Appendix 'A'
- (2) Superior Analysis given at Appendix 'D'
- (3) General Court - Two (2) Cases were tried during the month consisting of :-

i. One trial involving 5 defendants all charged with murder and robbery of three carabinieri and lawful possession of three firearms. The trial lasted for seven days. Four were convicted on all three charges with sentences ranging from 21 years for one to the death penalty for two of them. The fifth defendant because of his age (15) was sentenced to a reformatory for three years.

ii. Second trial involving 4 defendants with the manufacture and possession of some 70,000,000 lire counterfeit AMG & Italian currency. Two were convicted and sentenced to 10-15 years and the other two were discharged.

Proceedings and appeals of both these cases have been sent to CLA for Review.

As stated in last month report the volume of minor cases are being handed over to the Italian Courts. Three cases in Genoa Province have been transmitted to the Italian Courts for trial.

2. Italian Courts - Progress of Work

(1) Extraordinary Courts of Assize

- (a) See Appendix 'C' for Statistical Progress Report and analysis of verdicts and sentences.
- (b) The number of new cases coming forward is dwindling. Nearly all Courts have made good Progress. In Genoa particularly there has been a steady decrease in number of cases received from Police. During the month of September 78 cases were sent to Extraordinary Court of Assize as compared with 111 in August and 228 in July. In Savona Province it is reported that the number of cases tried fell to 17 this month because of the absence of the Chief Prosecutor and because the cases were more than...

(Attr: Chief Legal Advisor)

1. A.M.G. Courts

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ii. Second trial involving 4 defendants with the manufacture and possession of some 70,000,000 lire counterfeit AMG & Italian currency. Two were convicted and sentence to 10-15 years and the other two were discharged.

These cases have been sent to CLA for Review.

As stated in last month report the volume of minor AMG Cases continue to decrease because as many as possible of such cases are being handed over to the Italian Courts. Three cases in Genoa Province have been transmitted to the Italian Courts for trial.

2. Italian Courts - Progress of Work(1) Extraordinary Courts of Assize

- (a) See Appendix 'C' for Statistical Progress Report and analysis of verdicts and sentences.
- (b) The number of new cases coming forward is dwindling. Nearly all Courts have made good Progress. In Genoa particularly there has been a steady decrease in number of cases received from Police. During the month of September 78 cases were sent to Extraordinary Court of Assize as compared with 111 in August and 228 in July. In Savona Province it is reported that the number of cases tried fell to 17 this month because of the absence of the Chief Prosecutor and because the cases were more important than usual and required longer to try. 21 Persons were released for lack of evidence and in all 46 cases were disposed of. No death sentences were passed during the month. Our attention has again been called by PLO Savona to the fact that Rome has failed to confirm any sentence thus far passed here.

(2) Other Courts(a) Tribunali

These Courts continue to make reasonable progress in spite of shortage of Officials in all provinces.

(b) Fretore Courts

Figures continue to be satisfactory although progress is somewhat slow.

3. Prison

Analysis given at appendix 'B'

4. Epuration

In each Province Epuration Commissions and DLI 159 have been constituted and are now ready to function on cessation of AMG. In the meantime Commission under GO 35 and 46 are still carrying on their work and progress is considered satisfactory. In Savona it may be cited that Commission under GO 46 have almost completed their work and all urgent cases have already been disposed of. In Imperia Province all "Immediate" schedules have been completed. In Genoa Province 3 new Commissions have been appointed to epurate under GO 46 together with an Appeal Group to carry out the terms and provisions of same order within the Province.

5. General

The month has been quiet on the whole and the general legal situation in this Region during the month has been satisfactory and therefore calls for no further comment.

For the Regional Commissioner:

R. D. Glerum

L.D. GLERUM,
Major, Infantry,
Regional Legal Officer.

Copy to Regional Commissioner

LIST OF APPENDICES

APPENDIX "A"
APPENDIX "B"
APPENDIX "C"
APPENDIX "D"

| |
|----------------------|
| LEGAL SUB-COMMISSION |
| CLO |
| DCLO |
| Chief Counsel |
| CJO |

1269

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For the Regional Commissioner:

L. D. Glerum

L.D. GLERUM,
Major, Infantry,
Regional Legal Officer.

Copy to Regional Commissioner

LIST OF APPENDICES

APPENDIX "A"
APPENDIX "B"
APPENDIX "C"
APPENDIX "D"

| |
|---------------------|
| LEGAL SUBCOMMISSION |
| CLO |
| DCLO |
| Chief Counsel |
| CJO |
| Region |
| CL 100 |
| 15 OCT 1945 |

APPENDIX "B"

Table showing approximate state of Prisons
in Liguria Region for month of September 1945

| PROVINCE | No. of Prisoners on 31 August 1945 | | No. of Prisoners admitted during month | | No. of Prisoners released during month | | No. of Prisoners detained as at 31 August 1945 | | REMARK |
|-------------|------------------------------------|---------------|--|---------------|--|---------------|--|---------------|--------|
| | Political | non Political | Political | non Political | Political | non Political | Political | non Political | |
| GENOVA | | | | | | | | | |
| Marassi | 669 | 321 | 134 | 256 | 359 | 182 | 444 | 395 | |
| Sampierd. | - | 10 | 1 | 50 | 1 | 33 | - | 35 | |
| Alb. Foveri | 149 | - | 344 | 6 | 207 | 6 | 286 | - | |
| Chiavari | 104 | 28 | 18 | 22 | 19 | 21 | 103 | 28 | |
| IMPERIA | 195 | 77 | 97 | 60 | 128 | 67 | 164 | 74 | |
| SAVONA | | NO FIGURES | RECEIVED | | | | | | |
| SPEZIA | | NO FIGURES | RECEIVED | | | | | | |
| | 1117 | 436 | 594 | 394 | 714 | 309 | 997 | 532 | |

APPENDIX "B"

Table showing approximate state of Prisons
in Liguria Region for month of September 1945

| Prisoners August 1945 | No. of Prisoners admitted during month | | No. of Prisoners released during month | | No. of Prisoners detained as at 31 August 1945 | | REMARKS |
|--------------------------|--|------------------|--|------------------|--|------------------|---------|
| | Political | non Political | Political | non Political | Political | non Political | |
| 321 | 134 | 256 | 359 | 182 | 444 | 395 | |
| 10 | 1 | 50 | 1 | 33 | - | 35 | |
| - | 344 | 6 | 207 | 6 | 286 | - | |
| 28 | 18 | 22 | 19 | 21 | 103 | 28 | |
| 77 | 97 | 60 | 123 | 67 | 164 | 74 | |
| NO FIGURES | RECEIVED | | | | | | |
| NO FIGURES | RECEIVED | | | | | | |
| 436 | 594 | 394 | 714 | 309 | 997 | 532 | |

APPENDIX "C"

Table showing progress made by Extraordinary Court of Assize in Liguria Region during month of September 1945 with analysis of Verdicts and Sentences pronounced

| PROVINCE | Cases pending in Prosecution office as at 1 Sept. 1945 | New cases received during September | Total of Cols 2 & 3 | Cases disposed of during September | | | Total of Cols. (a) (b) and (c) of preceding Col. 6 | Cases pending as at 30 September 1945 (Difference between Col.4 & Col.6) |
|-----------|--|-------------------------------------|---------------------|------------------------------------|--|-----------------|--|---|
| | | | | Released for lack of evidence (a) | Transferred to other jurisdictions (b) | Cases Tried (c) | | |
| 1 | 2 | 3 | 4 | 5 | | | 6 | 7 |
| GENOVA | 205 | 78 | 283 | 56 | - | 21 | 77 | 206 |
| IMPERIA | 58 | 13 | 71 | 17 | 11 | 13 | 41 | 30 |
| S.REMO | 58 | 14 | 72 | 15 | 2 | 21 | 38 | 34 |
| SAVONA | 176 | 59 | 235 | 21 | 8 | 17 | 46 | 189 |
| LA SPEZIA | 167 | 41 | 208 | 36 | 6 | 1 | 43 | 165 |
| TOTALS | 664 | 205 | 869 | 145 | c 27 | 73 | 245 | 624 |

APPENDIX "C"

Table showing progress made by Extraordinary Court of Assize in Liguria Region during month of September 1945 with analysis of Verdicts and Sentences pronounced

| New cases received during September | Total of Cols 2 & 3 | Cases disposed of during September | | | Total of Cols. (a) (b) and (c) of preceding Col. 6 | Cases pending as at 30 September 1945 (Difference between Col.4 & Col.6) | REMARKS |
|-------------------------------------|---------------------|------------------------------------|--|-----------------|--|--|---------|
| | | Released for lack of evidence (a) | Transferred to other jurisdictions (b) | Cases Tried (c) | | | |
| 3 | 4 | 5 | | | 6 | 7 | 8 |
| 78 | 283 | 56 | - | 21 | 77 | 206 | |
| 13 | 71 | 17 | 11 | 13 | 41 | 30 | |
| 14 | 72 | 15 | 2 | 21 | 38 | 34 | |
| 59 | 235 | 21 | 8 | 17 | 46 | 189 | |
| 41 | 208 | 36 | 6 | 1 | 43 | 165 | |
| 205 | 869 | 145 | c 27 | 73 | 245 | 624 | |

APPENDIX "C" (Continued)

Analysis of Verdicts and Sentences pronounced

| PROVINCE | Number of Persons tried | Verdicts | | | | SENTENCES | | | |
|-----------|-------------------------|----------|------|-------|-------------------|--------------------|-----------------------|-----------------------|----------------------|
| | | G. | N.G. | Death | Life Imprisonment | More than 25 years | Between 15 & 25 years | Between 10 & 15 years | Between 5 & 10 years |
| GENOVA | 28 | 23 | 5 | - | - | 2 | 5 | 2 | 8 |
| IMPERIA | 11 | 8 | 3 | - | - | - | 1 | 1 | 2 |
| S.REMO | 12 | 5 | 7 | - | - | - | - | 2 | 3 |
| SAVONA | 17 | 13 | 4 | - | - | 1 | - | - | 6 |
| LA SPEZIA | 1 | - | - | - | - | - | - | - | 1 |
| TOTALS | 69 | 49 | 19 | - | - | 3 | 6 | 5 | 19 |

APPENDIX "C" (Continued)
 Analysis of Verdicts and Sentences pronounced

| r ns i | Verdicts | | | SENTENCES | | | | | |
|--------------|----------|------|-------|-------------------|--------------------|-----------------------|-----------------------|----------------------|-----------------|
| | G. | N.G. | Death | Life Imprisonment | More than 25 years | Between 15 & 25 years | Between 10 & 15 years | Between 5 & 10 years | Other Sentences |
| | 23 | 5 | - | - | 2 | 5 | 2 | 8 | 6 |
| | 8 | 3 | - | - | - | 1 | 1 | 2 | 4 |
| | 5 | 7 | - | - | - | - | 2 | 3 | - |
| | 13 | 4 | - | - | 1 | - | - | 6 | 6 |
| | - | - | - | - | - | - | - | 1 | - |
| | 49 | 19 | - | - | 3 | 6 | 5 | 19 | 16 |

APPENDIX "D"

List of a Superior Court Cases tried in
Imperia Province for the month of
September 1945

| Name of Accused | Sec. of Proclamation under which charged | Plea | Finding | Sentence |
|------------------------------|---|----------|----------|-----------|
| CORRADI Pasquale | Proc. 1 Art. 4, Sec. 5 Proc. 1, Art. 5, Sec. 45 | G. G. | G. G. | 9 months |
| SEMERIA Edmondo | Proc. 1, Art. 4, Sec. 5 Proc. 1, Art. 5, Sec. 45 | G. G. | G. G. | 16 months |
| BIANCHI Franco "Stali" | Proc. 1, Art. 4, Sec. 5 | NG. | NG. | |

APPENDIX "A"

AMG Summary cases tried in Liguria
for Month of September 1945

| N.G. | THEFT AND WRONG- FUL POSSESSION | | | BLACK MARKET | | | ARMS | | | ASSAULT | | | MISCELLANEOUS | | | TOTALS | | |
|------|------------------------------------|----|------|-------------------|----|------|-------------------|----|------|-------------------|----|------|-------------------|----|------|-------------------|----|------|
| | No. of Accused | G. | N.G. | No. of Accused | G. | N.G. | No. of Accused | G. | N.G. | No. of Accused | G. | N.G. | No. of Accused | G. | N.G. | No. of Accused | G. | N.G. |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | 3 | - | 3 | - | - | - | - | - | - | 3 | - | 3 |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | t | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | 3 | - | 3 | 4 | - | - | - | - | - | 3 | 4 | 3 |

1279

| No. | ARMS | | | ASSAULT | | | MISCELLANEOUS | | | TOTALS | | | REMARKS |
|-----|----------------|----|------|----------------|----|------|----------------|----|------|----------------|----|------|---------|
| | No. of Accused | G. | N.G. | No. of Accused | G. | N.G. | No. of Accused | G. | N.G. | No. of Accused | G. | N.G. | |
| | - | - | - | - | - | - | - | - | - | - | - | - | |
| | 3 | - | 3 | - | - | - | - | - | - | 3 | - | 3 | |
| | - | - | - | - | - | - | - | - | - | - | - | - | |
| t | 3 | - | 3 | + | - | - | - | - | - | 3 | + | 3 | |

HEADQUARTERS
LIGURIA REGION
ALLIED MILITARY GOVERNMENT
APO 394

WGE/sf
6 September 1945

Lig/Leg/03.1

SUBJECT : Monthly Legal Report - August 1945.

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

1. A.M.G. Courts

- (1) Summary - Analysis given at appendix 'A'
- (2) Superior - See Appendix 'B'
- (3) General - Nil

Note Forms 13 to follow.

The volume of minor AMG cases has decreased because as many as possible of such cases are being handed over to the Italian Courts. No arms cases have been or will be turned over. More than one AMG General Court is in prospect for September.

2. Italian Courts - Progress of Work

(1) Extraordinary Courts of Assize

- (a) See appendix 'C' for statistical Progress Reports and analysis of verdicts and sentences.
- (b) As was to be expected the number of new cases coming forward is dwindling. Nearly all the Courts have made good progress in releasing persons detained unnecessarily. Savona may be cited as an example. At the time of liberation there were between 750 and 800 persons detained for supposed political offences in the Province. On June 1st there were 600, on July 1st 460, on August 1st 248. There are now only 176 persons whose cases remain unadjudicated. Of these about 100 to 120 will be tried. The rest will probably be absolved before trial. Renewed efforts will be made to have all cases disposed of within the time limit imposed by the Decree.
- (c) Attention is particularly drawn to the fact that failure on the part of Rome to confirm Death Sentences is continuing to cause uneasiness and may sooner or later have serious repercussions.

(2) Other Courts

(a) Tribunali

These Courts in spite of serious understaffing are generally speaking more than holding their own. This is particularly so in the case of Genoa Tribunale where a very real and successful effort is being made.

1. A.M.G. Courts

- (1) Summary - Analysis given at appendix 'A'
- (2) Superior - See Appendix 'B'
- (3) General - Nil

Note Forms 13 to follow.

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- (a) See appendix 'C' for statistical Progress Reports and analysis of verdicts and sentences.
- (b) As was to be expected the number of new cases coming forward is dwindling. Nearly all the Courts have made good progress in releasing persons detained unnecessarily. Savona may be cited as an example. At the time of liberation there were between 750 and 800 persons detained for supposed political offences in the Province. On June 1st there were 600, on July 1st 460, on August 1st 248. There are now only 176 persons whose cases remain unadjudicated. Of these about 100 to 120 will be tried. The rest will probably be absolved before trial. Renewed efforts will be made to have all cases disposed of within the time limit imposed by the Decree.

- (c) Attention is particularly drawn to the fact that failure on the part of Rome to confirm Death Sentences is continuing to cause uneasiness and may sooner or later have serious repercussions.

(2) Other Courts

(a) Tribunali

These Courts in spite of serious understaffing are generally speaking more than holding their own. This is particularly so in the case of Genoa Tribunale where a very real and successful effort is being made to reduce arrears. Progress in La Spezia Province appears to be slow and arrears in Imperia Province are still too high but arrears in all Tribunali show a slight reduction.

(b) Pretore Courts

Figures are satisfactory on the whole particularly in Genoa Province.

3. Epuration

Detailed information is not yet ^{to} hand from all Provinces as to the progress made by Avv. CACCIATORI in his consultations with the various Provincial authorities as regards formation of the necessary Epuration bodies under DLL 159. It is not therefore possible at this stage to make an accurate appreciation of the readiness or otherwise of the Italian authorities to bring DLL 159 into operation immediately on the cessation of AMG. Further information on the subject is being sought from the Provinces. Meantime a ruling is being sought as to the question of the possibly overlapping jurisdictions of the GO 35 and DLL 159 Commissions during the period of AMG still to run (see this HQ. letter Lig/Leg/55 dated 6 September 1945). Statistical Progress Reports are omitted from this months Report in compliance with CA Section letter DF/3.32/CA dated 3 September 1945.

4. General

The general legal situation in this Region during the month has been satisfactory and calls for no further comment.

For the Regional Commissioner:

W.G. Elder
W.G. ELDER,
Lt. Col., Cdn. Prov. C.,
Regional Legal Officer.

Copy to Regional Commissioner.

LIST OF APPENDICES

- APPENDIX "A"
- APPENDIX "B"
- APPENDIX "C"
- APPENDIX "D"

| | |
|---------------------|--|
| LEGAL SUBCOMMISSION | |
| CLO | |
| DEPT. | |
| Ch. Counsel | |
| CLP | |
| REG. DIVISION | |
| CLERK | |
| 10 SEP 1945 | |

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time a ruling is being sought as to the question of the possibly over-
lapping jurisdictions of the GO 35 and DIL 159 Commissions during the
period of AMG still to run (see this Hq. letter Lig/Leg/55 dated 6
September 1945). Statistical Progress Reports are omitted from this
months Report in compliance with CA Section letter DF/3.32/CA dated
3 September 1945.

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month has been satisfactory and calls for no further comment.

For the Regional Commissioner:

W.G. Elder
W.G. ELDER,
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Regional Legal Officer.

Copy to Regional Commissioner.

LIST OF APPENDICES

- APPENDIX "A"
- APPENDIX "B"
- APPENDIX "C"
- APPENDIX "D"

| | |
|----------------------------|--|
| LEGISLATIVE SUB-COMMISSION | |
| CLO | |
| DC | |
| Ch of Counsel | |
| CL | |
| Head of Bench | |
| Q. T. S. | |
| 10 SEP 1945 | |

APPENDIX "A"

Analysis of AMG Summary cases tried in Liguria
Region for Month of August 1945

| PROVINCE | CURFEW | | | TRAVEL | | | THEFT AND WRONG- FUL POSSESSION | | | BLACK MARKET | | | ARMS |
|-----------|-------------------|----|------|-------------------|----|------|------------------------------------|----|------|-------------------|----|------|-------------------|
| | No. of Accused | G. | N.G. | No. of Accused | G. | N.G. | No. of Accused | G. | N.G. | No. of Accused | G. | N.G. | No. of Accused |
| GENOVA | - | - | - | - | - | - | 5 | 5 | - | - | - | - | 1 |
| IMPERIA | - | - | - | - | - | - | - | - | - | - | - | - | - |
| SAVONA | - | - | - | - | - | - | - | - | - | - | - | - | 1 |
| LA SPEZIA | - | - | - | - | - | - | 1 | 1 | - | - | - | - | 6 |
| TOTALS | - | - | - | - | - | - | 6 | 6 | - | - | - | - | 8 |

APPENDIX "A"

Summary of AMG Summary cases tried in Liguria
Region for Month of August 1945

| LEVEL | THEFT AND WRONGFUL POSSESSION | | | | | BLACK MARKET | | | ARMS | | | ASSAULT | | | MISCELLANEOUS | | | TOTALS |
|-------|-------------------------------|------|----------------|----|------|----------------|----|------|----------------|----|------|----------------|----|------|----------------|----|------|----------------|
| | G. | N.G. | No. of Accused | G. | N.G. | No. of Accused | G. | N.G. | No. of Accused | G. | N.G. | No. of Accused | G. | N.G. | No. of Accused | G. | N.G. | No. of Accused |
| - | - | 5 | 5 | - | - | - | - | - | 1 | 1 | - | - | - | - | 1 | 1 | - | 2 |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 | 1 | - | 1 |
| - | - | - | - | - | - | - | - | - | 1 | 1 | - | 1 | 1 | - | 4 | 4 | - | 6 |
| - | - | 1 | 1 | - | - | - | - | - | 6 | 3 | 3 | - | - | - | - | - | - | 7 |
| - | - | 6 | 6 | - | - | - | - | - | 8 | 5 | 3 | 1 | 1 | - | 6 | 6 | - | 21 |

| MARKET | | ARMS | | | ASSAULT | | | MISCELLANEOUS | | | TOTALS | | | REMARKS |
|--------|------|----------------|----|------|----------------|----|------|----------------|----|------|----------------|----|------|---------|
| G. | N.G. | No. of Accused | G. | N.G. | No. of Accused | G. | N.G. | No. of Accused | G. | N.G. | No. of Accused | G. | N.G. | |
| - | - | 1 | 1 | - | - | - | - | 1 | 1 | - | 7 | 7 | - | |
| - | - | - | - | - | - | - | - | 1 | 1 | - | 1 | 1 | - | |
| - | - | 4 | 1 | - | 1 | 1 | - | 4 | 4 | - | 6 | 6 | - | |
| - | - | 6 | 3 | 3 | - | - | - | - | - | - | 7 | 4 | 3 | |
| - | - | 8 | 5 | 3 | 1 | 1 | - | 6 | 6 | - | 21 | 18 | 3 | |

APPENDIX "B"

List of Superior Court Cases tried in Liguria Region for Month of August 1945

| Province | Name of Accused | Sec. of Proclamation under which charged | Plea | Pending | Sentence | Remarks |
|-----------|--------------------|--|------|---------|---|---|
| Genoa | SCARFI Domenico | Proc. I art. 4 Sec. 5 | NG. | G. | One year which nine months are suspended | 9 months suspended |
| Imperia | | | | | | I case tried Record not yet received. |
| Savona | - | Proc. I art. 4 Sec. 5 and under Italian law | NG. | G. | 7 1/2 years | Record not yet received. |
| LA Spezia | | N I L | | | | |

APPENDIX "C"

Table showing progress made by Extraordinary Courts of Assize in Liguria Region during month of August 1945 with analysis of Verdicts and Sentences pronounced

| PROVINCE 1 | Cases pending in Prosecution office as at 1 Aug. 1945 2 | New cases received during August 3 | Total of Cols 2 & 3 4 | Cases disposed of during August 5 | | | Total of Cols. (a) (b) and (c) of preceding Col. 6 | Cases pending as at 31 August 1945 (Difference between Col.4 & Col.6) 7 | REMA |
|---------------|--|---------------------------------------|--------------------------|--------------------------------------|--|-----------------|--|--|------|
| | | | | Released for lack of evidence (a) | Transferred to other jurisdictions (b) | Cases Tried (c) | | | |
| Genoa | 268 | 133 | 401 | 96 | - | 25 | 121 | 280 | |
| Imperia | FIGURES | NOT | RECEIVED | | | | | | |
| Savona | 107 | 170 | 277 | 45 | 36 | 20 | 101 | 176 | |
| La Spezia | 222 | 46 | 268 | 88 | 9 | 4 | 101 | 167 | |
| TOTALS | 597 | 349 | 946 | 229 | 45 | 49 | 323 | 623 | |

APPENDIX "C"

Table showing progress made by Extraordinary Courts of Assize in Liguria Region during month of August 1945 with analysis of Verdicts and Sentences pronounced

| New cases received during August | Total of Cols 2 & 3 | Cases disposed of during August | | | Total of Cols. (a) (b) and (c) of preceding Col. 6 | Cases pending as at 31 August 1945 (Difference between Col.4 & Col.6) 7 | REMARKS 8 |
|----------------------------------|---------------------|-----------------------------------|--|-----------------|--|--|--------------|
| | | Released for lack of evidence (a) | Transferred to other jurisdictions (b) | Cases Tried (c) | | | |
| 3 | 4 | | | | | | |
| 133 | 401 | 96 | - | 25 | 121 | 280 | |
| NOT RECEIVED | | | | | | | |
| 170 | 277 | 45 | 36 | 20 | 101 | 176 | |
| 46 | 268 | 88 | 9 | 4 | 101 | 167 | |
| 349 | 946 | 229 | 45 | 49 | 323 | 623 | |

APPENDIX "C" (Continued)

Analysis of Verdicts and Sentences pronounced

| PROVINCE | Number of Persons tried | Verdicts | | | SENTENCES | | | | |
|-----------|-------------------------|----------|------|-------|-------------------|--------------------|-----------------------|-----------------------|----------------------|
| | | G. | N.G. | Death | Life Imprisonment | More than 25 years | Between 15 & 25 years | Between 10 & 15 years | Between 5 & 10 years |
| GENOVA | 25 | 20 | 5 | 5 | - | 3 | 1 | 2 | 7 |
| IMPERIA | | | | | FIGURES | NOT RECEIVED | | | |
| SAVONA | 20 | 11 | 9 | 1 | - | - | 3 | 3 | 3 |
| LA SPEZIA | 4 | 4 | - | - | - | - | - | - | 2 |
| TOTALS | 49 | 35 | 14 | 6 | - | 3 | 4 | 5 | 12 |

APPENDIX "C" (Continued)

Analysis of Verdicts and Sentences pronounced

| Verdicts | | SENTENCES | | | | | | |
|----------|------|-----------|-------------------|--------------------|-----------------------|-----------------------|----------------------|--|
| G. | N.G. | Death | Life Imprisonment | More than 25 years | Between 15 & 25 years | Between 10 & 15 years | Between 5 & 10 years | Other Sentences |
| 0 | 5 | 5 | - | 3 | 1 | 2 | 7 | 2 |
| | | | FIGURES | NOT RECEIVED | | | | |
| 1 | 9 | 1 | - | - | 3 | 3 | 3 | 1 |
| 4 | - | - | - | - | - | - | 2 | 2 Sentences have not yet been pronounced |
| 5 | 14 | 6 | - | 3 | 4 | 5 | 12 | 5 |

APPENDIX "D"

Table showing approximate state of Prisons
in Liguria Region for month of August 1945

| PROVINCE | PRISON | No. of Prisoners on 31 August 1945 | | No. of Prisoners admitted during month | | No. of Prisoners released during month | | No. of Prisoners detained as at 31 August 1945 | |
|------------------|--------------------|------------------------------------|---------------|--|---------------|--|---------------|--|---------------|
| | | Political | non Political | Political | non Political | Political | non Political | Political | non Political |
| <u>GENOVA</u> | Marassi | 803 | 151 | 177 | 298 | 319 | 120 | 661 | 329 |
| " | Da Passano | 302 | - | 103 | - | 210 | - | 195 | - |
| " | S.P. Darena | 85 | 19 | 8 | 23 | 93 | 24 | - | 18 |
| " | Albergo dei Poveri | 185 | - | 33 | - | 65 | - | 153 | - |
| " | Chiavari | 142 | 18 | 21 | 14 | 59 | 4 | 104 | 28 |
| <u>IMPERIA</u> | | | | | | | | | |
| " | Imperia | 185 | 30 | 40 | 25 | 120 | 20 | 105 | 35 |
| " | San Remo | 101 | 33 | 71 | 35 | 62 | 16 | 110 | 52 |
| <u>SAVONA</u> | | | | | | | | | |
| | | | NO FIGURES | | RECEIVED | | | | |
| <u>LA SPEZIA</u> | | | | | | | | | |
| " | La Spezia | 43 | 182 | 26 | 61 | 32 | 69 | 37 | 174 |
| " | Sarzana | - | 11 | 6 | 8 | 2 | 7 | 4 | 12 |
| TOTALS | | 1846 | 444 | 485 | 464 | 962 | 260 | 1369 | 648 |

NOTE - The term Political Prisoners includes inter alia all persons for trial by the Extraordinary Court

APPENDIX "D"

Table showing approximate state of Prisons
in Liguria Region for month of August 1945

| No. of Prisoners on 31 August 1945 | | No. of Prisoners admitted during month | | No. of Prisoners released during month | | No. of Prisoners detained as at 31 August 1945 | | REMARKS |
|---------------------------------------|------------------|--|------------------|--|------------------|--|------------------|---------|
| Political | non Political | Political | non Political | Political | non Political | Political | non Political | |
| 803 | 151 | 177 | 298 | 319 | 120 | 661 | 329 | |
| 302 | - | 103 | - | 210 | - | 195 | - | |
| 85 | 19 | 8 | 23 | 93 | 24 | - | 18 | |
| 185 | - | 33 | - | 65 | - | 153 | - | |
| 142 | 13 | 21 | 14 | 59 | 4 | 104 | 28 | |
| 185 | 30 | 40 | 25 | 120 | 20 | 105 | 35 | |
| 101 | 33 | 71 | 35 | 62 | 16 | 110 | 52 | |
| | NO | FIGURES | RECEIVED | | | | | |
| 43 | 182 | 26 | 61 | 32 | 69 | 37 | 174 | |
| - | 11 | 6 | 8 | 2 | 7 | 4 | 12 | |
| 1846 | 444 | 485 | 464 | 962 | 260 | 1369 | 648 | |

Political Prisoners includes inter alia all persons for trial by the Extraordinary Courts of Assize.

HEADQUARTERS
LIGURIA REGION
ALLIED MILITARY GOVERNMENT
APO 394

WGE/sf
7 August 1945

Lig/Leg/03.1

SUBJECT : Monthly Legal Reports - August 1945.

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

1. A.M.G. Courts

- (1) Summary - Analysis given at Appendix 'A'
- (2) Superior - As per Appendix 'B'
- (3) General - Nil

The number of violations of Proclamations continues to be low.

Note Forms 13 to follow.

2. Italian Courts - Progress of Work

(1) Extraordinary Courts of Assize

(a) Figures for cases tried during the month are as follows:-

| | | |
|-----------|----|----------------------|
| Genoa | 23 | No figures available |
| Imperia | 15 | Not yet commenced |
| Savona | 16 | " " " |
| La Spezia | | " " " |
| Apuania | | " " " |
| Lucca | | " " " |

(b) These Courts continue to make reasonably good progress. A feature of the months work has been the excellent progress made in clearing the jails of persons detained on insufficient evidence. 127 persons were released in Imperia, 103 in Savona 54 in Genoa. Reports indicate that popular excitement is dying down and that the work of these Courts is proceeding in an atmosphere of greater calm.

(2) Other Courts

Reasonable progress is being made and the situation is not unsatisfactory. Shortage of officials is still acute in some Provinces. The Primo Presidente is in touch with the Ministry as regards this situation. Other problems so far as they exist are being slowly smoothed out.

3. Epuration

(1) It is regretted that figures in connection with

1296

1. A.M.C. Courts

- (1) Summary - Analysis given at Appendix 'A'
- (2) Superior - As per Appendix 'B'
- (3) General - Nil

The number of violations of Proclamations continues to be low.

Note Forms 13 to follow.

2. Italian Courts - Progress of Work

(1) Extraordinary Courts of Assize

(a) Figures for cases tried during the month are as follows:-

| | | |
|-----------|----|----------------------|
| Genoa | 23 | No figures available |
| Imperia | 15 | Not yet commenced |
| Savona | 16 | " " " |
| La Spezia | | " " " |
| Apuania | | " " " |
| Lucca | | " " " |

(b) These Courts continue to make reasonably good progress. A feature of the months work has been the excellent progress made in clearing the jails of persons detained on insufficient evidence. 127 persons were released in Imperia, 103 in Savona 54 in Genoa. Reports indicate that popular excitement is dying down and that the work of these Courts is proceeding in an atmosphere of greater calm.

(2) Other Courts

Reasonable progress is being made and the situation is not unsatisfactory. Shortage of officials is still acute in some Provinces. The Primo Presidente is still in touch with the Ministry as regards this situation. Other problems so far as they exist are being slowly smoothed out.

3. Epuration

(1) It is regretted that figures in conformity with HQ., A.C. (Civil Affairs Section) letter DF/6A/CA dated 5 July 1945 have been received from only one Province although that letter was distributed on receipt. Immediate rendition of the returns has been called for and they will be forwarded when received.

(2) Progress in general appears to be slow, but the impression is that Commissions are gradually getting down to it. Trouble and misunderstanding arose during

1297

the month with regard to orders issued by the Communication Ministry in Milan which purported to exclude the jurisdiction of local Epuration Commissions so far as regarded Railway workers. The VP CA Section cleared this up verbally during his visit.

4. General

The month has been quiet on the whole. The only disturbing feature is the increase in crimes involving violence to the CRR. It is hoped to bring some persons accused of such crimes before AMG Courts during August.

For the Regional Commissioner:

W. G. Elder
W.G. ELDER,
Lt. Col., Cdn. Prov. C.,
Regional Legal Officer.

Copy to Regional Commissioner.

LIST OF APPENDICES

APPENDIX "A"
APPENDIX "B"

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For the Regional Commissioner:

W. G. Elder
W.G. ELDER,
Lt. Col., Cdn. Prov. C.,
Regional Legal Officer.

Copy to Regional Commissioner.

LIST OF APPENDICES

- APPENDIX "A"
- APPENDIX "B"

APPENDIX "A"

Analysis of AMG Summary cases tried in
Liguria Region for month of July 1945

| PROVINCE | CURFEW | | | TRAVEL | | | THEFT AND WRONG- FUL POSSESSION | | | BLACK MARKET | | | ARMS | | |
|-----------|-------------------|-----|------|-------------------|----|------|------------------------------------|----|------|-------------------|----|-----|-------------------|----|-----|
| | No. of accused | G. | N.G. | No. of accused | G. | N.G. | No. of accused | G. | N.G. | No. of accused | G. | NG. | No. of accused | G. | N/G |
| GENOVA | None | - | - | None | - | - | 29 | 25 | 4 | None | - | - | 4 | 4 | - |
| IMPERIA | None | - | - | None | - | - | None | - | - | None | - | - | None | - | - |
| SAVONA | None | - | - | None | - | - | None | - | - | None | - | - | None | - | - |
| LA SPEZIA | Report | not | yet | received | | | | | | | | | | | |
| APUANIA | None | - | - | None | - | - | None | - | - | None | - | - | None | - | - |
| LUCCA | Report | not | yet | received | | | | | | | | | | | |
| TOTALS | - | - | - | - | - | - | 29 | 25 | 4 | - | - | - | 4 | 4 | - |

APPENDIX "A"

Analysis of AMG Summary cases tried in Liguria Region for month of July 1945

| EL | | THEFT AND WRONGFUL POSSESSION | | | BLACK MARKET | | | ARMS | | | ASSAULT | | | MISCELLANEOUS | | | TOTALS | |
|----|------|-------------------------------|----|------|----------------|----|-----|----------------|----|-----|----------------|----|------|----------------|----|------|----------------|----|
| G. | N.G. | No. of accused | G. | N.G. | No. of accused | G. | NG. | No. of accused | G. | M/G | No. of accused | G. | N.G. | No. of accused | G. | N.G. | No. of accused | G. |
| - | - | 29 | 25 | 4 | None | - | - | 4 | 4 | - | None | - | - | 11 | 7 | 4 | 44 | 36 |
| - | - | None | - | - | None | - | - | None | - | - | None | - | - | None | - | - | None | - |
| - | - | None | - | - | None | - | - | None | - | - | None | - | - | None | - | - | None | - |
| - | - | None | - | - | None | - | - | None | - | - | None | - | - | None | - | - | None | - |
| - | - | 29 | 25 | 4 | - | - | - | 4 | 4 | - | - | - | - | 11 | 7 | 4 | 44 | 36 |

| ARMS | | | ASSAULT | | | MISCELLANEOUS | | | TOTALS | | | REMARKS |
|----------------|----|-----|----------------|----|------|----------------|----|------|----------------|----|------|---------|
| No. of accused | G. | N/G | No. of accused | G. | N.G. | No. of accused | G. | N.G. | No. of accused | G. | N.G. | |
| 4 | 4 | - | None | - | - | 11 | 7 | 4 | 44 | 36 | 8 | |
| None | - | - | None | - | - | None | - | - | None | - | - | |
| None | - | - | None | - | - | None | - | - | None | - | - | |
| None | - | - | None | - | - | None | - | - | None | - | - | |
| 4 | 4 | - | - | - | - | 11 | 7 | 4 | 44 | 36 | 8 | |

APPENDIX "B"
List of Superior Court Cases
tried in Liguria Region for
month of July 1945

| Province | Name of Accused | Sec. of Proclamation under which charged | Plea | Finding | Sentence | Remarks |
|-----------|-------------------------|---|--------------------------|-----------------------|---|----------|
| Genova | CICCHINI Attilio | Proc. I. art. 5 sec. 27 | NG. | G. | One year | |
| GENOVA | VINETTI Giovanni | Proc. I. art. 4 sec. 5 | G. | G. | 1 year (six months suspend) | |
| GENOVA | MEUCCI Sandro | Proc. I. art. 4 sec. 10 " I. " 4 " 5 " I. " 5 " 45 | NG. NG. NG. | G. G. G. | 1 year six months Two years | Concurr. |
| " | SINI Giuseppe | Proc. I. art. 4 sec. 5 " I. " 5 " 45 " I. " 4 " 10 " I. " 5 " 28 | NG. NG. NG. NG. | G. NG. G. G. | six months --- One year Six months | Concurr. |
| " | SCANDURRA Sebastiano | Proc. I. art. 4 sec. 5 " I. " 5 " 27 | G. G. | G. G. | Three months 2000 lire fine | |
| APUANIA | TAIOCCHI Camillo | Proc. I. art. 4 sec. 5 | G. | G. | six months | Concurr. |
| " | BANDINELLI ALDO | Proc. I. art. 4 sec. 5 " I " 5 " 39 | G. NG. | G. G. | 18 months 6 months | Concurr. |
| IMPERIA | | N I L | | | | |
| SAVONA | | N I L | | | | |
| LA SPEZIA | | Report not yet received | | | | |
| LUCCA | | Report not yet received | | | | |

HEADQUARTERS
LIGURIA REGION
ALLIED MILITARY GOVERNMENT
APO 394

Lig/Leg/03.1

WGE/sf
7 July 1945

SUBJECT : Monthly Legal Report.

TO : Headquarters, Allied Commission - APO.
(Attn: Chief Legal Advisor)

1. The following Report is submitted for the month of June 1945.

2. A.M.G. Courts

- (1) Summary - Analysis given at Appendix 'A'
- (2) Superior - As per Appendix 'B'
- (3) General - Nil

Note Forms 13 to follow. X

AMG Courts throughout the Region continue to be very few in number for the reasons stated in last months Report.

3. Italian Courts - Progress of Work(1) Extraordinary Courts of Assize

(a) Situation shown in Appendix "C".

(b) These Courts are now functioning in all Provinces of the Region with the exception of Apuania and Lucca. Steps are being taken to constitute them in the latter Provinces.

Results achieved so far are fairly satisfactory particularly in Genoa and Savona Provinces where the Courts are getting rapidly into their stride.

There is considerable dissatisfaction notably in Savona Province with the slowness of the procedure for confirmation of Death Sentences by the Minister of Justice. This dissatisfaction is thought to have been the cause of the regrettable incident in Savona Province which was the subject of a Special Report copy of which is annexed at Appendix "D". It is hoped that the procedure will be speeded up considerably as a result of the decisions taken at the conference of Primi Presidenti and Procuratori Generali held at Milan on 30th ult.. There is still no information as to the fate of the abducted prisoners.

(2) Ordinary Courts of Assize

This Court has not operated during the month in any of the Provinces. Pending cases are as follows:-

| | |
|---------------|--------------------------|
| Genoa Section | 52 |
| Imperia " | 4 |
| Savona " | No figures yet available |
| Spezia " | Nil |
| Apuania " | Nil |
| Lucca " | Nil |

1304

(Attn: Chief Legal Advisor)

1. The following Report is submitted for the month of June 1945.

2. A.M.G. Courts

- (1) Summary - Analysis given at Appendix 'A'
- (2) Superior - As per Appendix 'B'
- (3) General - Nil

Note Forms 13 to follow. X

AMG Courts throughout the Region continue to be very few in number for the reasons stated in last months Report.

3. Italian Courts - Progress of Work

(1) Extraordinary Courts of Assize

(a) Situation shown in Appendix "C".

(b) These Courts are now functioning in all Provinces of the Region with the exception of Apuania and Lucca. Steps are being taken to constitute them in the latter Provinces.

Results achieved so far are fairly satisfactory particularly in Genoa and Savona Provinces where the Courts are getting rapidly into their stride.

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This Court has not operated during the month in any of the Provinces. Pending cases are as follows:-

| | | |
|---------------|-------|--------------------------|
| Genoa Section | ----- | 52 |
| Imperia " | ----- | 4 |
| Savona " | ----- | No figures yet available |
| Spezia " | ----- | Nil |
| Apuania " | ----- | Nil |
| Lucca " | ----- | No figures available |

A Report is awaited from the Primo Presidente as to the situation of these Courts.

(3) Tribunali

Figures of pending criminal cases as at 30 June 45 are as follows:-

| | |
|---------|------|
| Genoa | 2591 |
| Imperia | 2345 |
| Savona | 220 |
| Spezia | |
| Apuania | 553 |
| Lucca | 531 |

Figures not yet available

Figures for Genoa and Imperia appear very much swollen and PLOs are being asked to investigate.

(4) Proclamation offences

No offences of this type have been tried by the Italian Courts. It has not been necessary to ask them to do so.

(5) Judicial Officials

The position here is a little confused owing to the great demands made on personnel resources of the various Courts by the necessity of finding officials to staff the Extraordinary Courts of Assize. The Primo Presidente, Avvocato Generale and PLOs have been asked to render reports stating exactly what personnel deficiencies of a really urgent nature exist. When these are ascertained a Report will be rendered from this office for transmission to the Ministry. Meantime it would appear that the urgent vacancies are as follows:-

(a) Genoa Province

The Tribunale of Genoa which is a very large Court consisting of many Sections appears to be worst off of any Court in the Region. The "Pianta del Tribunale" consists of 68 officials namely 1 Presidente Capo, 1 Consigliere Istruttore, 9 Presidenti di Sezione and 57 Giudici. At present only 38 are actually in service. 30 posts are therefore vacant.

(b) Imperia Province

There is no Pretore at the Pretura of PIEVE di TECO.

(c) Savona Province

The Tribunale is very badly off for judges. There should be 9. Only 2 remain in effective service. The local Pretore has to be called in to make up the College.

(d) La Spezia Province

No obviously urgent vacancies appear.

(e) Apuania Province

No report yet received.

553
531
Apuania
Lucca

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(c) Savona Province

The Tribunale is very badly off for Judges. There should be 9. Only 2 remain in effective service. The local Pretore has to be called in to make up the College.

(d) La Spezia Province

No obviously urgent vacancies appear.

(e) Apuania Province

No report yet received.

(f) Lucca Province

No report yet received. It is to be noted that this Province is not within Genoa Court of Appeal District.

4. Epuration

(1) Genoa Province

GO 35 was published on 31 May 1945. On 1 June 1945 a Commission for the Province consisting of 9 persons under the Presidency of Dott. ~~REBUTTATI~~ ^{REBUTTATI} Nicola, Section President of the Court of Appeal (Grade IV) ~~REBUTTATI~~ ^{Dott. REBUTTATI} does not belong to any political party.

The Provincial Commission is divided into 3 Sections one for each of the categories (a) (b) and (c) specified in Art. 1 GO 35.

In addition to the above Sections a Special Section for epuration of Schools has since been constituted. For this purpose the names of two additional members have been added to the commission initially appointed.

Appendix 'E' shows the satisfactory progress already made by the Commission in this Province.

GO 46 has not yet been applied to any undertakings in the Province.

(2) Imperia Province

The Provincial Commission was appointed on 16th June 1945. It consists of a President (Dott. REBUTTATI Carlo a Consigliere of the Court of Appeal-Grade IV) and 11 members.

No particulars are yet available as to the number of Sections constituted or as to progress made.

(3) Savona Province

The Provincial Commission was appointed on 4 June 1945. It consists of a President and 11 members and is divided into 2 Sections. One Section deals with epuration ab initio the other with reviews of suspensions made by the CLN before arrival of the Allies.

In addition to the above Sections a Special Section (3 in number) for epuration of schools has been appointed.

Some 230 completed Schede have been received. Suspension notices have been served on 21 persons to date.

GO 46 has not yet been applied to any undertakings in the Province. It is expected that it will be put into operation in respect of a number of firms during July.

(4) La Spezia Province

The Provincial Commission was appointed on 18 June 1945. It consists of a President and six members. The Commission has not yet been divided into Sections.

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(4) La Spezia Province

The Provincial Commission was appointed on 18 June 1945. It consists of a President and six members. The Commission has not yet been divided into Sections.

Schede have been received to date. 16 suspensions have been notified so far.

GO 46 is not yet in operation.

(5) Apuania Province

The Provincial Commission was appointed on 30 June. It consists of a President and 5 members.

No work has yet been done by the Commission

GO 46 is not yet in operation.

(6) Lucca Province

Information re this Commission is awaited. It is understood that some suspensions have already taken place.

(7) General

Epurazione is slowly getting under way and the progress made, considering that none of the Commissions has been established for more than a month, is considered fairly satisfactory. Instructions have been given to all Commissions to tackle Category Immediate persons first.

The decision of / Hq., A.C. and the Ministry as regards the suggestion made at the Milan Meeting to the effect that epurazione of the Magistracy be carried out by a Central Ministerial Commission rather than by local Commissions is awaited. Epurazione proceedings against members of the Magistracy under GO 35 have meantime been suspended throughout the Region.

Primi Presidenti have received instructions from the Ministry of Justice to go ahead with the nomination of Commissions for Epurazione of the Professions under Decree 159. This will satisfy a definite demand for immediate action in this field.

5. Prisons

State of Prisons as reported by PLOs is shown in Appendix "F".

All PLOs are working in conjunction with their respective Pubblici Ministeri, Questori and CLN Committees on the problem of clearing the jails of persons against whom nothing can be proved. This is a difficult task and is complicated by the fact that released persons are sometimes victimized with or without reason by irresponsible elements of the public. Care is therefore necessary in effecting releases to distinguish between persons who may be safely given their liberty and those who are better retained meantime in protective custody. The difficulty is being overcome in some provinces by setting up informal commissions composed of prominent, trusted local personalities to advise PLOs and Pubblici Ministeri on individual cases. Progress is slowly being made in this work.

For the Regional Commissioner:

LEGAL SUB-COMMISSION

CLO

CCLO

W.G. Elder

W.G. ELDER,
Lt. Col., Cdn. Prov. C.,
Regional Legal Officer

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For the Regional Commissioner:

| | |
|-------------------------|--|
| LEGAL SUB-COMMISSION | |
| CIO | |
| DECRE | |
| REGIONAL SUB-COMMISSION | |
| 77 JUL - 4 - | |

W.G. Elder
W.G. ELDER,
Lt. Col., Cdn. Prov. C.,
Regional Legal Officer.

Copy to Regional Commissioner.

(See list of attached appendices)

LIST OF APPENDICES (attached)

- APPENDIX "A" - Analysis of AMG Summary cases tried in Liguria Region for Month of June 1945
- APPENDIX "B" - List of Superior Court Cases tried in Liguria Region for month of June 1945
- APPENDIX "C" - Table showing progress made by Extraordinary Courts of Assize in Liguria Region during month of June 1945 with analysis of Verdicts and Sentences pronounced.
- APPENDIX "C"
(cont'd) - Analysis fo Verdicts and Sentences pronounced
- APPENDIX "D" ^{Copy letter in} - Abduction of Prisoners sentenced by Extraordinary Court of Assize at Savona
- APPENDIX "E" - Table showing progress made by Epuration Commission for Province of Genoa during month of June 1945
- APPENDIX "F" - Table showing approximate state of Prisons in Liguria Region for month of June 1945.

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also with analysis of Verdicts and Sentences pronounced.

APPENDIX "C"
(cont'd)

Copy letter
- Analysis fo Verdicts and Sentences pronounced
APPENDIX "D" - Abduction of Prisoners sentenced by Extraordinary
Court of Assize at Savona

APPENDIX "E"

- Table showing progress made by Epuration Commission for Province of Genoa during month of June 1945

APPENDIX "F"

- Table showing approximate state of Prisons in Liguria Region for month of June 1945.

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APPENDIX "A"

Analysis of AMG Summary cases tried in Liguria
Region for Month of June 1945

| PROVINCE | CURFEW | | | TRAVEL | | | THEFT AND WRONG-FUL POSSESSION | | | BLACK MARKET | | | ARMS | |
|-----------|----------------|----|------|----------------|----|------|--------------------------------|----|------|----------------|----|------|----------------|----|
| | No. of accused | G. | N.G. | No. of accused | G. | N.G. | No. of accused | G. | N.G. | No. of accused | G. | N.G. | No. of accused | G. |
| GENOVA | - | | | - | | | 22 | 10 | 12 | - | | | - | |
| IMPERIA | - | | | - | | | - | - | - | - | | | - | |
| SAVONA | - | | | - | | | 3 | 3 | - | - | | | - | |
| LA SPEZIA | - | | | - | | | - | - | - | - | | | 1 | 1 |
| APUANIA | - | | | - | | | - | - | - | - | | | - | |
| LUCCA | - | | | - | | | 1 | 1 | - | - | | | 1 | 1 |
| TOTALS | - | | | - | | | 26 | 14 | 12 | - | | | 2 | 2 |

APPENDIX "A"

is of AMG Summary cases tried in Liguria
Region for Month of June 1945

| THEFT AND WRONG- FUL POSSESSION | | | BLACK MARKET | | | ARMS | | | ASSAULT | | | MISCELLANEOUS | | | TOTALS | | |
|------------------------------------|-------------------|------|--------------|-------------------|------|------|-------------------|------|---------|-------------------|------|---------------|-------------------|------|--------|-------------------|------|
| G. | No. of accused | N.G. | G. | No. of accused | N.G. | G. | No. of accused | N.G. | G. | No. of accused | N.G. | G. | No. of accused | N.G. | G. | No. of accused | N.G. |
| | 22 | 12 | | - | | | - | | | - | | | - | | 22 | 10 | 12 |
| | - | - | | - | | | - | | | - | | | - | | - | - | - |
| | 3 | - | | - | | | - | | | - | | | 2 | - | 5 | 5 | - |
| | - | - | | - | | | 1 | - | | - | | | - | - | 1 | 1 | - |
| | - | - | | - | | | - | - | | - | | | - | - | - | - | - |
| | 1 | - | | - | | | 1 | - | | - | | | - | - | 2 | 2 | - |
| | 26 | 12 | | - | | | 2 | - | | - | | | 2 | - | 30 | 18 | 12 |

| ARMS | | | ASSAULT | | | MISCELLANEOUS | | | TOTALS | | | REMARKS |
|----------------|----|------|----------------|----|------|----------------|----|------|----------------|----|------|---|
| No. of accused | G. | N.G. | No. of accused | G. | N.G. | No. of accused | G. | N.G. | No. of accused | G. | N.G. | |
| - | | | - | | | - | | | 22 | 10 | 12 | * Large number of acquittals due to poor M.P. work and difficulty of securing attendance of military witnesses |
| - | | | - | | | - | | | - | - | - | |
| - | | | - | | | 2 | 2 | - | 5 | 5 | - | |
| 1 | 1 | - | - | | | - | - | - | 1 | 1 | - | |
| - | | | - | | | - | - | - | - | - | - | |
| 1 | 1 | - | - | | | - | - | - | 2 | 2 | - | |
| 2 | 2 | - | - | | | 2 | 2 | - | 30 | 18 | 12 | |

APPENDIX "B"
List of Superior Court Cases
tried in Liguria Region for
month of June 1945

| Province | Name of Accused | Sec. of Proclamation under which charged | Plea | Finding | Sentence | Remarks |
|-----------|----------------------|--|----------|----------|--|-----------------------------------|
| GENOA | MONTALBA Raffaele | Proc. 1 art. V Sec. 42 | NG | G | 1 year (six months suspended) 4 months | |
| " | CASARINO Giuseppe | Proc. 1 art. IV Sec. II " 1 " VI " I | NG NG | G NG | 4 months | |
| " | CAUSA Antonio | Proc. 1 art. IV Sec. II " I " VI " I | NG NG | G NG | 4 months | |
| " | BIGINI Paris | Proc. I art. IV Sec. II " I " VI " I | NG NG | NG NG | | |
| " | MUSETTI Flavio | Proc. I art. IV Sec. II " I " VI " I | NG NG | NG NG | | |
| IMPERIA | | N I L | | | | |
| SAVONA | | N I L | | | | |
| LA SPEZIA | | N I L | | | | |
| APUANIA | BALLERI Romolo | Proc. I art. IV Sec. 5 | NG | G | 2 years | Petition for Review awaited |
| " | TARDITI Primo | Proc. I art. IV Sec. 5 | NG | G | 1 year | Quashed on Review |
| " | BERUTTI Pietro | Proc. I art. IV Sec. 5 | NG | G | 1 year | |
| " | NICOLAI Bruno | Proc. I art. V Sec. 27 | G | G | 1 year 40,000 lire fine in default 3 months | |
| " | OLIVERO Micheline | Proc. I art. V Sec. 27 | G | G | 21 days (suspended) 4,000 lire fine in de- fault 2 months | |
| " | NATALINI Enzo | Proc. I art. V Sec. 27 | G. | G | 8 months 25,000 li- re fine in | |

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| Province | Name | Proc. 1 art. V Sec. 42 | NG | G | 1 year (six months suspended) 4 months | 1 year 40,000 lire fine in default 3 months | Petition for Review awaited |
|-----------|--------------------|--------------------------------------|----|----|---|---|-----------------------------|
| GENOVA | MONTALBA Raffaele | Proc. 1 art. IV Sec. II " 1 " VI " I | NG | G | 4 months | | |
| " | CASARIN D Giuseppe | Proc. 1 art. IV Sec. II " I " VI " I | NG | NG | | | |
| " | CAUSA Antonio | Proc. I art. IV Sec. II " I " VI " I | NG | NG | | | |
| " | BIGINI Paris | Proc. I art. IV Sec. II " I " VI " I | NG | NG | | | |
| " | MUSETTI Flavio | Proc. I art. IV Sec. II " I " VI " I | NG | NG | | | |
| IMPERIA | | N I L | | | | | |
| SAVONA | | N I L | | | | | |
| LA SPEZIA | | N I L | | | | | |
| APUANIA | BALLERI Romolo | Proc. I art. IV Sec. 5 | NG | G | 2 years | | Petition for Review awaited |
| " | TARDITI Primo | Proc. I art. IV Sec. 5 | NG | G | 1 year | | Quashed on Review |
| " | BERUTTI Pietro | Proc. I art. IV Sec. 5 | NG | G | 1 year | | |
| " | NICOLAI Bruno | Proc. I art. V Sec. 27 | G | G | 1 year 40,000 lire fine in default 3 months | | |
| " | OLIVERO Micheling | Proc. I art. V Sec. 27 | G | G | 21 days (suspended) 4,000 lire fine in default 2 months | | |
| " | NATALINI Enzo | Proc. I art. V Sec. 27 | G. | G | 8 months 25,000 lire fine in default 2 months | | |
| " | FERRARI Francesco | Proc. I art. IV Sec. 5 | G | G. | 18 months | | Petition for Review awaited |
| LUCCA | | N I L | | | | | |

APPENDIX " C " (Continued)
Analysis of Verdicts and Sentences
pronounced

| PROVINCE | Number of Persons tried | Verdicts | | | SENTENCES | | | | |
|-----------|-------------------------|----------|------|-------|-------------------|--------------------|-----------------------|-----------------------|----------------------|
| | | G. | N.G. | Death | Life Imprisonment | More than 25 years | Between 15 & 25 years | Between 10 & 15 years | Between 5 & 10 years |
| GENOVA | 19 | 9 | 10 | 4 | - | 1 | 1 | 1 | 1 |
| IMPERIA | 6 | 5 | 1 | - | - | - | 4 | - | 1 |
| SAVONA | 25 | 20 | 5 | 8 | - | 4 | 4 | 3 | 1 |
| LA SPEZIA | 2 | 2 | - | 2 | - | - | - | - | - |
| APUANIA | - | - | - | - | - | - | - | - | - |
| LUCCA | - | - | - | - | - | - | - | - | - |

NOTE - Many of above Sentences have been appealed. Some have been affirmed and some are not yet decided. None have been quashed. No death sentences have yet been officially carried out.

APPENDIX " C " (Continued)

Analysis of Verdicts and Sentences pronounced

| Verdicts | | S E N T E N C E S | | | | | | |
|----------|------|-------------------|-------------------|--------------------|-----------------------|-----------------------|----------------------|-----------------|
| G. | N.G. | Death | Life Imprisonment | More than 25 years | Between 15 & 25 years | Between 10 & 15 years | Between 5 & 10 years | Other Sentences |
| 9 | 10 | 4 | - | 1 | 1 | 1 | 1 | 1 |
| 5 | 1 | - | - | - | 4 | - | 1 | - |
| 20 | 5 | 8 | - | 4 | 4 | 3 | 1 | - |
| 2 | - | 2 | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - |

ences have been appealed. Some have been affirmed and some ed. None have been quashed. No death sentences have yet been d out.

APPENDIX "C"

Table showing progress made by Extraordinary Courts of
 1st Instance in Liguria Region during month of June 1945 with
 analysis of Verdicts and Sentences pronounced -

| Cases disposed during the month | Total of Cols 2 & 3 | Cases disposed of during June | | | Total of Cols. (a) (b) and (c) of preced- ding Col. | Cases pending as at 30 June 1945 (Difference be- tween Col.4 & Col.6) | REMARKS |
|---|------------------------------|--|---|-----------------------|--|--|--|
| | | Released for lack of evi- dence (a) | Transferred to other jurisdictions (b) | Cases Tried (c) | | | |
| 3 | 4 | 5 | 6 | 7 | 8 | | |
| 0 | 180 | - | - | 19 | 19 | 161 | Three Sections of this Court have been establi- shed in Genoa Province. Only one Sec.is actually functioning so far. |
| | 237 | 72 | - | 6 | 78 | 159 | Establishment of a Second Section of this Court has been recommended to the Primo Presidente |
| 2 | 145 | 3 | 13 | 25 | 41 | 104 | Cases pending include 4 in which provisional liberty granted |
| 2 | 87 | - | - | 2 | 2 | 85 | |
| | - | - | - | - | - | - | } These Courts in process of constitution . |
| | - | - | - | - | - | - | |

HEADQUARTERS
 LIGURIA REGION
 ALLIED MILITARY GOVERNMENT
 APO 394

Lig/Leg/41

WGE/sf
 29 June 1945

SUBJECT : Abduction of Prisoners sentenced by Extraordinary
 Court of Assize at Savona.

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

1. On 25 June 1945 a bomb was thrown into the yard of the San Agostino Prison in Savona killing one man and injuring nineteen others. The man killed had been sentenced to 24 Years imprisonment by the Extraordinary Court of Assize of Savona. It is thought that the bomb was deliberately aimed at him. Most of the injured had not been tried or even denounced.

2. As a result of this incident the PC ordered that 13 condemned political prisoners including at least 6 who had been sentenced to death should be transferred from Savona Prison to the Prison at FINALE LIGURE as a first shipment. This prison is some distance from Savona and was considered to be a safe place of detention. The reason for the decision to remove the prisoners was that a separation of the condemned persons from those awaiting trial was obviously in the interest of the safety of the latter.

3. On the night of 27/28 June a party of 18 armed men (which was a small detachment of a much larger party) gained admission to the FINALE LIGURE prison by a trick showing forged documents bearing the letterhead of the Savona Questura and its official stamp. This party surprised the prison attendants and removed 12 of the 13 condemned prisoners. The fate of the abducted persons is not yet known but may be conjectured. Among the missing persons are, POSSENTI, GENOVESI and ZUNIO all of whose appeals against the death sentence are at present before the Minister of Justice.

4. PLO Savona states that in his opinion these happenings were motivated by popular rage at the fact that no persons so far condemned by the Savona Court of Assize have yet been executed. The rapid activation of the Court of Assize in Savona was greeted with popular approval but subsequent apparent failure to implement its decisions is the real cause of the unrest which is undoubtedly deep-seated. Further outrages are possible unless the causes of dissatisfaction are removed.

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

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3. On the night of 27/26 June a party of 10 armed men (which was a small detachment of a much larger party) gained admission to the FINALE LIGURE prison by a trick showing forged documents bearing the letterhead of the Savona Questura and its official stamp. This party surprised the prison attendants and removed 12 of the 13 condemned prisoners. The fate of the abducted persons is not yet known but may be conjectured. Among the missing persons are, POSSENTI, GENOVESI and ZUNIC all of whose appeals against the death sentence are at present before the Minister of Justice.

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5. The principal object of this report is to enable you to draw the attention of the Minister to the extreme urgency of perfecting in the interests of public order a system of rapid examination of appeals and carrying out of sentences where these are upheld.

For the Regional Commissioner:

W. S. ELLER,
Lt. Col., Cdn. Prov. C.,
R.I.C.

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APPENDIX "E"

Table showing progress made by Epuration Commission
-for Province of Genoa during month of June 1945 -

| DATE | SECTION | SCHEDE RECEIVED | S C H E D E E X A M I N E D | | | | SCHEDE NOT YET EXAMINED | TOTAL |
|-----------|---------|-----------------|-----------------------------|-------------------|---------------------|-------|-------------------------|-------|
| | | | Acquitted | Pending inquiries | Proposed suspension | Total | | |
| 30/6/1945 | I* | 768 | 245 | 22 | 41 | 308 | 460 | 768 |
| 30/6/1945 | II* | 815 | 362 | 56 | 22 | 440 | 375 | 815 |
| 30/6/1945 | III* | 791 | 116 | 95 | 22 | 233 | 558 | 791 |
| | | 2.374 | 723 | 173 | 85 | 981 | 1.393 | 2.374 |

APPENDIX "E"

Table showing progress made by Epuration Commission
-for Province of Genoa during month of June 1945 -

| | SECTION | SCHEDE RECEIVED | S C H E D E E X A M I N E D | | | | SCHEDE NOT YET EXAMINED | TOTAL |
|----|---------|-----------------|-----------------------------|-------------------|---------------------|-------|-------------------------|-------|
| | | | Acquitted | Pending inquiries | Proposed suspension | Total | | |
| 45 | I^ | 768 | 245 | 22 | 41 | 308 | 460 | 768 |
| 45 | II^ | 815 | 362 | 56 | 22 | 440 | 375 | 815 |
| 45 | III^ | 791 | 116 | 95 | 22 | 233 | 558 | 791 |
| | | 2.374 | 723 | 173 | 85 | 981 | 1.393 | 2.374 |

APPENDIX "F"

Table showing approximate state of Prisons
in Liguria Region for month of June 1945

| PROVINCE | No. of Prisoners on 31 May 1945 | | No. of Prisoners admitted during month | | No. of Prisoners released during month | | No. of Prisoners detained as at 30 June 1945 | | R E M |
|-----------|---------------------------------|---------------|--|---------------|--|---------------|--|---------------|---|
| | Political | non Political | Political | non Political | Political | non Political | Political | non Political | |
| GENOA | 1659 | 29 | 821 | 83 | 921 | 24 | 1559 | 88 | In addition figures the Political in the Qu beginning end of th |
| IMPERIA | 237 | 2 | 135 | 2 | 128 | - | 244 | 4 | |
| SAVONA | | Figures | not available | | | | | | |
| LA SPEZIA | | Figures | not available | | | | | | |
| APUANIA | 15 | 44 | 14 | 57 | 1 | 25 | 28 | 76 | |
| LUCCA | 40 | 252 | 165 | 159 | 86 | 91 | 119 | 320 | |
| TOTALS | 1951 | 327 | 1135 | 301 | 1136 | 140 | 1950 | 488 | |

APPENDIX "F"

Table showing approximate state of Prisons in Liguria Region for month of June 1945

| Prisoners May 1945 | No. of Prisoners admitted during month | | No. of Prisoners released during month | | No. of Prisoners detained as at 30 June 1945 | | REMARKS |
|-----------------------|--|------------------|--|------------------|--|------------------|--|
| | Political | non Political | Political | non Political | Political | non Political | |
| 29 | 821 | 83 | 921 | 24 | 1559 | 88 | In addition to these figures there were 480 Political prisoners held in the Questura at the beginning and 390 at the end of the month. |
| 2 | 135 | 2 | 128 | - | 244 | 4 | |
| Figures not available | not available | | | | | | |
| Figures not available | not available | | | | | | |
| 44 | 14 | 57 | 1 | 25 | 28 | 76 | |
| 252 | 165 | 159 | 86 | 91 | 119 | 320 | |
| 327 | 1135 | 301 | 1136 | 140 | 1950 | 488 | |

4043/160

HEADQUARTERS
LIGURIA REGION
ALLIED MILITARY GOVERNMENT
APO 394

Lig/Log/03.1

WGE/sf
1 June 1945

SUBJECT : Legal Report - Liguria Region.

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

1. Herewith copy of monthly report to Regional Commissioner for your information.

For the Regional Commissioner:

W.G. Elder
W.G. ELDER,
Lt. Col., Can. Prov. C.,
Regional Legal Officer.

Encl: Monthly Report.

| | |
|-------------------|------------|
| REG. RECOMM. DIV. | |
| CLO | <i>led</i> |
| DCLO | |
| Chief Counsel | <i>led</i> |
| CIO | |
| Italian Section | |
| CL RKS | |
| 6 JUN 1945 | |

3

MEMORANDUM
FOR THE RECORD
ALLIED MILITARY GOVERNMENT
APO 394

Lis/Leg/00.1

WGH/af
1 June 1945

SUBJECT : Legal Report - Liguria Region.

TO : Regional Commissioner.

1. The following Report is submitted covering the legal situation in this region as at this date.

2. Courts - A.M.G.

(a) Genoa Particulars of cases so far dealt with are given in appendix "A".

(b) Imperia, Savona & La Spezia Provinces No Courts yet held.

(c) General The small number of cases so far heard is attributed to: (i) the absence of military police and CCMR in the greater part of the Regional area. In Imperia, Savona and La Spezia provinces police duties are being carried out for the most part by Partisan units which lack the experience necessary to provide an adequate service which would ensure the enforcement of the Proclamations. A certain number of CCMR personnel have now arrived in the area and are in process of organization. Their undoubted unpopularity may however retard the re-establishment of an efficient police service for a considerable time (ii) the fact that there is no occasion for prosecution of curfew and travel cases and that the recent directive on possession cases has greatly reduced the number of such cases (iii) the fact that owing to the permitted retention of arms by partisans it is only now becoming possible to prosecute such cases (iv) so far as Genoa is concerned the fact that the Port is still out of action and (v) the comparative good behaviour of the population.

3. Italian Courts For normal purposes the courts of the district are fairly well up to strength as regards personnel. The institution of the Special Courts of Assize and the Expiration Commission now being formed will however place a severe strain on existing personnel resources. Details of any essential re-inforcements required will be notified if and when the need arises.

4. Special Courts of Assize The only Special Court which has so far commenced to hear cases is that of Savona. This Court has imposed the death penalty in three cases and a sentence of 30 years imprisonment in another. Hearings are continuing. There have been some disorders in Savona in respect to the verdict in one case.

Special courts are established in the remaining three provinces and all are expected to commence work within the next week or 10 days. As to this matter see also below under para 6.

5. Epuration Orders have been issued to Provinces to published GO 35 as seen as preliminary arrangements are complete. All Provinces are working on this now and the machinery may be expected to be set in motion throughout the region within a few days. The so called Committee of Justice of the C.L.N. now want in addition to GO 35 some procedural authority for the epuration of the professions. This, it has been suggested, could be accomplished by (A) a form of order similar in effect to GO 25, or alternatively an order amplifying the provisions of GO 35 to permit such epuration, (B) The immediate appointment of Commissioners under all 159 as to make Epuration operative thereunder. As to this matter see also below under para 6.

6. Lt. Col. HANNAFORD'S Visit The following points were discussed:

- (a) Personnel of Court of appeal It was explained to Lt. Col. Hannaford that there had been no general epuration of the officials of the above court by GIN before the arrival of AMG. Whilst accusations of collaboration etc. had been made against the Primo Presidente, the Procuratore Generale, the Capo Cancelliere and sundry other officials no suspensions had actually been effected and all were still in service except the Procuratore Generale who had voluntarily and presumably temporarily absented himself from duty. No question can therefore arise as to the legal constitution of the Special Courts of Assize.
- (b) Special Courts of Assize Lt. Col. Hannaford suggested with regard to the problem of persons lodged in goal without counsel and against whom nothing is known that newspaper advertisements be inserted giving notice of intention to set such persons free after an interval during which any member of the public can lodge information concerning them. This suggestion which was discussed at a meeting with the Primo Presidente and the Avvocato Generale was considered a good one and will be adopted where appropriate. It was further agreed that all appeals received in connection with convictions by the Special Assize Courts should be transmitted to the Special Section of the Court of Cassation at Milan through AMG channels.
- (c) Epuration This subject was fully discussed with Lt. Col. Hannaford. As regards the number of commissions which would be set up it was pointed out to him that there were limited by the number of judicial officials available. It was agreed that a central commission could be established in each province consisting of

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approximately 18 persons who would be sub-divided into 3 sub-commissions each responsible for one of the 3 categories of officials referred to in GO 35, Art. 1. A special Sub-Commission will be appointed to deal with the judicial officials and will be presided over by a magistrate not below grade 4. It was agreed that the personnel of the commissions and especially the presidents should be selected from persons of mature age and experience. It was further agreed that no appointments to fill vacancies created by expiration would be made otherwise than by promoting the next senior official available who was not himself expirable.

The Prime President complained of an attempt by the CLN to gain control of the Courts by appointment of an unofficial committee with supervisory "powers". It was explained to him that the Regional Commissioner had already addressed a letter to the CLN pointing out the illegality of the proposed Committee and stating that no attempt on its parts to interfere with the functioning of the Courts would be tolerated by AGC.

W. G. Elder
W.G. ELDER,
Lt. Col., Gen. Prov. C.,
Regional Legal Officer.

Appendix "A" referred to:

Analysis of A.W.G. Court cases held in
Genoa Province to 31 May 1945.

| Type of Court | Possession of Arms | | Possession of Allied Properties | | Miscellaneous | | Totals |
|---------------|--------------------|----------|---------------------------------|----------|---------------|----------|--------|
| | Guilty | N.Guilty | Guilty | N.Guilty | Guilty | N.Guilty | |
| Superior | -- | 2 | -- | -- | -- | -- | -- |
| Summary | -- | -- | 3 | 10 | 2 | -- | 5 |
| Totals | -- | 2 | 3 | 10 | 2 | -- | 5 |

Appendix "A" referred to:

Analysis of A.M.S. Court cases held in
Genoa Province to 31 May 1945.

| Possession of Arms | | Possession of Allied Properties | | Miscellaneous | | Total | |
|--------------------|----------|------------------------------------|----------|---------------|----------|--------|----------|
| Guilty | N.Guilty | Guilty | N.Guilty | Guilty | N.Guilty | Guilty | N.Guilty |
| -- | 2 | -- | -- | -- | -- | -- | 2 |
| -- | -- | 3 | 10 | 2 | -- | 5 | 10 |
| -- | 2 | 3 | 10 | 2 | -- | 5 | 12 |

4043X
HEADQUARTERS
LIGURIA REGION
ALLIED MILITARY GOVERNMENT
AFC 394

Lig/Leg/03.1

WGE/sf
18 May 1945

SUBJECT : Legal Report - Liguria Region.

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

1. The following report is submitted covering the legal situation in this Region as of this date. Certain comments are made so that a broader appreciation may be obtained generally.

2. Courts - A.M.G. These Courts were immediately set up in La Spezia by Major Young and in Genova by Major Little who had with him Lieutenant Maren. A few days later on the arrival of Captain Cahn he promptly set up the Court in Savona and then preliminarily started on the Court for Imperia. Later, on the arrival of Major Glerum who was assigned to Imperia province as P.L.C. the organization was completed. The result is that Courts in all provinces are now ready to function and in fact the first case was heard in Genova on the 15 May and it is understood there are a number of cases to come forward for hearing. No cases have yet been heard in the other three provinces.

3. Courts - Italian. Generally speaking these Courts have not been disturbed as to personnel (but see subject epuration herein after mentioned). There has been a slacking off in the hearing of cases waiting introduction of the new legislation and appreciation of the same. In the Province of Savona all court buildings were destroyed by bombs and they are working to clear a building for Tribunale to resume its functions. The records there were fairly well preserved but much time will be consumed in sorting the same out. This work is being urged forward by Major Young. In Imperia all courts damaged with result that Tribunale and Special Court will move to San Remo. Court space has been impaired in Genova but this difficulty can be overcome. In Savona all buildings were intact and Civil courts functioning. A survey is shortly being made on this subject and a detailed report can be expected shortly.

4. Italian - Civil Law. This law has been implemented and is in effect in Genova and Savona as of the 7th May; in Imperia the 8th May and in La Spezia on the 10th of May 1945.

5. SPECIAL ASSIZE Courts. There has been set up in each of the provinces one of these Courts and they are now constituted and ready to function as soon as cases can be presented. The implementation of Law and the creation of these Courts was considered of first importance and urgency by the writer. This was so because of the great number of political prisoners being held in Jail. Estimation of the number show Genova about 1000, La Spezia 225, Savona 300, Imperia 500 to 600. In Savona the Patriots had set up their own Courts but the implementation of the law and the constitution of the special court was instrumental in suspending such Courts. The C.I.N. in Imperia and La Spezia have been very co-operative. The situation in Genova was more delicate. The C.L.N. withheld the list contending we should first invoke epuration. Since we remained firm in our stand the C.L.N. at the eleventh hour submitted the list and the Court was constituted. The first President of the Court of

2. Courts - A.M.C. These Courts were immediately set up in La Spezia by Major Young and in Genova by Major Little who had with him Lieutenant Moran. A few days later on the arrival of Captain Cahn he promptly set up the Court in Savona and then preliminarily started on the Court for Imperia. Later, on the arrival of Major Clerum who was assigned to Imperia province as P.L.C. the organization was completed. The result is that Courts in all provinces are now ready to function and in fact the first case was heard in Genova on the 15 May and it is understood there are a number of cases to come forward for hearing. No cases have yet been heard in the other three provinces.

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6. Epuration. This is a delicate and troublesome subject in Genova. The C.L.N. were most insistent that we should invoke epuration under our system. We took the view that as DIL 159 was in force that the responsibility was that of the Italian Government. (See D.F./25/CA, 27 Nov. 1944.

The C.I.N. requested the removal from office of the First President of the Court of Appeal, the Procuratore Generale, the President of the Tribunale, the Procuratore del Regno and the President of the Preture and the substitution of others whose names they produced. There was no conclusive evidence produced and particularly as we did not wish to upset administration no action was taken. The so called Committee of Justice of the C.I.N. takes the view that the procedure under the government decree of epuration is not sufficiently speedy and they feel that unless steps are taken to speed-up epuration the public will not long be satisfied. I am of the opinion that this subject is extremely urgent and that the law should be put into operation without delay.

7. Major Alexander has not arrived. The writer of necessity had to spend a great deal of time in Savona, Imperia and Genova in consequence has been much absent from Headquarters.

8. A letter will follow concerning the persons mentioned in Para 6.

9. Lt Col. Hanneford has not yet arrived in Genova but when he does the situation will be explained and every opportunity given for him to study the same.

10. The immediate urgency is epuration and the functioning of the Special Courts.

11. It is considered that organization is fairly well completed and that we shall be able to cope with problems as they present themselves.

W.G. Elder
W.G. ELDER,
Lt. Col., Cdn. Prov. C.,
Regional Legal Officer.

| | |
|----------------------|--------------|
| LEGAL SUB-COMMISSION | |
| CIO | |
| DCLO | <i>MS</i> |
| Chief Counsel | |
| CPO | <i>Spur</i> |
| Inspection Section | <i>Conf.</i> |
| CL R&S | |
| 28 MAR 1945 | |



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