

ACC

10000/142/406

10000/142/406

MONTHLY REPORTS, LIVORNO COMMUNE
JUN. 1945 - APR. 1946

HEADQUARTERS
LIVORNO LIAISON OFFICER
ALLIED COMMISSION

Livorno, Date: 13 April 1946

Ref :

Subject : Italian Courts.

To : Chief Liaison Officer, A.C., Livorno

Reference is made to letter 2603/131/EC, dated 4 April 1946, from the office of the Executive Commissioner, A.C., subject as above.

1. During the period from 23 January 1946 to 22 February 1946 the Italian Tribunal of Livorno disposed of 24 Allied interest cases, involving 85 accused, 51 of which were acquitted.

2. Inclosed herewith find a complete list of all the 24 cases, showing names of accused, trial date, charges, and decisions of the Court.

3. It will be noted that only three kinds of charges have been preferred against the accused: purchase of stolen goods (12 cases), theft (8 cases) and attempt to steal (4 cases). The 12 cases for purchase of stolen property involved 18 defendants; 2 of whom were acquitted. Thirteen of the accused were charged with attempt to steal; 10 of these were acquitted: 54 defendants were involved in the 8 cases of theft, and 39 of them were acquitted.

It is also to be noted that only 5 cases were entirely dismissed. The other 19 cases ended with lawful punishments of one or more accused in each case, while one or more accused in the same cases were acquitted. A typical case, showing all kinds of Court's decisions, is the one against D'Agostino Luigi and 38 other defendants, all charged with theft; 9 of these were sentenced to 16 months imprisonment, and a fine of 5000 Lires; 3 of the accused were given judicial pardon because of being under age; 6 of the accused were released because the evidence against them was not sufficient to convict them; 19 acquitted for being found to have not committed the crime; and 1 was acquitted because he was unable to distinguish right from wrong.

./. .

- 2 -

4. Proportionally, the largest part of the accused found not guilty had been charged with attempt to steal, while, still proportionally, the minor part of those charged with the purchase of stolen property was acquitted.

5. From my viewpoint there are two kinds of reasons which led the Court to acquit so many accused: general, and particular, reasons.

Let us now consider the general ones:

a). The Italian Law does not recognize the crime of "illegal (or wrongful) possession". Articles 648 and 712, Penal Code, do not completely cover what was once intended under paras. 27 and 37, AMG Proclamation 1. In other words, it is the burden of the prosecution to prove that the accused came in possession of the property: 1) knowing the same to come from any crime ("ricettazione", Art. 648 Penal Code), or: 2) without first having ascertained its lawful source, and there are grounds to believe possession came through crime (purchase of things of doubtful source, "acquisto di cose di sospetta provenienza", Art. 712 Penal Code). This is often difficult to be proved, since defendant's guilt and responsibility mainly depend upon a state of mind and conscience (knowledge of the illegal source of the property).

b). The offenders are arrested by the Allied Personnel, educated and trained one way, and then are tried by Italians, who have another system of education, other viewpoints and other ideas.

In one case, for example, five persons were arrested while standing near an army vehicle, parked in the street; one of them was tampering with the spare tire; it was 0630 hrs, and still dark. The arresting officer has no doubt in his mind as to the intentions of these five men, still the position of the Court, under Italian legal procedure, cannot be the same. Which one of the five men was "tampering", and where is the evidence - unless produced which it wasn't - showing the five men to be members of a thieving gang? Such reasoning would, of course, be far fetched in Allied Military Court procedure of looking beyond the evidence, but is sound under Italian Law.

Among the particular reasons, I would say that the arresting officers are not always impartial, that in several cases the Court cannot have the testimony of material witnesses who have been redeployed, or do not appear for various other reasons. Then too, that there is, unfortunately, a long period of time between the arrest and the trial.

CONCLUSIONS: I do not think the Judicial Officials in

./.
785016

1725

- 3 -

Livorno are acting in bad faith. They must administer justice judicially, in accordance with the Italian Law in force, and, since the judicial power was handed over to them, it would be unfair to ask the judges to protect Allied interests out of, or against their laws. The will of the Italian judicial authorities in Livorno to cooperate in the mutual struggle against delinquency is clearly shown by the fact that in the month of March the number of the defendants acquitted in Allied interest cases is almost equal to the number of those acquitted in purely Italian cases.

ERIC FELDMAN
Legal Assistant to
the Chief Liaison Officer
Allied Commission Livorno

1726

40/3/91
HEADQUARTERS
LIVORNO LIAISON OFFICER
ALLIED COMMISSION

164
Livorno, Date: 30 June 1946

Ref : LLO/2018

Subject: Legal report for June 1946

To : H.Q. Allied Commission, APO 794, U.S. Army
attn: Chief Legal Advisor, Legal Sub Commission

This report covers the period from 1 to 30 June 1946.

1/ Allied interest cases in Italian Courts:

a/ Livorno Province:

During the month of June 1946 the Tribunale of Livorno disposed of 11 penal cases involving Allied interests. 18 defendants were tried in these 11 cases and 4 of them were acquitted. 2 of the 4 found not guilty were acquitted for not having committed the crime and 2 for lack of evidence. The charges have been framed as follows: 6 for ricettazione (art. 648 It. penal code), 3 for attempted theft, 1 for theft and 1 for attempted bribery. The punishments inflicted ranged between 1 month imprisonment and 500; - lire fine and 1 year and 4 months imprisonment and a fine of 4.000.- lire.

The Pretura of Livorno disposed of 11 cases involving Allied interests. 8 of them were for art. 163 R.D.L., 18-6-31 Nr. 773 (contrav. alle diffide) and 3 for art. 157 T.U. Leggi di P.S. (contrav. al foglio di via). The punishments varied from 20 days to 4 months imprisonment.

Two more cases have been settled by Penal decrees and the charges were under art. 711 It. penal code (incauto acquisto). In these two cases only fines have been imposed.

b/ Pisa Province:

2 Allied interest cases, involving 15 defendants have been tried by the Tribunale of Pisa. Both cases have been previously tried by the Pretura and are now tried by the Tribunale on appeals of the accused. The sentence in one case was affirmed. In the second case (prostitution) the Court acquitted all 13 girls for lack of evidence. The undersigned witnessed the trial in the Pretura and it was his conviction that the originally imposed sentence cannot stand.

The Pretura did not hold trials during that period. The reason for that was given as awaiting the announced amnesty.

The Procura di Stato in Pisa received during the month of

1727

June 1946 14 new denunciations, only one of which will be tried by the Tribunale while the other 13 cases are the competence of the Pretore.

c/ Other Provinces in Toscana Region:

Negative reports as to Allied interest cases have been received from the Procuratore di Stato of Pistoia, Lucca, Massa-Carrara, Arezzo, Siena and Grosseto.

The Tribunale of Florence tried 2 cases of Allied interest. Only one of them has a certain importance. 12 accused have been charged with theft. The leader got 2 years imprisonment and a fine of 4.000.- lire. 3 other accused were punished with imprisonment terms varying between 6 months and 1 year and 3 months. The remaining 8 accused had the benefit of the judicial pardon being under age.

The Pretura of Florence issued 13 Penal decrees for traffic violations and the penalties ranged between 500 and 1.000.- lire.

The Procuratore di Stato in Florence submitted a report showing that there are no pending Allied interest cases in his Office.

The report of the Procuratore of the Juvenile Court in Florence is negative.

2/ General:

The number of the inmates in the jails of Livorno and Pisa is considerably decreased owing to the recent amnesty. Further decrease is expected in the near future. Actually there are 254 detained in Livorno, of which number 69 are political prisoners. Pisa has 548 prisoners of which 106 are political. 109 women are detained in Pisa of which number 58 are suspected prostitutes.

All judicial authorities in Toscana Region have been notified to discontinue to send their reports about Allied interest cases - as of to-day. They have been advised to contact Provost Marshal's Office for any question arising around summonses of military personnel.

For The Chief Liaison Officer, A.C.

Lt. Eric Feldman

Lt. Eric Feldman,
Exec. ass't to the Legal Liaison
Officer

Ref Counsel

1)

Don Secord

RKS



4043 | 21

HEADQUARTERS
LIVORNO LIAISON OFFICER
ALLIED COMMISSION

16A

Livorno, Date: 3 June 1946

Ref : MLO/ 1987

Subject : Legal report for May 1946

To : H.Q. Allied Commission, APO 794, U.S. Army
attn: Chief Legal Advisor, Legal Sub Commission

This report covers the period from 1 to 31 May 1946.

1. Allied interest cases in Italian Courts.

a). Livorno Province:

During the past month the Tribunale disposed of 20 penal cases involving 50 defendants, 11 of which were acquitted. Three of the above cases involved Allied interests, the most serious one being the case against Schiano Sirio and 7 others, charged for various thefts. The gang leader got 4 years and 10 months imprisonment and a fine of 14.000.- lire, two other defendants got three years each and the other accused received minor punishments. The three cases involved 12 defendants, two of which were acquitted for "not having committed the crime".

The Pretura of Livorno disposed of only two cases, involving Allied interests, of minor importance.

b). Pisa Province:

Three Allied interest cases, involving 6 defendants, were tried by the Tribunale of Pisa. Three of the accused were charged with prostitution and three with possession of Allied property. All of them convicted, penalties ranged from 10.000.- lire fine to 6 months in jail and 2.000.- lire fine.

During the same period of time the Procurator del Regno in Pisa received 16 denunciations, 14 of which for "ricettazione" and 2 for thefts. The trial in one of these theft-cases has already been fixed for the 11 June 1946.

The Pretura heard 18 Allied interests cases, character of the cases being: possession of Allied property 2 cases; prostitution 7 cases; entering a forbidden military area 8 cases and miscellaneous 1 case. Maximum of the punishment inflicted was 9 months imprisonment and 3.000.- fine; the minimum 1.000.- lire fine. -4 additional cases were decided upon by penal decrees.

The 18 above mentioned cases involved 37 defendants, 32 of which were convicted.

c). Toscana Region:

Negative reports as to Allied interest cases have been received from the Procuratore del Regno of Massa Carrara, Grosseto, Arezzo, Pistoia and Lucca.-

The Procuratore del Regno of Siena shows one case tried by the Tribunale of Siena: the accused, charged with "ricettazione", has been acquitted because of his action not constituting a crime.

The Tribunale of Florence tried on 30 April 1946, 23 persons charged with "purchasing Allied property knowing the same to come from a crime". Two of them were acquitted because of insufficient evidence, three were given judicial pardon (being juveniles), while all the others were convicted, punishments ranging from 2 months imprisonment and 3.000.- fine to 10 months imprisonment and 6.000.- lire fine. Another accused was tried by the same Court on 16 May 1946, on charge of "ricettazione" and sentenced to 6 months jail and a fine of 1.000.- lire.

Actually, 6 more cases are pending before the Tribunale in Florence. 2 of them are old cases, the offences having been committed at the end February 1946. One case is a theft-case; the other five are for "ricettazione".

The Pretura of Florence disposed of 14 cases, involving Allied interests. 5 of them were for traffic violations (the arrests having been made by M.P.s) and the punishments were 500 to 1.000.- lire. The other 7 cases were for "incauto acquisto" - art. 712 Penal Code - and the sentences ranged between 500 and 10.000.- lire fine.

The report of the Procuratore del Regno attached to the Special Court for juveniles in Florence was negative.

2. EPURATION:

a). Livorno Province:

The Procuratore del Regno submitted a list showing 5 cases ready to be tried and 7 cases, involving 29 defendants, forwarded to the Giudice Istruttore for the formal decree of filing.

b). Pisa Province

181 denunciations are pending before the local Court of Assise, 140 of them being investigated, 7 disposed of and ready to be handed over to the Court.

Character of the cases are as follows: 20 for fascist crimes, 161 for collaboration with the Germans.-

3. Prostitution:

Acting along with the American Military Police, agents of the Questura of Livorno apprehended 257 prostitutes, repatriated 180 of them by means of "Foglio de via obbligatoria", arrested 14 denouncing them to the local Pretura for trial, released 35 but denounced

them to the local judiciary authorities.-The remaining part is still at the hospital.-

52 prostitutes were arrested by the Questura of Pisa. 28 of them were not immediately repatriated(10 of them denounced to the Pretura for disobeying the order to leave the Province); 28 repatriated by the usual means and 3 are held under investigation.

4. Jails:

The number of inmates of the jail in Livorno is somewhat decreased, with 295 males and 39 females, to a total number of 334 detained as of this date. 93 men and 2 women are held on political charges.

594 inmates are held in the jail of Pisa, divided in 451 men and 143 women. Among the inmates are 48 men and 5 women detained under political charges, awaiting trials.

5. General:

a). In accordance with the instructions of the Italian Ministry, the Prefects of Livorno, Pisa and Florence have issued decrees obliging the proprietors of all bars, restaurants and so on to place visible signs " Off Limits" in their locals if so desired by the Allied military authorities. This Office acted between the Allied authorities concerned and the Italian Questuras and Prefecturas. Arrangements were made that all the requests to put a local " Off Limits" has to be made through this Office, for further transmission and enforcing to the Italian police and judiciary authorities.

b). A certain delay in the action on Allied interests cases, due to the special duty of some Judges connected with the elections, may be noted.

c). The number of serious crimes in the entire Toscana Region is in constant decrease.

For the Chief Liaison Officer, Allied Commission

LFGAL SUB

CLO

LCLO

Chief Counsel

1000 Dec 1945

CL RKS

Lt. Eric Feldman

Lt. Eric Feldman,

Excess't to the Legal Liaison Officer



7 June 46

140432
File

Enc
Lec

APPENDIX "A" LEGAL COLLECTIONS REGISTER

ALLIED MILITARY COURT OF LIVORNO

CLASSIFICATION

DATE	F/FI No.	TOTAL LIRE	FINES	CONFISCATED CASH	SEQUESTRATED CASH	BAILS	FROM WHOM RECEIVED	CASE No.	DATE REFUNDED (BAILS OR SEQUESTRATED CA
1946 May 2	19424	2,500	2,500				FRATI UBALDO	1553	
" "	19425	1,000	1,000				SPARAFANI A.	2384	

SUB-COMMISSION

Chief
CIO

Italian
Section
CL RKS

6 June 46

Charles C. Bayles
CHARLES C. BAYLES
1st Lt. P.A.
Administrative Officer.

I certify that all above listed items comprise all collections effected by me
on account of A. M. G./A. C. during the period 2 May 1946

1732

APPENDIX "A",
LEGAL COLLECTIONS REGISTER

Kennedy
Legal.

MILITARY COURT OF LIVORNO

CLASSIFICATION

F/FI No.	TOTAL LIRE	FINES	CONFISCATED CASH	SEQUESTRATED CASH	BAILS	FROM WHOM RECEIVED	CASE No.	DATE REFUNDED (BAILS OR SEQUESTRATED CASH)
19424	2,500	2,500				FRATI UBALDO	1553	
19425	1,000	1,000				SPARAPANI A.	2384	
SUB-COMMISSIONER								
Secy.								
XS								
✓ 46								

Charles C. Baylis
CHARLES C. BAYLIS
1st Lt. P.A.
Administrative Officer.

I certify that all above listed items comprise all collections effected by me
on behalf of A. M. G./A. C. during the period 2 May 1946

Copy to

**HEADQUARTERS
LIVORNO LIAISON OFFICER
ALLIED COMMISSION**

(13A)

Livorno, Date: 1 May 1946.

Ref : LLO/1926.**Subject :** Legal Report for April 1946.**To :** HQ, Allied Commission, APC 384 U.S. Army
Attn: Chief Legal Advisor, Legal Sub-Commission.

This report covers the period from 1 April 1946 to 30 April 1946.

1. Italian Courts.

a). Livorno Province. The Tribunal of Livorno during the above period of time disposed of 52 penal cases involving 107 defendants, 22 of which were acquitted. Of these cases, two were Allied interest cases, involving three defendants. Both of them were for "ricettazione" (purchase of property coming from illegal sources): one resulted in the conviction of the defendant and a sentence of one month imprisonment, and a fine of Lire 1000; the sentence in this case was suspended. In the other case, the two accused were acquitted because of lack of evidence. During the same period of time, four more Allied interest cases were brought before the Court and then adjourned upon request of the prosecution for an additional investigation (one case), or because the Court insisted in having the witnesses (who did not appear (2 cases), or upon request by the Defense (one case).

The Prefecture disposed of 42 Allied interest cases: 10 of them for violation Art. 157, T.U.L.P.S., against prostitution. Sentences imposed ranged from 1000 to 3000 Lire as regards cases decided by penal decree, and from 1 month imprisonment to 5 months imprisonment for cases decided by trial.

b). Florence Province. No Allied interest case was tried by the Tribunal of Florence, while the Prefecture disposed of 32 Allied interest cases, 11 of which were for prostitution, 11 for entering a military area, and the remaining 10 decided by penal decree for minor offences. Sentences ranged from 3000 Lire fine to two months imprisonment. 18 cases are pending before the Prefectura.

c). Tuscany Region. Reports have been received from Florence Province showing 4 Allied interest cases pending before, and 12 tried by the Tribunal of Florence. Of the 16 defendants involved, all charged with theft or "ricettazione", 8 were convicted, sentences

1734

- 2 -

ranged from 21 days to three months imprisonment, apart from fines. 6 defendants were acquitted for lack of evidence, and 2 because their action was no offense. 13 cases, with 13 accused, were brought to trial before the Prefecture of Florence: 11 for "ricettazione", 2 for traffic violations. All the defendants were convicted, penalties ranged from 500 to 12000 lire fines.

One case was reported tried by the Prefect of Lucca, a sentence of 500 lire fine was imposed.

One case involving four defendants charged with theft of Allied property was heard before the Tribunal of Siena. All the defendants were convicted, sentences ranged from a fine of lire 1000 to one year imprisonment and a fine of lire 2500.

Reports negative as to Allied interest cases were received from the Procuratori del Rege of Arezzo, Pistoia, Massa Carrara and Grosseto.

2. Spanation.

a). Livorno Province. The Procuratore del Rege of Livorno has received 24 denunciations involving 52 persons. 8 of them were sent to the Public Prosecutor of the Special Court of Assizes, 7 to the Prefect of the province for a summary investigation, 3 to other Procuratori for competence, 4 to the Prefect of the province for competence and 5 to the Giudice Tribunale to be filed.

Of the 57 cases dealt with by the Special Section of the Court of Assizes, 3 have been closed and filed because of lack of evidence, 7 forwarded to other offices as matters pertaining to them, while 43 are still being investigated. No case was tried by the Court during the month.

Nothing else particularly important to be reported on subject.

b). Pisa Province. 160 denunciations are pending before the Special Court of Assizes in Pisa, 135 of which are being investigated. 13 of them are for fascist crimes, while 129 involve collaboration with the Germans.

Nothing special to be reported on activities of other offices.

3. Prostitution.

Acting along with American Military Police, the Questura of Livorno apprehended 554 prostitutes, 383 of which have been repatriated, 24 arrested and denounced to the local Prefecture for trial, 73 released but denounced to the Prefecture for trial. The others have been sent to the local hospital for examination and/or treatment.

59 prostitutes were apprehended by the Questura of Pisa and the Military Police. 23 of them were repatriated, 14 denounced to the judicial authorities, 10 arrested and 4 held for investigations.

Data on sentences imposed by Court against prostitutes have

• / •

1735

- 3 -

Names given above.

4. Jails.

Considerably overcrowded, even in respect to the previous month, is the Judiciary jail of Livorno, where 397 males and 55 females, totalling to 452 inmates, are being held. 52 men and 5 women are detained there on political charges.

582 prisoners are detained in the jail of Pisa, 458 of which are men. Out of them, 110 men and 6 women are being held on political accusations.

5. General.

a). A separate report on Allied interest cases pending before the Italian Military Court in La Spezia has been submitted on 18 April 1946, number reference LMO/1920.

b). It is pointed out that no serious crime, committed by Italians and involving Allied interests, occurred during the month. A general improvement in the entire zone as to criminal situation is to be noted.

For the Chief Liaison Officer, AG:

P/P.P.



J. Eric Feldman
ERIC FELDMAN
the Legal Liaison Officer

CCAO:

1. Other Liaison Officer, Inform.
1. Base Allied Commission.

→	GLO	X
→	DOLG	
→	Chief Counsel	
→	CIO	
→	Italian Section	
<i>6 May 46.</i>		

1730

Ref: 2603/131/EC

4 April 1946

(BA)

SUBJECT: Italian Courts.

TO : C.L.O. Livorno.

The Executive Commissioner directs me to inform you that he wishes you to make a special report to him on the following extract from the Legal Sub-Commission's monthly report for February 1946:

Para (6).

"Livorno reports on Italian Courts are not entirely satisfactory, in cases involving Allied interests, especially those dealing with theft, and possession of Allied property. 51 out of 85 accused tried before the Tribunale were acquitted."

signed: G. McMaster

for Chief Staff Officer
to Executive Commissioner,

Copy to: 2604/EC
Legal S/C.

LEGAL SUB COMMISSION

CLO	<i>Bar</i>
DGLO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	

Rcd. 9 April 46

HEADQUARTERS
LIVORNO LIAISON OFFICER
ALLIED COMMISSION

MA

Livorno, Date: 30 March 1946

Ref : L.O. 1894.

Subject : Legal Monthly Report.

To : HQ., Allied Commission, A.P.C. 394
(Attn: Chief Legal Advisor - Legal Sub-Commission). ✓

Copy to: Chief Liaison Officer, LIVORNO.

1. Italian Courts.

(a) Livorno Province. The Tribunale of Livorno during the month of March 1946 disposed of 57 criminal cases involving EC defendants, 32 of whom were acquitted.

Of these cases 10 were Allied interests cases involving 18 defendants. All of them were charged with theft, wrongful possession and receiving stolen goods (ricettazione). While 6 defendants were acquitted, the others were convicted and sentences imposed ranged from 2 months imprisonment and 2,000 lire fine to 18 months imprisonment and 10,000 lire fine.

The Prefecture of Livorno during same period of time disposed of 27 Allied interests cases, the big majority of which were for violation of art. 157 U.S.L.P.S. Sentences imposed ranged from 500 lire fine to 3,000 lire fine for cases decided by penal decrees and from 1 month imprisonment to 5 months imprisonment for cases decided by trials.

(b) Pisa Province. The Italian Tribunal of Pisa during the month of March 1946 tried no case involving Allied interests.

The Prefecture of Pisa during said month disposed of 70 Allied interests cases, the big majority of which were for prostitution, and 7 cases for wrongful possession of Allied property. Sentences imposed ranged from 500 lire fine to 1 year imprisonment.

(c) Tuscany Region.

Reports for the month of February 1946 from the Procuretori del Reino of Apuania and Florence regarding Allied interests cases reached this office with delay and while that one of Apuania is negative the other of Florence shows 7 cases tried and 12 pending cases. In one case where the defendant was convicted for theft of Allied property, sentence imposed was 4 years imprisonment and 6,000 lire fine.

Negative reports for the month of March 1946 from

- 2 -

the Procuratori del Regno of Apuania, (now Massa-Carrara), Siena, Grosseto and Pistoia provinces, concerning Allied interests cases, have been received by this office.

36 Allied interests cases are pending before the Procuratore del Re no and the Prefecture of Pisa. The big majority of these cases are for entering forbidden areas, prostitution and wrongful possession of Allied properties.

7 cases for receiving stolen goods have been tried in Florence Province and sentences imposed ranged from 1,000 lire to 5,000 lire fine.

1 case for wrongful acquisition of Allied property has been tried in Lucca Province and the defendant has been sentenced to pay 2,500 lire fine.

3 defendants have been convicted by the Prefecture of Cortona (Arezzo province) for interfering with Allied property and they have been sentenced to pay a fine from 1,000 lire to 1,500 lire.

2. Epuration.

(a) Livorno Province.

The Procuratore del Re no of Livorno has received during the month of March 1946, 59 denunciations involving 131 defendants, charged with fascist crimes. 4 denunciations have been sent to the "Giudice Istruttore" for formal instruction, 24 have been dismissed for lack of evidence, 5 have been sent to other Procurators for competence, 1 to the Italian Military Tribunal for competence, 10 to the Tribunal for trial, 11 to the Procuratore Generale of Florence for further investigations and 4 to the Special Court of Assizes.

13 denunciations for fascist crimes and collaboration with Germans reached the Special Section of the Court of Assizes of Livorno, involving 24 defendants. Pending cases are at present 64. Of these cases 6 have been dismissed for lack of evidence, 7 have been sent to other authorities for competence, 6 have been despatched for trial and other 50 are still pending. No trial has been held during the month of March 1946 by the Special Court of Assizes of Livorno.

No special information has been given by the Provincial Delegate for Epuration.

The Intendente di Finanza of Livorno sent his usual report, but nothing of special is to report.

(b) Pisa Province.

The Special Court of Assizes of Pisa has pending 175 denunciations, 15 of which for fascist crimes and 136 for collaboration with Germans.

The Provincial Delegate for Epuration examined

- 3 -

490 cases, 41 of which have been instructed. 103 cases have been sent to the Judicial Authorities for trial. 61 cases were referred to the Special Commissions for Epuration.

The Intendente di Finanza during the month of March 1946 made an ascertainment of fascist property and issued 3 dispositions as to the properties.

3. Prostitution.

During the month of March 1946 the Questura of Livorno, together with the M.P. apprehended 246 prostitutes. 139 of them were repatriated by "foglio di via obbligatorio", 25 have been denounced under arrest to the local Prefecture for violation of Art. 197 T.U.L.P.S., 36 have been denounced at liberty, the others have been hospitalized.

The Prefecture of Livorno tried 16 cases for prostitution. All defendants were convicted and sentences imposed ranged from 1 month to 5 months imprisonment.

The Questura of Pisa, together with the M.P. apprehended 35 prostitutes. 25 have been repatriated by "foglio di via obbligatorio", the others have been hospitalized or denounced for violation of art. 197 T.U.L.P.S.

The Prefecture of Pisa tried during the month of March 1946, 30 prostitutes and sentences imposed ranged from 1 month to 4 months imprisonment.

4. General.

a) In the jail of Livorno there are 282 male prisoners and 63 female prisoners. Of them 61 men and 2 women are political prisoners.

In Pisa jail there are 447 male prisoners and 98 female prisoners. Of them 151 men and 4 women are political prisoners.

Both jails are much overcrowded, but Livorno jail less than usual.

b) Most unsatisfactory is the situation of the Allied interests cases pending before the Italian Military Court of La Spezia. Six cases (all of them C.I.D. cases) are pending there awaiting answers concerning the new location of the various defendants, released previously in custody of their commanding officers by the Court or by C.I.D. Unhappily, some of the units were disbanded and it is now very difficult (if not practically impossible) to trace the new location of the ex soldiers. Two of these cases have been transmitted to the Italian Judicial authorities already 10 months ago. The same situation exists in cases pending before the same Court in which the interests of the Allies are not involved.

740

- 4 -

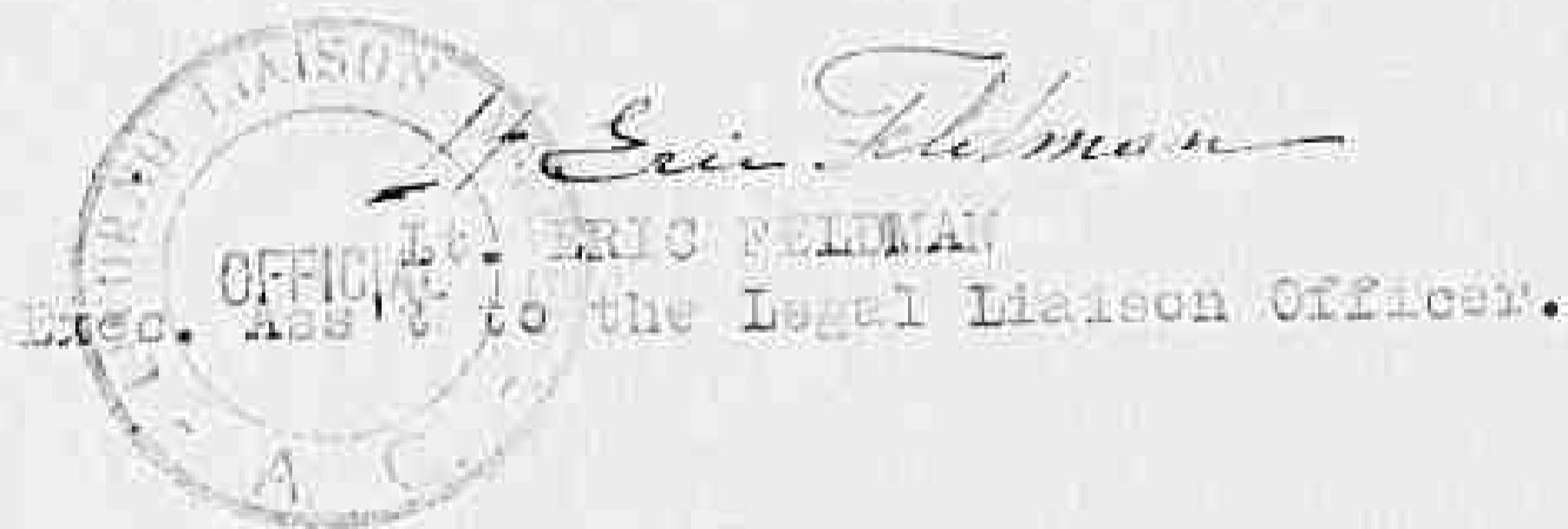
On 26 March 1946, before the Italian Military Court in Florence has begun the trial of the only Allied interests case, pending there. The case was adjourned sine die on request of the Public Prosecutor for some additional investigations.

c) A small decrease in serious crimes is to be noted. This should be attributed to the enlarged measures of surveillance and to the efficient activity in general of all Italian and American police agencies.

d) The new form of arrest report has been prepared in agreement with the Italian Judicial authorities and has been submitted to the Provost Marshal's Office - P.D.S. for approval and printing. It is expected that the new form will help the Courts dealing with Allied interests cases.

For the Chief Liaison Officer A.C.:

EN/ln.



50

→	IEG JG CC
→	CLO
→	DCLO
→	Chief Counsel <i>Hu</i>
→	CJO
→	Section
<i>4 April 46</i>	

1741

404A21WA

HEADQUARTERS
LIVORNO LIAISON OFFICER
ALLIED COMMISSION

Livorno, Date: 28 February 1946

Ref : L.O. 1862.

Subject : Legal Monthly Report.

To : HQ., ALLIED COMMISSION, A.P.O. 394.

(Attn: Chief Legal Advisor - Legal Sub-Commission). ✓

Copy to: Chief Liaison Officer, LIVORNO.

1. Italian Courts.

(a) Livorno Province. The Tribunale of Livorno during the month of February 1946 disposed of 55 criminal cases involving 146 defendants, 56 of whom were acquitted.

Of these cases 24 were Allied interests cases involving 35 defendants. All of them were charged with theft, wrongful possession and receiving stolen goods (ricettazione). While 51 defendants were acquitted, the others were convicted and sentences imposed ranged from 500 lire fine to 3 years imprisonment and 15.000 lire fine.

The Pretura of Livorno during same period of time disposed of 26 Allied interests cases, the big majority of which were for violation of art. 157 T.U.L.P.S. Only one defendant was acquitted, while the others were sentenced from 1 month to 6 months imprisonment.

The Court of Assizes in Livorno tried during the month of February 1946, 6 cases involving 12 defendants, 8 of whom were acquitted and 4 convicted and sentenced.

(b) Pisa Province.

The Italian Tribunal in Pisa tried during the month of February 1946 only one case involving Allied interests. The defendant, accused for wrongful possession of Allied property was convicted and sentenced to 7 months imprisonment and 3.000 lire fine.

The Pretura of Pisa during the month of February 1946 disposed of 43 Allied interests cases, involving 43 defendants. 20 defendants were charged with entering forbidden areas, 19 for prostitution and 4 for wrongful possession. Sentences imposed ranged from 15 days imprisonment to 3 months imprisonment.

- 2 -

(c) Toscane Region.

Reports for the month~~s~~ of January 1946 from the Procuratori del Regno of Apuania and Siena Provinces regarding Allied interests cases reached this office with delay and were negative.

Negative reports for the month of February 1946 concerning Allied interests cases have been received from the Procuratori del Regno of Pistoia and Grosseto Provinces.

2 cases for illegal possession of Allied properties have been tried in Arezzo Province. Both accused have been acquitted for lack of evidence.

1 case for theft has been tried at Siena and the Italian Tribunal has convicted and sentenced the defendant to 9 months imprisonment and 3,000 lire fine.

3 cases for receiving stolen goods have been tried by the Tribunal of Lucca, the four defendants involved have been convicted and sentenced from 2,000 lire to 6,000 lire fine.

52 Allied interests cases are pending before the Procuratori del Regno and the Prefecture of Pisa Province. The big majority of which are for theft, wrongful possession of Allied properties, and for entering forbidden areas.

No report has been received as today from the Procuratori del Regno of Apuania and Florence Provinces. They have been requested again to forward same and information will be given when received by this office.

2. Enquiry.

43

(a) Livorno Province.

The Procuratore del Regno of Livorno has received during the month of February 1946 no denunciations for political crimes.

The Special Section of the Courts of Assizes of Livorno did not hold any trial for political crimes during some period of time.

The office of the "Pubblico Ministero" with the Special Court of Assizes received during the month of February 1946, 10 denunciations for political crimes, involving 16 defendants.

The pending cases reached therefore the number of 99. Of these, 15 have been dismissed for lack of evidence, 22 have been forwarded to other authorities for competence, 11 have been sent to the Court for trial and the remainder of 51 are still pending under instruction.

.1.

- 3 -

Negative report has been given by the Provincial Delegate for Spurition.

The Intendente di Finanze of Livorno informs this office that many legal mortgages have been ordered by the President of the Special Section of the Incomes, on the properties of fascists while the receivers, in these cases, have been dismissed.

The dispositions as to the properties of the former C. I. L.; on care until today of the Intendenza di Finanze, will be made in future by the "Commissario Provinciale del Commissariato Nazionale per la Gioventù Italiana di Roma", recently appointed in Livorno.

(b) Pisa Province.

The Special Section of the Court of Assizes in Pisa has pending 223 denunciations for political crimes. 158 cases are still being instructed. As already told in last Legal Report, the Court started its work on 11 February 1946.

The Provincial Delegate for Spurition has examined during the month of February 1946, 930 cases, 146 of which have been instructed. 78 cases have been referred to the Commission for Spurition. 11 denunciations have been forwarded to the judiciary authorities.

The Intendente di Finanze during same period of time has issued 3 dispositions as to the properties formerly belonging to the P.N.F. He has under investigation 7 cases, concerning properties of alleged fascists.

3. Prostitution.

During the month of February 1946 the Questura of Livorno, together with the M.P. apprehended 255 prostitutes. 152 of them were repatriated by "Foglio di via obbligatorio", 46 have been denounced under arrest to the local Pretura for violation of art. 157 T.U.L.P.S., 31 have been denounced at liberty, the others have been hospitalized.

The Pretura of Livorno tried 25 cases for prostitution. All defendants were convicted and sentences imposed ranged from 1 month to 6 months imprisonment.

The Questura of Pisa, together with the M.P. apprehended 41 prostitutes. 20 have been denounced to the Pretura for violation of the art. 157 T.U.L.P.S., the others have been repatriated or hospitalized.

The Pretura of Pisa tried during the month of February 1946, 20 cases for prostitution and sentences imposed ranged from 15 days to 3 months imprisonment.

4. General.

a) In the jail of Livorno there are 342 male prisoners

1744

- 4 -

and 71 female prisoners. Of them 71 men and 3 women are political prisoners.

In Pisa jail there are 412 male prisoners and 128 female prisoners. Of them 184 men and 8 women are political prisoners.

Both jails are much overcrowded.

b) During the last 2 weeks all summons for military witnesses have been forwarded through this office to the Provost Marshal's Office - P. B. S. for further delivery. This has been made in agreement with Col. Tolva, Provost Marshal - P.B.S. and it is believed that in future the military witnesses will appear in Italian Courts when requested.

c) This office is now examining the possibility of preparing and using a new form of arresting report to be used by Allied Military Police agencies. The new forms should contain all particulars requested by the Italian law.

For the Chief Liaison Officer A.C.:

LSC/CH.

*Eric Feldman*Lt. ERIC FELDMAN
Asst. to the Legal Liaison Officer.

LEG. SUB. CLO
CLO
DCLO
Chief CLO
CJO
Italian
CL. R.K.
5 March 46

745

HEADQUARTERS
LIVORNO LIAISON OFFICER
ALLIED COMMISSION

PA

Livorno, Date: 31 January 1946

Ref : L.O. 1825.

Subject : Legal Monthly Report.

To : HQ., Allied Commission, A.P.O. 394.

(Attn: Chief Legal Advisor, Legal Sub-Commission). ✓

Copy to: Chief Liaison Officer, LIVORNO.

1. Allied Military Government Courts.

As the territory of Livorno, Pisa and Collesalvetti Communes has been handed over to the Italian Government as of 31 December 1945, no case has been tried in the A.M.G. Courts during the month of January 1946.

Effective 1 January 1946, all Allied interests cases have been tried by the Italian Courts.

Allied Military Police Agencies forward all reports of arrest and investigations reports to the Italian Questura in Livorno for onward transmission to the Italian Procuratore del Regno for investigation and trial.

2. Italian Courts.

(a) Livorno Province. The Tribunale of Livorno during the month of January 1946 disposed of 56 criminal cases, involving 76 defendants, 27 of whom were acquitted.

Of these cases 24 were Allied interests cases involving 38 defendants. All of them were charged with theft and receiving stolen goods (ricettazione). While 9 defendants were acquitted, the others 29 were convicted and sentences imposed ranged from 1000 lire fine to 11 months imprisonment and 1000 lire fine.

The Pretura of Livorno during same period of time disposed of 34 Allied interests cases, the big majority of which were for violation of art. 157 T.U.L.P.S. Only one defendant was acquitted while the others were sentenced from 15 days imprisonment to three months imprisonment.

(b) Pisa Province.

The Italian Tribunal in Pisa tried during the month of January 1946, 4 cases involving Allied interests. While 3 defendants were convicted, one was acquitted. All crimes were illegal possession and sentences imposed ranged from 1 month imprisonment and 10,000 lire fine to 4 months imprisonment and 100 lire fine.

- 2 -

During the month of January 1946 the Pretura of Lucca disposed of 21 cases involving 21 women who were convicted for entering forbidden areas and sentences imposed in these cases ranged from 15 days to 6 months imprisonment.

(c) Toscana Region.

Negative reports for the month of January 1946 concerning Allied interests cases have been received from the Procuratori del Regno of Grosseto and Pistoia.

3 cases for illegal possession have been tried in Lucca Province.

9 cases for theft and possession are pending before the Italian Tribunal of Florence; 4 cases have been tried by the same Tribunal for illegal possession and 7 cases have been tried by the Pretore of Florence, always for illegal possession of Allied properties.

29 Allied interests cases are pending in Pisa before the Tribunale and Pretore.

12 Allied interests cases have been tried by the Preture of Arezzo Province.

No report has been received as today from the Procuratori del Regno of Apuania and Siena Provinces. They have been requested again to forward same and information will be given when received by this office.

3. Epuration.

(a) Livorno Province.

The Procuratore del Regno of Livorno has received during the month of January 1946 no denunciations for political crimes.

The Special Section of the Court of Assizes of Livorno held 7 trials against accused for political crimes, involving 7 defendants, 3 of whom were acquitted and 4 sentenced to serve from 7 years to 20 years imprisonment.

The Office of the "Pubblico Ministero" with the Special Court of Assizes has received during the same period of time 22 denunciations for political crimes; 10 of which have been dismissed for lack of evidence; 8 have been instructed and prepared for trial; 4 have been forwarded to other Procurator for competence.

The Provincial Delegate for Epuration has almost finished his work, as the High Commissariat for Epuration in Rome, and the Provincial Delegates for Epuration have been ordered to finish their functions, in consequence of a D.L.L. issued by the Italian Government.

The Intendente di Finanza is continuing his normal work for the undue enrichments and for the liquidation of fascist

- 3 -

properties, awaiting further dispositions of law as already announced.

(b) Pisa Province.

The Office of the "Pubblico Ministero" with the Special Court of Assizes has under instruction 153 cases; 15 of which for fascist activities and 136 for collaboration with Germans.

The said Special Court of Assizes will start their work on 11 February 1946.

The Provincial Delegate for Epuration is forwarding all files to the competent Administrations, following the disposition of a recently issued law.

Last decision taken by the above Provincial Delegation were for the epuration of 44 accused who have been denounced to the Judicial Authorities for trial. Among them there are 5 lawyers.

The Intendente di Finanza started the liquidation for 7 cases of fascist properties. 3 decisions have been taken as to the properties of the dissolved P.N.F.

4. Prostitution.

During the month of January 1946 the Questura of Livorno, together with the M.P. apprehended 247 prostitutes. 132 of them were repatriated by "Foglio di via obbligatorio", 21 have been denounced under arrest to the local Pretura, 30 have been denounced at liberty, the others have been hospitalized.

The Pretura of Livorno tried 29 cases for prostitution and sentences imposed ranged from 20 days to three months imprisonment.

The Questura of Pisa, together with the M.P. apprehended 90 prostitutes, 67 have been repatriated by "Foglio di via obbligatorio", 8 have been denounced to the local Pretura, the others were hospitalized.

The Pretura tried 21 prostitutes under the charge of entering forbidden areas, and sentences imposed ranged from 15 days imprisonment to 6 months imprisonment.

5. General.

In the jail of Livorno there are 292 male prisoners and 54 female prisoners. Of them 83 men and 1 women are political prisoners.

In Pisa jail there are 409 male prisoners and 102 female prisoners; of them 193 men and 6 women are political prisoners.

1748

- 4 -

Both jails are overcrowded.

It will be noted that a special Section of the Court of Assizes in Livorno started to try all cases originally destined to be tried by the Extraordinary Court of Assizes. Dr. Chimirri, a Judge of the Court of Appeal in Florence was sitting as President of the Court. The same Judge will start on 11 February 1946 the trials at Pisa too. From the part of this office, transportation means have been made available to the President in more than one occasion.

In one occasion, the public demonstrated against the verdict of the Court (acquittal of the accused) without serious consequences.

Five C.I.D. cases are still pending before the Italian Military Court of La Spezia. The same Court remitted one case to the Military Court at Florence, for competence.

For the Chief Liaison Officer A.C.:

EF/an.



H. Eric Feldman

ERIC FELDMAN

cc to the Legal Liaison Officer.

CCM
CLO
DCLO
→ Chief Couns.
CJO
Italian
G.R.K.

Rec'd 12.5.46

1749

20/3/46

HEADQUARTERS
LIVORNO LIAISON OFFICER
ALLIED COMMISSION

(PA)

Ref : L.C. 1806.

Livorno, Date: 20 January 1946.

Subject : Final Legal Report.

To : H.Q., Allied Commission, A.P.C. 3rd.
(Attn: Chief Legal Advisor, Legal Sub-Commission).

Copy to: Chief Liaison Officer, LIV RCO.

In accordance with Executive Memorandum No. 72, dated 20 July 1944, art. 1, letter d, herewith please find the report on the activities of this office, running from 21 to 31 December 1945.

1. Allied Military Courts.

o) Livorno and Coll'enzalvetti Commune. During the period running from 20 December 1945 to 31 December 1945, the Summary Court of the Allied Military Government, Livorno base, disposed in Livorno of 20 cases, involving 57 defendants.

Major John W. Lynch from J.A.D. - P.B. was sitting as Presiding Officer. The undesignated acted in all cases as Prosecuting Officer.

As shown in the attached schedule, the big majority of cases were for theft and possession of Allied property.

The defendant Mazzoni Cerlo has been sentenced for violation Fr. I, art. V, par. 2nd and Fr. I, art. VI, par. 1, to six months imprisonment for each charge to run consecutively, while the other accused in the same trial, Garroso Mario has been sentenced for violation Fr. I, art. IV, par. 1, to 1 (one) year imprisonment (suspended) and 50,000 lire fine. A great number of allied tires were involved in this case.

Other three defendants (Barbotti Garibaldi, Bernadeschi Ivo e Liverozetti Lio) have been sentenced to six months imprisonment each for theft of American tires.

The defendants Montovani Renzo and Fornesi Filice have been tried for violation I-V-27 and I-V-28 and sentenced to three months imprisonment each for each charge, sentences to run consecutively; (2 tires and some tools for workshop were involved in this case).

Another important case concerned wrongful possession of 4 tires the property of the Allied Forces, and three defendants (Cicelli Giuseppe, Vicentino Francesco and Rizzi Sante) were sentenced to eight months imprisonment each.

The other cases tried involved several defendants and while 18 of them were acquitted the others were sentenced to lighter jail sentences or fined.

The number and the nature of the offences, and the total amount of fines imposed are shown on the attached schedule.

No Superior Court cases were tried during the said period.

- 2 -

The case 'Bari Umberto' was remitted by the trial judge to the Superior Court and later, owing to the fact that the Judge was transferred, turned over to the Italian Court, together with other three cases, of minor importance.

All fines imposed by the Court from the date of the reopening of the Court up to 31 December 1945, have been collected and turned in.

b) Pisa Courts.

During the same period, several arrests, concerning Allied citizens, have been made in the Command of Pisa. In one case only, involving 4 defendants, over 3,000 lbs. of coffee have been restored to the Allied Depots. Everything has been prepared for the trial of these cases. Unfortunately Maj. Lynch, the trial judge, was too busy to try the cases in Pisa. Consequently, all these cases have been remitted to the Italian Courts at the moment of the restoration.

2. Italian Courts.

a) Civil Courts.

No supplementary information is given as to the Italian Courts, as the big majority of the previous reports forwarded by the Italian Courts for the month of December 1945 covered the period of time up to 23 - 24 December 1945 and from 25 to the end of said month the Italian Courts did not hold trials owing to the Christmas and New Year holidays.

b) Italian Military Courts.

7 Allied interests cases are still pending before the Italian Military Court in La Spezia. Most of them are C.I.D. cases of a relatively serious nature. The Military Court in Florence has actually only one case concerning directly the Allies.

3. General.

a) All cases in which the sentences have not been fully executed have been re-examined (Executive Memorandum dated 27 July 1944, art. 2, para 2 (i). Lists, divided in Summary, Superior and General Court cases, with the required remarks and recommendations are herewith submitted as enclosure 1, (Livorno Province, and Livorno and Collesalvetti Command) and 1a (Pisa Province).

A recommendation has been made on cases tried recently in Livorno from 17 to 31 December 1945.

b) In accordance with art. 37 of "Consolidated Instructions for Allied Military Courts" this office has regularly transmitted every month the required information regarding all sentences of over 1 year imprisonment imposed by Allied Military Courts.

Herewith is forwarded a complete list of all the prisoners convicted by Allied Military Courts in the Provinces of Livorno and Pisa, including the General Court case Puttino Vincenzo, tried in Florence, after the closing down of Region VIII, still in jail and the indication in what prison the convicted persons are lodged (enclosure 2).

c) All the prisons and penitentiaries in the Provinces of Livorno and Pisa have been ordered to make their reports indicating the names of all the prisoners serving the sentences imposed by any Allied Military Court or being at the disposition of any Allied Authority.

1751

- 3 -

Furthermore, several prisoners have been visited by the undersigned personally always with the purpose to avoid any irregular detention of a man. As a concrete result, 7 prisoners from the Island of Elba have been turned over to the Italian Special Court of Assizes and the charge against a man, detained in the Volterra penitentiary from March 1945, has been dropped and the man has been put at disposition of the Italian Judiciary Authorities for another (more serious) crime.

Even a German prisoner of war has been detained for several months in a small prison.

Actually only four persons are detained at the Livorno Jail at the disposition of the C.I.D. and one prisoner at the disposition of the C.I.C. All other prisoners pending trial, are put immediately after the arrest at the disposition of the Italian Judiciary Authorities.

d) The report about the outstanding fines, as required by Executive Memorandum Number 72, dated 28 July 1944, art. 2, para. a (ii), will be submitted within 10 days from today.

e) Records of the most important cases transferred to the Italian Courts, (the big majority of which are C.I.D. cases) are kept at this office, in order to follow action taken by the Courts.

For the Chief Liaison Officer A.C.:

AP/ea.

H. Eric Feldman
Lt. ERIC FELDMAN
Sent to the Legal Liaison Officer.



Note: Enclosure No. 2 is not complete. Report concerning prisoners detained in Portoferraio, Gorgona and Cesarea Jails (Livorno Province) has not reached this Office as yet today, owing to the bad communications with the Islands.

The supplementary report, covering the missing three reports, will be submitted as soon as this office will receive them.

MILITARY COURT
LIVORNO ZONE

CASES DISPOSED FROM 20 DECEMBER TO 31 DECEMBER 1945.

CHARGES	No. of Offences for SUMMARY COURTS		No. of offences for SUPERIOR COURTS		No. of offences for GENERAL COURTS	
	N.G.	G.	N.G.	G.	N.G.	G.
1. Passes	1		6		None	None
2. Theft & possession	11		16		None	None
3. Black Market	1		6		None	None
4. Arms & Ammo.	None		2		None	None
5. Looting	None		None		None	None
6. Italian Code	None		None		None	None
7. Other Offences	5		9		None	None
8. Totals	18		39		None	None

Total fines imposed : SUMMARY COURTS £. 84.000.-

Total number of cases tried: SUMMARY COURTS : 25.-

Number of offences does not agree with number of cases, as one case often includes several accused or several charges or both.

CC

753

HEADQUARTERS
LIVORNO ZONE
ALLIED MILITARY GOVERNMENT

Reed.

11 JAN 1946

7A

File: L.O. 1776.

27 December 1945

Subject: Monthly Legal Report.

To: H.Q., Allied Commission, AFG 224.
(Attn: Chief Legal Advisor, Legal Sub-Commission).

Copy to: Commissioner, LIVORNO Zone.

1. Allied Military Government Courts.

Owing to the unusual increase of the number of offences against the Allied Forces during the last few weeks and due to the slow and inefficient Italian penal procedure, it has been deemed necessary to reopen Allied Military Courts in Livorno and, eventually in Pisa. The Chief Legal Advisor, A.C., was consulted and the oral permit was granted on 16 December 1945.

The full comprehension of the actual situation from the part of the Staff Judge Advocate P.D. Col. Wolfe and the big activity of the acting one Commissioner Capt. Basset have resolved the problem of the trial judge. Major John J. Lynch from U.S.A. - P.D. was assigned to sit as Judge in the Allied Military Government Courts, twice a week.

The necessary instructions to the Allied and Italian arresting agencies have been immediately issued and the first trials in the newly reopened Allied Military Government Court, in Livorno have been held on 18 November 1945.

7 cases have been tried on that day, involving 9 defendants.

No Superior or General Court cases have been tried.

2. Italian Courts.

(a) Livorno and Colligiana Communes. The Tribunale disposed of 129 criminal cases involving 157 defendants. 106 of the total number were acquitted. From 22 November 1945 to 22 December 1945. Twelve Allied interests cases were tried by the Tribunale, involving 25 defendants, for stealing and wrongful possession, and the sentences imposed ranged from 1000 lire fine to 1 year and 9 months imprisonment. Six defendants were acquitted.

168 cases involving violations of the rationing law, public safety law, prostitution, etc., were disposed of by the Pretura and sentences imposed ranged from 500 lire fine to 12 months imprisonment.

The Pretura disposed of 25 Allied interests cases, the majority of which were for wrongful possession of Allied property and prostitution. Sentences imposed ranged from 2000 lire fine to 1 month and 15 days imprisonment.

(b) Pisa Commune. The Italian Courts in Pisa have tried all Allied interests cases arising in that Commune. Cases are normally tried within a reasonable length of time.

From 20 November 1945 to 20 December 1945 the Tribunale tried 26 cases involving 34 defendants, of which number 19 have been acquitted. The majority of cases were for stealing and rationing law and sentences imposed ranged from 15 days imprisonment and 300 lire fine to 9 years imprisonment and 1200 lire fine. Of these cases 1 was Allied interest case and the accused was acquitted.

- 2 -

7Bis

The Prefecture disposed of 126 cases (of which 104 by penal decree), other than 56 allied interests cases, the majority of which were for wrongful possession of Allied property, prostitution and entering forbidden areas. Sentences imposed ranged from 200 lire fine to 6 months imprisonment.

(c) Tuscany Region.

Reports of the Procuratori del Regno of all the provinces in Tuscany Region concerning Allied interests cases for the period 20 October 1945 - 20 November 1945 have reached this office. Other than Apuania and Arezzo reports, also Grosseto and Pistoia reports are negative. In the other provinces several crimes for thefts and wrongful possession have been tried and other cases are still pending.

For the period 20 November 1945 - 20 December 1945 reports concerning Allied interests cases have been received from the Procuratori del Regno of Arezzo, Apuania, Pistoia, Grosseto, Livorno, Lucca and Florence. While the reports of Apuania, Grosseto and Pistoia provinces are negative, in the other provinces some cases have been tried and several others are pending, the majority of which are for wrongful possession of allied properties. Sentences imposed ranged from 600 lire fine to 8 months imprisonment and 800 lire fine.

3. Sedition.

(a) Livorno and Collaborative Companies.

(1) Procuratori del Regno. 55 denunciations involving 75 alleged fascists have been received by the Procuratori del Regno from 20 November 1945 to 20 December 1945. 1 denunciation has been sent to the Giudice Intrattore for formal instruction; 27 have been dismissed for lack of evidence; 2 have been sent to other Procuri for competence; 7 have been referred to the Tribunale for trial; 10 have been forwarded to the State Attorney's Office at the Special Court of Assizes, for competence.

72 denunciations involving 90 defendants have been received by the State Attorney's Office of the Special Court of Assizes of Livorno, which will try the accused for collaboration with Germans and any other offences committed in collaboration with anti-fascists. 8 of these denunciations have been referred to the Court for trial; 5 have been dismissed for lack of evidence; 4 are being instructed; 8 have been sent to other authorities for competence; 6 have been returned after the informal instruction, to the authorities from which same have been sent. The most important case for collaboration with Germans and robbery which was tried by the Special Court of Assizes involved three defendants who were sentenced to 15 years imprisonment each.

(2) Provincial Delegates for Sedition.

The operation of lawyers has been finished and while 3 lawyers have been censured, other 10 have been suspended from 1 month to 9 months. However in consequence of the disposition contained in the D.L.I. 7 November 1945 No. 702, no lawyer has to serve his punishment.

Some decree dispenses that the operation for the public officials be made by each administration from which the employees are depending. The Provincial Delegation therefore has almost finished its work concerning the operation.

In agreement with the Prefect, a Commission for the operation of the industrial factories will be appointed, as provided in the above mentioned D.L.I. 9 November 1945.

- 2 -

(7B)

(3) Intendente di Finanza.

The work of forwarding all records concerning undue enrichments to the Provincial Office for Economic is continuing.

A close touch has been kept with the receivers as to the properties which have been placed under receivership.

Nothing of particular to be reported as to the liquidation of fascist properties.

(4) Pisa Comune.

The Procurator del Re of Pisa has received 17 denunciations of alleged fascists from 20 November 1945 to 26 December 1945. No political case has been tried during same period of time.

The Special Court of Assizes has pending 124 denunciations concerning cases of collaboration with Germans and fascist crimes. The big majority of these cases, relating to Informatici, has been received that the Court will start to try at the end of January 1946.

The Intendente di Finanza has 20 cases under instruction, concerning properties which have to be placed under receivership or not, because belonging to alleged fascists. 5 dispositions as to fascist properties have been taken.

The Provincial Committee for Spurition from 20 November 1945 to 20 December 1945 has examined 207 cases, 114 of which have been instructed. A petition for appeal reached the above office. This Committee has ordered the unlocking of funds concerning 7 cases. 40 decisions of spurition have been entered in respect of the personnel of the Cassa di Risparmio Bank and teachers.

4. Prostitution.

In Livorno and vicinity 101 suspected prostitutes were apprehended by the Allied Military Police and the Italian Police during the period 20 November 1945 to 26 December 1945. 216 have been remanded by "Foglio di Vie Obligatorie"; 26 have been sentenced under arrest to the local Prefecture for violation of Art. 167 T.U.L.P.S.; 27 have been condemned for some crime at liberty. The others are still hospitalized.

The Prefect of Livorno during same period of time tried 52 cases involving prostitutes and sentences imposed ranged from 15 days imprisonment to three months imprisonment.

26 suspected prostitutes were apprehended in Pisa between 20 November 1945 and 26 December 1945 by the Italian Police and 7 by the Military Police. 15 were condemned to the Prefecture for violation of the "Foglio di Vie Obligatorie". The Prefect tried a total of 17 cases involving prostitutes.

5. General.

There are 254 male and 54 female prisoners confined in the Judiciary Jail of Livorno; 75 of these are political prisoners.

In Pisa there are 307 male and 59 female prisoners in the prison; 128 of them are political prisoners.

The jails are still overcrowded. One of the escaped prisoners from the Livorno Jail was rearrested.

(5) This office has kept a close contact with the Tribunale Militare di Guerra in La Spezia where 7 C.I.D. cases are still pending. Due to the lack of transportation means and to the fact that many Italian military

1756

- 4 -

(7C)

Units have recently been dissolved or transferred, the Italian Military Court has to fight with many difficulties in its work. However, Allied interests cases are given the priority.

(c) The newly reopened Allied Military Government Court will try all Proclamations offences with the exception of some small offences, such as sect. 10 or 41. Furthermore, A.M.G. Court will not try the prostitution cases and traffic violation cases, leaving the same offences to the Italian Courts.

(d) It will be noted that no A.M.G. Court has been held at Pisa, during the period ending 20 December 1945.

For the Zone Commissioner:

eP/aa.



Lt. Eric Feldman
Lt. ERIC FELDMAN
Executive Ass't to the Zone Legal Officer.

SA

1757
ALLIED MILITARY COURT
LUDWIGSHafen ZONE

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

CASES DISPOSED FROM 20 NOVEMBER TO 20 DECEMBER 1945

C H A R G E S	No. of offences for			No. of offences tried in MILITARY COURTS	No. of offences tried in MILITARY COURTS of GENERAL COURTS	No. of offences tried in MILITARY COURTS of SPECIAL INTEREST
	SUMMARY COURTS	SUPERIOR COURTS	G.			
1. Passes	None	None	None	None	None	15
2. Theft & possession	None	4	None	None	None	4
3. Black Market	None	4	None	None	None	None
4. Arms & Amm.	None	None	None	None	None	None
5. Looting	None	None	None	None	None	None
6. Warlike Code	None	2	None	None	None	37
7. Other Offences	None	10	None	None	None	6
8. Totals						101

Total fines imposed : MILITARY COURTS £. 75.000.-

Total number of cases tried: MILITARY COURTS : 7

Number of offences does not agree with number of cases, as one case often includes several
accused or several charges or both.

70

14

HEADQUARTERS
LIVORNO ZONE
ALLIED MILITARY GOVERNMENT

30 November 1945

File: L.G. 1710.

Subject: Monthly Legal Report.

To: H.Q., Allied Commission, APO 394
(Attn: Chief Legal Advisor, Legal Sub-Commission).

Copy to: Commissioner, LIVORNO Zone.

6A

1. Allied Military Government Courts.

No Allied Military Government Courts are now functioning in the entire LIVORNO zone.

2. Italian Courts.

(a) Livorno and Collesalvetti Communes. The Tribunals disposed of 166 criminal cases involving 210 defendants (135 of the total number were acquitted) from 22 October 1945 to 22 November 1945. One Allied interests case was tried by the Tribunals, involving 14 defendants, for stealing, and the sentences imposed ranged from 6 months imprisonment and 6,000 lire fine to 3 years imprisonment and 12,000 lire fine. Three defendants were acquitted.

121 cases involving violations of the rationing law, public safety law, prostitution, etc., were disposed of by the Prefecture and sentences imposed ranged from 300 lire fine to 3 months imprisonment.

The Prefecture disposed of 31 Allied interests cases, the majority of which were for wrongful possession of Allied property. Sentences imposed ranged from 300 lire fine to 6 months imprisonment.

(b) Pisa Commune. The Italian Courts in Pisa have tried all Allied interests cases arising in that Commune. Cases are tried within a reasonable length of time and sentences imposed are adequate, with a few exceptions (see general).

From 20 October 1945 to 20 November 1945 the Tribunals tried 40 cases involving 46 defendants, of which number 15 have been acquitted. The majority of cases were for stealing and rationing law and sentences imposed ranged from 20 days imprisonment and 500 lire fine to 9 years imprisonment and 9,000 lire fine. Of these cases 3 were Allied interests cases and sentences imposed ranged from 1 month imprisonment to 6 months imprisonment and 4,000 lire fine.

The Prefecture disposed of 104 criminal cases, other than 48 Allied interests cases, the majority of which were for wrongful possession of Allied property, prostitution and entering forbidden areas. Sentences imposed ranged from 2000 lire fine to 8 months imprisonment.

(c) Tuscan Region.

Reports of the Procuratori del Reale of the provinces in Tuscan Region have been received only from Apuania, Arezzo and Siena. While the reports of Apuania and Arezzo are negative, in Siena a case has been tried

- 2 -

- for wrongful possession and the accused has been sentenced to 8 months imprisonment and 4,00 lire fine. It is supposed that the reports from the other provinces will reach this office within the few next days. A letter will be sent to the Procuratori del Regno concerned, asking for an explanation for the delay, and a copy of the same to the Procuratore Generale of Florence.

7. Operazione.

(a) Livorno and Collazzone Comunes.

(1) Procuratori del Regno. 28 denunciations involving 29 alleged fascists have been received by the Procuratori del Regno from 20 October 1945 to 20 November 1945. 5 denunciations have been sent to the Giudice Patriottico for formal instruction; 6 have been dismissed for lack of evidence; 2 have been sent to the pretori for competence; 2 to other Procuratori; 12 have been sent to the State Attorney of the Special Court of Assizes in Livorno.

125 denunciations involving 161 defendants, have been received by the State Attorney's office of the Special Section of the Court of Assizes of Livorno, which will try the accused for collaboration with fascists and 11 other offenses committed in collaboration with anti-fascists. 10 of these denunciations have been dismissed for lack of evidence; 6 have been referred to the Court for trial; 82 are being instructed; 12 have been sent to other authorities for competence; 10 have been returned after the informal instruction, to the authorities from which some had been sent.

The above mentioned Court of Assizes has disposed of 14 cases, from 22 October 1945 to 20 November 1945, involving 17 accused, 10 of whom have been acquitted. Sentences imposed in these political cases ranged from 7 years imprisonment to 15 years imprisonment.

(2) Provincial Delegate for operation.

Awaiting the revision of the law concerning the operation, the work of the Delegation has been limited only to the pending cases. Q1

The D.L.R. of November 1945 has been published on the Provinciale Ufficio of the 13th November 1945, but it is not yet in force in Livorno zone. It is expected that the implementation in this zone will be forthcoming in the near future so that the Delegation could continue its normal work of operation in the entire province.

The two delegates Avv. Giovanni Galati and Avv. Ugo Baracca have collaborated with the State Attorney's Office of the Court of Assizes in the instruction and trial of criminal cases involving collaborationists with anti-fascists.

(3) Intendente di Pisa.

In accordance with the new instructions issued by the Finance Ministry, all the records concerning the undue enrichments are being forwarded to the Provincial Office for Income.

Nothing of particular to be reported as to the liquidation of fascist properties.

(4) Pisa Comune.

The Procuratori del Regno of Pisa have received 16 denunciations of alleged fascists from 20 October 1945 to 20 November 1945. 2 political cases have been tried during same period of time.

- 3 -

On 1st January 1946 the Special Court of Assizes will start to work. There are 24 cases of collaborationism with Germans and 4 cases of fascist activity to be tried.

The Intendente di Finanze has informed that in cases are being instructed by the competent offices in Pisa, in order to order or not the sequestration of the properties of alleged fascists. 3 dispositions as to fascist properties have been taken.

The Provincial Committee for spartition from 20 October 1945 to 20 November 1945 has examined 92 cases, 45 of which have been instructed, 4 cases have been referred to the competent Judicial Authorities. 3 petitions for appeal have reached the above office. Said Provincial Committee has ordered the unblocking of funds concerning 2 cases. 18 decisions of spartition have been entered in respect of the personnel of the Commune and Saint Giovanni Society.

4. Prostitution.

In Livorno and vicinity 274 suspected prostitutes were apprehended by the Allied Military Police and the Italian Police during the period 20 October 1945 - 20 November 1945. 148 have been repatriated by "Foglio di vi-obbligatorio"; 18 have been denounced under arrest to the local Prefect for violation of art. 147 C.U.L.P.S.; 14 have been denounced for some crime + liberty. The other are still hospitalized.

The Prefects of Livorno during same period of time tried 17 cases involving prostitutes and sentences imposed ranged from 1 month imprisonment to three months imprisonment.

38 suspected prostitutes were apprehended in Pisa between 20 October 1945 and 20 November 1945 by the Italian Police and 48 by the Military Police. 17 were denounced to the Prefect for violation of the "Foglio di vi-obbligatorio" the others were repatriated by means of the "Foglio di vi-obbligatorio". The Prefects and Tribunals tried a total of 18 cases involving prostitutes.

5. General.

(a) There are 273 male and 49 female prisoners confined in the Judiciary prison in Livorno, 9% of these are political prisoners.

In Pisa there are 296 male and 64 female prisoners in the prison, 111 of the total number are political prisoners.

Both jails are permanently overcrowded. 2 prisoners from the Livorno jail succeeded in escaping.

(b) 7 allied interests cases, investigated by the C.I.D., etc still pending before the Italian Tribunale Militare Territoriale di Guerra. All these cases have been sent previously to the Italian Military Court at Florence and only recently, for the reason of territorial competency, they have been committed to the newly re-opened Italian Military Court in La Spezia. In future, all crimes involving Italian soldiers, or civilian with Italian soldiers, committed wherever in the Provinces of Livorno or Pisa, will be tried by the Italian Military Court at La Spezia.

(c) The Prefore ascertained from the Pisa Prefecture, Avv. Chastoni, that, for the second time, imposed inadequate sentences in allied interests cases and has refused to admit a few minutes 2 military attorneys. To avoid

1761

- 4 -

any future inconvenience, the Primo Presidente delle Corti d'Appello and the Avvocato Generale in Florence have been contacted and they both agreed to withdraw the above named lawyer from trying Allied Interests cases.

(d) During the last days of November a new Protoro was assigned to the Pisa Prefecture.

Every assistance to the Italian Judicial Authorities will be given by this Office in order to insure the full protection of Allied interests.

For the Zone Commissioner:

EF/an.



H. Eric Feldman
Lt. ERIC FELDMAN
Asst. Ass't to the Zone Legal Officer.

HIGH SUBMISSION	
CLO	_____
DCLO	_____
Chief Counsel	_____
CIO	_____
Italian Section	_____
CL RKS	_____
13 DEC 1945	

SC

1762

ALLIED MILITARY COURT
LIVORNO ZONE

C H A R G E S	Allied interest cases disposed of by Italian Courts from 20 October 1945 to 20 November 1945.		No. of offences for trial before Italian Courts.	Allied interest cases pending before Italian Courts.
	No. of offences for trial before Italian Courts.	No. of offences for trial before Tribunale.		
N.G.	G.	N.G.	G.	
1. Theft & possession	1	64	12	3
2. Black Market	None	None	None	None
3. Arms & Ammo.	None	1	None	4
4. M.U.L.P.S. 157	2	40	2	4
5. Traffic violations	None	56	None	20
6. Other Offences	2	35	None	None
7. Totals	5	196	12	5
			146	

Total number of cases tried: by PREMURA 201
by TRIBUNALE 17

CC

1963

ALLIED MILITARY GOVERNMENT

PROVINCIAL LIVORNO ZONE

Sentences of imprisonment of over 1 year imposed during month of November 1945
 Sentenze di reclusione superiore ad un anno durante il mese di Novembre 1945

Caso No.	COGNOME	NOME	Paternità e Maternità	ETA'	Luogo e data di nascita	REATO	Sentenza e Data	DISPOSIZIONE	
107/ SUP.	CIPOLLARO	Mario	fu Vittorio e di Mene Maria	33	Napoli 8 febbraio 1912	C.P. Art. 646 conforme, Proc. 1, Art. VII 1 - IV - 11 1 - IV - 11 1 - IV - 11 1 - IV - 11 1 - V - 35 1 - V - 35	3 anni £. 160.000 3 mesi 1 mese £. 80.000 assolto <u>3 anni</u>	2 Novembre 3 anni 3 mesi 1 mese £. 80.000 assolto <u>annullata</u> Totale 6 anni, 4 mesi e £. 240.000 16 Agosto 1945 =====	2 Novembre 3 anni 3 mesi 1 mese £. 80.000 assolto <u>annullata</u> Totale 3 anni 4 mesi 240.00

1764

FORM N. 13

ALLIED MILITARY GOVERNMENT

RECEIVED IN THE
LIVORNO ZONE

Sentences of imprisonment of over 1 year imposed during month of
 Sentenze di reclusione superiore ad un anno durante il mese di } Novembre 1945

NOME	Paternità e Maternità	ETA'	Luogo e data di nascita	REATO	Sentenza e Data	DISPOSIZIONE
Mario	fu Vittorio e di Mene Maria	33	Napoli 8 febbraio 1912	C.P. Art. 646 conforme, Proc. 1, Art. VII	2 Novembre 1945	
				1 - IV - 11	3 anni £. 160.000	3 anni £. 160.000
				1 - IV - 11	3 mesi	3 mesi
				1 - IV - 11	1 mese	1 mese
				1 - IV - 11	£. 80.000	£. 80.000
				1 - V - 35	assolto	assolto
				1 - V - 35	<u>3 anni</u>	<u>annullata</u>
					Totalle	Totalle
					6 anni, 4 mesi e £. 240.000	3 anni, 4 mesi, 240.000 £.
					16 Agosto 1945	=====
					=====	=====

4 out 3 ✓

HEADQUARTERS
LIVORNO ZONE
ALLIED MILITARY GOVERNMENT

(5A)

31 October 1945

File: I.G. 1671.**Subject:** Monthly Legal Report.**To:** HQ., Allied Commission, APO 394.
(Attn: Chief Legal Advisor, Legal Sub-Commission)

Copy to: Commissioner, LIVORNO Zone.

1. Allied Military Courts.

No Allied Military Courts are more functioning in the entire Livorno zone. On 17 September 1945 in anticipation of the eventual restoration of this zone to the jurisdiction of the Italian Government, a new procedure was adopted for the disposition of Allied interests cases. Italian civilians, charged with offences against Allied interests, are taken by the Allied Military Police or by the Italian Police agencies directly to the questure and there are made the denunciations. It is the duty of the questure to forward the denunciations to the competent Italian judicial authority, with a copy of each report being sent to this office. Weekly reports are submitted to this office & the questure, Procura del Regno and Prefecture so that the necessary supervision may be insured.

Cases involving Allied interests, investigated by some special investigation Agencies (C.I.D. especially), are submitted directly to this office.

A close personal contact by the undersigned with the questore, Procuratore del Regno and the Presidente del Tribunale from Livorno and Pisa will insure precedence given to cases affecting Allied interests.

2. Italian Courts.

(a) Livorno and Collenzavetti Committee. The Tribunale disposed of 127 criminal cases involving 150 defendants, 85 of whom were acquitted, from 22 September 1945 to 22 October 1945. Two Allied interests cases were tried by the Tribunale for stealing and the sentences imposed were respectively 8 months imprisonment and 10,000 lire fine and 2 years imprisonment and 2,000 lire fine.

94 cases involving violations of the rationing law, public safety law, prostitution etc., were disposed of by the Prefecture and sentences imposed ranged from 300 lire fine to two months and 15 days imprisonment.

The Prefecture disposed of 25 Allied Interest cases, the majority of which were for wrongful possession of Allied property. Sentences imposed ranged from 400 lire fine to two months and 15 days imprisonment.

Recently the Prefecture of Livorno has had assigned two new judges (Pretori), as a result of the request made by this Legal Office to the Italian Ministry of Grace and Justice. In the near future said office will be able to try more speedily the Allied Interest cases, a number of which is always pending.

Furthermore the Procura del Regno of Livorno got his permanent Procuratore. It is pointed out, however, that two of his assistants have been

- 2 -

assigned temporarily at the State Attorney's Office of the Special Section of the Court of Assize of Livorno, which will try fascist crimes.

(b) Pisa Commune. The Italian Courts in Pisa have tried all Allied interest cases arising in that Commune. Cases are tried within a reasonable length of time and sentences imposed are adequate. The only exceptions are cases tried on 24 September 1945, when a Prefore Uccerio (in absence of the sick Pretore) tried Allied interests cases. The sentences imposed on that day were too lenient and later, on suggestion of this office, in two cases, the Public prosecutor has appealed against the punishment. The result of the appeal is not yet known, but it will serve for the future guidance in similar cases.

From 20 September 1945 to 20 October 1945 the Tribunale tried 19 criminal cases, involving 27 defendants, 4 of whom were acquitted. The majority of cases were for stealing and rationing law and sentences imposed ranged from 1 month imprisonment to 2 years, 4 months and 20 days imprisonment.

1 case for prostitution was tried by the Tribunale and defendant was sentenced to 6 months imprisonment.

The Pretura disposed of 32 criminal cases other than 53 Allied interests cases, the majority of which were for wrongful possession of Allied property, prostitution and entering a forbidden area. Sentences imposed ranged from 300 lire fine to 15 months imprisonment.

(c) Tuscan Region.

Reports of the Procuratori del Regno of the provinces in Tuscany have been duly received, with the exception of Apuania and Arezzo Provinces. Negative reports have been received from Siena and Grosseto provinces.

From the above reports it results that a certain number of cases involving Allied interests have been tried in Pistoia, Pisa, Firenze, Lucca and Livorno provinces and that some of such cases are still pending awaiting trial.

The big majority of cases referred to as above have been for wrongful possession of Allied property.

3. Southern.

(a) Livorno and Collesalvetti Communes.

(1) Procuratore del Regno. 16 denunciations involving 27 alleged fascists have been received by the Procuratore del Regno from 20 September 1945 to 20 October 1945. 4 denunciations have been sent to the Pretori for summary instructions; 4 to the "Giudice Istruttore" for formal instructions; 5 to the Pretori for competence; 1 to another Procur. for competence and 2 have been dismissed for lack of evidence.

A political case has been tried by the Italian Tribunale of Livorno, involving 2 defendants who have been sentenced to 4 years imprisonment.

49 denunciations, involving 80 defendants, have been received by the State Attorney's office of the Special Section of the Court of Assizes of Livorno, which will try the accused for collaboration with Germans and any other serious offences committed in collaboration with nazi-fascists. 15 of these denunciations have been dismissed for lack of evidence; 4 have been referred to the Court for trial; 22 are being instructed and 8 have

- 3 -

been sent to other Procuras for competence. The trials will begin on 7 November 1945.

(2) Provincial Delegate for Epuration.

The Commission for epuration of lawyers have finished their works and the decisions taken will be notified in the near future.

The epuration of the personnel of the Cassa di Risparmio of Livorno and of the Italian Society for Gas started already. All the concerning papers have been sent to the appropriate authority.

The C.I.P. has appointed as State Attorneys at the trials against fascists which will be held by the Court of Assizes, the following lawyers: Bassano Ugo, Campi Giorgio, Cocchetti Luigi, Gelti Giovanni and Funaro Giuseppe.

(3) Intendente di Finanze.

The work for the undue enrichments and the fascist properties is proceeding in a normal manner. Nothing of particular to be reported.

(b) Pisa Commune.

The Procuratore del Regno of Pisa has received 20 denunciations of alleged fascists from 20 September 1945 to 20 October 1945. No political case has been tried during same period of time.

It is expected that at the beginning of the new year the Special Court of Assizes will begin with the trials. There are 104 denunciations lying at the proper office for alleged offences of collaboration with Germans. Of those, 97 denunciations are being instructed.

The Intendente di Finanze has requested the President of the Special Section of the Provincial Commission for Incomes to order the sequestration of the properties of 2 alleged fascists. Other 6 cases have been investigated by the competent office for Pisa Province. Apart of that other cases involving 50 alleged fascists have been investigated on behalf of other Intendenti e di Finanze.

The Provincial Committee for epuration from 20 September 1945 to 20 October 1945 has examined 70 cases 45 of which have been investigated. 8 cases have been referred to the competent Judicial Authorities. 12 petitions for appeal have reached the above office. Said Provincial Committee has ordered the unblock of funds concerning 10 cases. Among the personnel of the Communes in the Province and Schools 17 persons have been suspended from their employment, 15 have been epurated. 17 former employees of the Saint Gobain Society have been epurated.

4. Prostitution.

In Livorno and vicinity 213 suspected prostitutes were apprehended by the Allied Military Police and the Italian Police during the period 20 September 1945 - 20 October 1945. 103 have been repatriated by "Foglio di via obbligatorio"; 9 have been denounced under arrest to the local Procuras for violation of Art. 157 T.U.L.F.S.; 6 have been denounced for same crime at liberty. The others are still hospitalized.

The Prefect of Livorno during the same period of time tried 25 cases involving prostitutes and sentences imposed ranged from 20 days to two months and 15 days imprisonment.

26 suspected prostitutes were apprehended in Pisa between

- A -

20 September 1945 and 20 October 1945 by the Italian Police and 20 by the Allied Military Police. 6 were denounced to the Prefura for violation to the "Foglio di via obbligatorio" the others were repatriated by means of the "Foglio di via obbligatorio". The Prefura tried a total of 23 cases involving prostitutes.

5. General.

There are 244 male and 47 female prisoners confined in the judiciary prison in Livorno, 91 of these are political prisoners.

In Pisa there are 244 male and 22 female prisoners in the prison,

96 of whom are political prisoners.

Both jails are permanently overcrowded, the situation in Livorno being critical. The Pisa Jail was recently - 23 and 24 October 1945 - freed of a certain number of prisoners, thanks to the Italian Military Tribunale of Florence, which, on suggestion of this office, tried in Pisa all cases involving Italian soldiers detained in the Pisa jail.

Within the next week the Procuratore del Regno, the Presidente del Tribunale and the Commissioner for the Epurazione of Livorno and Pisa will submit to this office special reports about the situation and needs in their respective offices.

Every assistance to the Italian Judicial Authorities will be given by this office in order to insure the full protection of Allied interests.

For the Zone Commissioner:

Lt. Eric Feldman

Lt. ERIC FELDMAN
Exec. Ass't to the Zone Legal Officer.

RR/nn.

1. COMMISSION
2. CIO
3. DCIO
4. Chief Counsel
5. CJO
6. Italian Section
7. Other

8. Date: NOV 1945

1769

**ALLIED MILITARY COURT
LAWZONE ZONE**

C O N T R A G E S S	ALLIED INVESTIGATE CASES DISPOSED OF BY TRIAL COURT		ALLIED INVESTIGATE CASES PENDING BEFORE TRIAL COURT
	From 20 September 1945 to 20 October 1945.	No. of Offenses for Trial Court	
P R I M A T U R A	10	100	T R I B U N A L E
N.C.	31	None	None
I.	None	None	None
1. Theft & possession	10	31	3
2. Break & enter	None	None	None
3. Auto & Auto.	1	3	3
4. M.U.T.P.S. 157	1	42	1
5. Traffic Violations	None	101	None
6. Other Offenses	4	28	None
7. Totals	16	205	4
			57

Total number of cases tried: 221
by TRIAL COURT - 4

400

1770

FORM

ALLIED MILITARY GOVERNMENT
PROVINCE OF LIVORNO ZONE

Case
No.Sentences of imprisonment of over 1 year imposed during month of
Sentenze di reclusione superiore ad un anno durante il mese di

Ottobre 1945

Case No.	COGNOME	NOME	Paternità e Maternità	ETA'	Luogo e data di nascita	REATO	Sentenza e Data	DISPOSIZIONE
3/GEN	PUTRINO	Vincenzo	fu Domenico e di Pipino Do- menica	32	Seminara (R. Calabria) 18 Dic. 1913	1 - IV - 15 1 - IV - 5	25 anni 5 anni Consecutivi Totale 30 a. 15 Luglio 1945	14 Settembre 1945 Conferma
103/ SUP.	DE MARTINI	Marino	fu Giovanni e fu Buoncompa- gni Palmira	56	Salerno 13 Gennaio 1889	1 - IV - 11	3½ anni 18 Luglio 45	10 Ottobre 1945 Conferma
105/ SUP	SILVESTRINI	Adelmo	di Luigi e di Tortini Vene- rgada.	35	Corinaldo (An- cona) 5 Giugno 1910	1 - IV - 10 1 - IV - 22	assolto 5 anni 10 Agosto 1945	15 Sett. Confermata
106/ SUP.	NUNCI	Domenico	fu Pietro e di Baldanzi Celi- de	41	Livorno 4 Novembre 1904	1 - IV - 5 1 - IV - 16	20 mesi assolto 13 Agosto 1945	15 Settembre 1945 Conferma

FORM N. 13

**ALLIED MILITARY GOVERNMENT
PROVINCE OF LIVORNO ZONE**

Sentences of imprisonment of over 1 year imposed during month of
Sentenze di reclusione superiore ad un anno durante il mese di

Ottobre 1945

	NOME	Paternità e Maternità	ETA'	Luogo e data di nascita	REATO	Sentenza e Data	DISPOSIZIONE
INI	Vincenzo Angelo	fu Domenico e di Pipino Domenica	32	Seminara (R. Calabria) 18 Dic. 1913	1 - IV - 15 1 - IV - 5	25 anni 5 anni Consecutivi Totale 30 e. 16 Luglio 1945	14 Settembre 1945 Confermata
NI	Marino	fu Giovanni e fu Buoncompagni Palmira	56	Salerno 13 Gennaio 1889	1 - IV - 11	3½ anni 18 Luglio 45	10 Ottobre 1945 Confermata
RINI	Adelmo	di Luigi e di Tontini Venetanda.	35	Corinaldo (Ancona) 5 Giugno 1910	1 - IV - 10 1 - IV - 22	assolto 5 anni 10 Agosto 1945	15 Sett. 1945 Confermata
C I	Domenico	fu Pietro e di Baldanzo Celiade	41	Livorno 4 Novembre 1904	1 - IV - 5 1 - IV - 16	20 mesi assolto 13 Agosto 1945	15 Settembre 1945 Confermata

1772

HEADQUARTERS
LIVORNO ZONE
ALLIED MILITARY GOVERNMENT

30 September 1945

File: L.O. 1612. 16204

Subject: Monthly Legal Report.

To: HQ, Allied Commission, APO 394
(Attn: Chief Legal Advisor, Legal Sub-Commission).

Copy to: Commissioner, Livorno Zone, A.M.G.

1. Allied Military Courts: Superior and Summary Courts disposed of 172 charges for violations of Proclamations and General Orders from 29 August 1945 to 29 September 1945. The number and nature of the various offenses, and the total amount of fines imposed, are shown on the attached schedule.

No cases of particular importance were tried by the Superior Court, the heaviest penalty imposed being one year imprisonment and a 60,000 lire fine in the case of Barzagli, Vittorio, et al., for stealing property of the Allied Forces.

In anticipation of the eventual restoration of this Zone to the jurisdiction of the Italian Government, a new procedure for the disposition of Italian civilians, charged with offenses against Allied interests, was adopted on 17 September 1945. The Allied Military Police take the alleged offenders directly to the questura, where the denunciations are made and forwarded directly to the competent Italian judicial authority, with a copy being sent to this office. Weekly reports are submitted to this Office by the questura and the Pretore so that the necessary supervision may be insured. Reports from the Tribunale are submitted as required.

2. Italian Courts.

(a) Livorno and Collesalvetti Communes. The Tribunale disposed of 98 criminal cases involving 129 defendants, 35 of whom were acquitted, from 20 August to 20 September 1945. These were the usual cases, sentences ranging from two to six months imprisonment.

66 cases, involving violations of the rationing law, public safety law, prostitution, etc., were disposed of by the Preture. Livorno Commune has only one Pretore, instead of its regular allotment of four. Inasmuch as the Preture will be called upon to try the large majority of Allied interest cases in the future, plus the fact that there is at present a backlog of cases pending before the Pretore, this situation is regarded as serious. An effort has been made to effect the assignment of more judicial personnel to both Livorno and Pisa. The Officer in Charge of Italian Courts, Legal Sub-Commission, A.C., has lent his support to the request for additional personnel, and the Italian Ministry of Grace and Justice has promised to assign the necessary personnel if at all possible.

One case affecting Allied interests was tried by the Court of Assize, one by the Tribunal and six by the Pretore.

1773

- 2 -

There are 10 cases affecting Allied interests pending in the Italian courts. It is expected that the speed and efficiency of the Italian courts will be increased when the necessary personnel is assigned. Meanwhile, Allied interest cases will be given priority.

The Corte di Assise tried four cases, involving six defendants, during September. Most important cases involved attempted murder and extortion. All defendants were convicted, and sentences imposed ranged from 1½ to 7½ years of imprisonment.

(b) Pisa Commune.

The Italian Courts in Pisa have tried all Allied Interest cases arising in that commune with one or two exceptions. Cases are tried within a reasonable length of time and sentences imposed are considered adequate.

From 20 August to 20 September 1945, the Tribunale tried 21 criminal cases, involving 57 defendants, 1½ of whom were acquitted. 4 of these were Allied Interest cases. The six defendants were found guilty of stealing or wrongful possession of Allied Forces property and sentences imposed ranged from 3½ days to 6 months imprisonment.

The Prefecture disposed of 99 cases, (37 by penal decree) 49 of which were cases affecting Allied interests.

(c) Tuscany Region.

The reports of the Procuratori del Regno of the provinces in Tuscany Region indicate a decline in the number of Allied interest cases arising throughout the Region with the exception of Pistoia Province, where 53 cases were tried from 20 August 1945 to 20 September 1945. This includes an accumulation of cases referred to the Italian authorities by the Provost Marshal of the Montecatini Redeployment Area. Negative reports were received from Siena, Grosseto and Pescia Provinces.

The Procuratore Generale Militare in Rome was contacted with reference to cases referred by this office to the Italian Military Tribunal in Florence. He promised to instruct the Procuratore Militare in Florence to give these cases priority.

3. Apurition.

(a) Livorno and Collesalvetti Communes.

(1) Procuratore del Regno. 64 denunciations involving 94 alleged fascists have been received by the Procuratore del Regno since the day of the last report. 16 denunciations have been sent to the "Giudice Istruttore" for formal instructions; 6 to the Pretori for summary instructions; 5 to the Procura for instructions; 10 to other Procuri for competence; 14 to the Military Tribunal for competence; 8 to the Tribunal for trial; and 8 have been dismissed for lack of evidence.

A political case has been tried on 15 September 1945 by the Tribunal of Livorno, involving two fascists who have been sentenced to 4 years imprisonment each.

104 denunciations, involving 221 accused, have been received by the Procuratore Generale for the Special Court of Assize. 8 of these denunciations have been dismissed for lack of evidence; 12 have been referred to Special Court of Assize for trial; 61 are being instructed; and 2 have been referred to other Procuri for competence. It is expected that these trials will begin within the next 30 days.

1774

- 3 -

(2) Provincial Delegates for Apuration.

All six commissions for apuration of the professional men have been appointed and are functioning.

A new Provincial Committee for apuration has been appointed, the Provincial Delegate Avv. Bassano, retaining his position. New members are Avv. Gelsati and Dott. Deidda.

(3) Intendente di Finanziaria.

Reports of investigations made of alleged instances of undue enrichment have been forwarded to the Special Section of the Provincial Commission of Incomes.

Nothing unusual to report.

(b) Pisa Commune.

The Procuratore del Regno has received 75 denunciations of alleged fascists from 20 August 1945 to 20 September 1945. One political case was tried by the Tribunale, the defendant being sentenced to 2 years and 3 months imprisonment.

The Intendente di Finanziaria has requested the President of the Special Section of the Provincial Commission for Incomes to seize the property of 17 alleged fascists. 50 cases are presently being investigated.

The Provincial Committee for Apuration have 712 cases of alleged fascists under investigation. 97 cases have been completed, and 62 of these have been referred to the appropriate commissions for action; 7 have been denounced to the judicial authorities and 28 have been dismissed for lack of evidence.

4. Prostitution.

In Livorno and vicinity, 163 suspected prostitutes were apprehended by the Military Police and the Italian police agencies from 20 August 1945 to 20 September 1945. 149 have been repatriated by means of the "Foglio di via obbligatorio"; 19 have been denounced to the Prefettura for violation of the order of the justices to return to their homes and the others are still confined in the hospital.

The Pretore in Livorno has tried 15 cases involving prostitutes and sentences imposed ranged from 20 days to six months imprisonment. 12 of these cases were based on violation of P.U.L.P.S., art. 157.

29 suspected prostitutes were apprehended in Pisa between 20 August 1945 and 20 September 1945. 22 were repatriated by "Foglio di via obbligatorio", 11 are detained pending investigations and 6 were denounced to the Prefecture. The Prefete tried 15 prostitution cases, and sentences of 15 days to 7 months imprisonment were imposed.

5. General.

There are 263 male and 44 female prisoners confined in the Judiciary Jail in Livorno. 87 of these are political prisoners, 8 of whom are awaiting transfer to other prisons. In Pisa there are 274 male and 92 female prisoners in the jail, 150 of whom are political prisoners.

1775
- 4 -

One of the most critical problems in Livorno Zone is that of unemployment brought about in part, at least, by the use of German prisoners of war in the port. This has caused concern on the part of the political and civic leaders of the community, and it would appear that swift and strong action is desirable. The Public Safety officer is well acquainted with this problem.

With denunciations of persons accused of committing offences against Allied Interests being made by the prefecture directly to the Italian judicial authorities, cases tried by Allied Military Courts will be at a minimum pending restoration of this zone to the jurisdiction of the Italian Government.

For the Zone Commissioner:

AJ/mn.

Arber Johnson
ARBER JOHNSON
1st Lt., Infantry
Legal Officer.

LEGAL SUB-COMMISSION	
CLO	✓
DCLO	✓
Chief Counsel	✓
CJO	✓
Italian Section	✓
CL RKS	✓
4 OCT 1945	

785016

**MILITARY COURTS
LAWRENCE CITY**

CASES TRIED AND FROM 25th, AUGUST TO 29th, SEPTEMBER 1945.

CHARGE	No. OF OFFENCES TRIED	No. OF OFFENCES TRIED	No. OF OFFENCES TRIED	IN MILITARY COURTS		IN SUPERIOR COURTS		IN DISTRICT COURTS	
				SUPERIOR COURTS	DISTRICT COURTS	SUPERIOR COURTS	DISTRICT COURTS	SUPERIOR COURTS	DISTRICT COURTS
1. Thefts	None	17	None	None	None	None	None	None	None
2. Theft & possession	11	63	None	5	None	None	None	29	None
3. Black Market	None	1	None	1	None	None	None	None	5
4. Arms & Ammos.	None	2	None	None	None	None	None	None	None
5. Bootleg	None	None	None	None	None	None	None	None	None
6. Indian Code	None	None	None	None	None	None	None	None	18
7. Other offences	4	62	1	None	5	None	None	None	14
8. Motives	15	145	None	12	None	None	None	None	66
Total fines imposed				SUMMARY COURTS £. 422.00.-	SUPERIOR COURTS £. 400.000.-				
Total number of cases tried				SUMMARY COURTS : 115.	SUPERIOR COURTS : 3.				

Number of offences does not agree with number of cases, as some cases often includes more than one offence or several offences of both.

C-3

FORM

**ALLIED MILITARY GOVERNMENT
PROVINCE OF LIVORNO ZONE**

Sentences of imprisonment of over 1 year imposed during month of }
 Sentenze di reclusione superiore ad un anno durante il mese di } Settembre 1945

COGNOME	NOME	Paternità e Maternità	ETA'	Luogo e data di nascita	REATO	Sentenza e Data	DISPOSIZIONE
					N E G A T I V O		

1778

FORM N. 13

ALLIED MILITARY GOVERNMENT
PROVINCE OF LIVORNO ZONE

Sentences of imprisonment of over 1 year imposed during month of
 Sentenze di reclusione superiore ad un anno durante il mese di }

Settembre 1945.

NOME	Paternità e Maternità	ETA'	Luogo e data di nascita	REATO	Sentenza e Data	DISPOSIZIONE
<hr/> N E C A T I V O						

1779

4643/21

HEADQUARTERS

LIVORNO ZONE

ALLIED MILITARY GOVERNMENT

(3A)

28 August 1945.

File: L.O. 1551.**Subject:** Monthly Legal Report.**To:** HQ, Allied Commission, APC 394.
(Attn: Chief, Legal Sub-Commission).

Copy to: Commissioner, LIVORNO Zone, A.M.G.

1. Allied Military Courts: From 31 July 1945 to 28 August 1945, Superior and Summary Courts disposed of 117 charges for violations of Proclamations and General Orders. The number and nature of the offences, and the total amount of fines imposed are shown on the attached schedule.

In Superior Court, the most important cases were (1) Cipollaro, Mario, sentenced to a total of 6 years and 4 months imprisonment and fined 240,000 lire on charges of larceny (under the Italian penal code) bribery, and interfering with Allied Forces property, and (2) Silvestrini, Adelmo, sentenced to 5 years imprisonment on charge of having counterfeit Allied Military Currency in his possession, knowing the same to be false.

The Italian Courts in Pisa continue to try the great majority of Allied interest cases, although certain more important cases are tried by Allied Military Courts. The number of cases tried by Allied Military Courts continues to decrease as more cases are being referred to the competent Italian Courts for trial.

2. Italian Courts:

(a) Livorno and Collesalvetti Communes. From 20 July 1945 to 20 August 1945 the Tribunale disposed of 79 criminal cases involving 60 defendants, 21 of whom were acquitted. No severe sentences were imposed, the majority of cases being had for violation of the rationing law, petty theft, etc.

The Pretura disposed of 94 cases. These were the usual offences, violation of the various administrative regulations, prostitution, and violations of the public safety law.

There are 16 Allied interest cases pending in the Italian Courts, and 6 cases are pending before the Italian Military Tribunal at Florence. The Italian Courts here are slow despite repeated efforts of this office to expedite the trial of Allied interest cases. The Procuratore del Regno has promised an improvement in this situation. More cases will be referred to the Italian courts as their efficiency improves.

(b) Pisa Commune. Italian courts in Pisa continue to try the big majority of Allied interest cases as well as cases involving suspected prostitutes and prostitutes.

- 2 -

The Tribunale tried, from 20 July 1945 to 20 August 1945, 14 penal cases, 2 civil cases and 3 cases involving Allied Interests. Two of the latter cases involved possession of fire arms, and the third, wrongful possession of Allied Forces property. Sentences imposed ranged from six months imprisonment, suspended, to 2 years imprisonment.

The Pretura disposed of 56 penal cases, 21 involving prostitution, 23 civil cases and 25 Allied interest cases.

Lt. Eric Feldman has met with representatives of the Military Police in Pisa and the Pretura. As a result, trials of Allied interest cases have been expedited.

(c) Toscana Region:

Reports have been received from the Procuratori del Regno of the provinces in Toscana Region under the supervision of the Liaison Officer (Legal). The reports indicate that few cases involving Allied interests are arising. Adequate priority is being given to these cases, with two possible exceptions. The Italian Military Tribunal seems to be exceedingly slow in trying cases referred to it by this office. The undersigned has personally visited the Procuratore Militare on two occasions. He has promised to give these cases priority, explaining that that court has some 13,000 cases pending.

The American Military Police in Montecatini have complained about the disposition of Allied interest cases by the Italian courts there. This situation will be investigated tomorrow, and a report will follow.

3. Epuration.

(a) Livorno and Collesalvetti Communes.

(1) Procuratore del Regno. 51 denunciations involving 103 alleged fascists have been received by the Procuratore del Regno since the date of the last report. 7 denunciations have been sent to the "Giudice Istruttore" for formal instructions; 11 to the Pretori for summary instructions; 10 to the Procuri for instructions; 6 to other Procuri for competence; 3 to the Judiciary Police for investigation; 6 to the Italian Military Tribunal; and 6 have been dismissed for lack of evidence.

No political cases have been tried during this period. 6 cases, involving 10 accused, have been set for trial on 17 September 1945.

(2) Provincial Delegate for Epuration.

The epuration of the public employees of the Commune of Livorno, the employees of the Provincial Administration and the employees of the communes in this Province, including Elba Island, is practically completed.

Work of the various commissions for epuration continues. Epuration of lawyers, engineers and doctors has commenced. Epuration of notary publics, employees of SIFRAL, Chamber of Commerce, and certain industrial organizations will commence in the near future.

(3) Intendente di Finanza.

Four new cases have been referred to the Special Section of the Provincial Commission for Incomes. No new sequestration orders have

- 3 -

been issued pending implementation of D.L.L. 364, 31 May 1945, in the Province. Investigations concerning properties belonging to P.M.F. and G.I.L. are being made.

(b) Pisa Commune.

The Procuratore del Regno received 79 denunciations concerning alleged fascists, from 20 July 1945 to 20 August 1945, and they have been sent to the competent authorities for action.

Work of the Intendente di Finanze is continuing in a satisfactory manner.

The Provincial Delegate for Epuration, and the commissions working under his supervision, have investigated 135 cases of all types of employees. A final decision has been taken in 45 cases, and 26 of these have been referred to the judicial authorities for action.

4. Prostitution.

169 suspected prostitutes were apprehended in Livorno and vicinity by the Military Police and the Italian Police agencies from 20 July 1945 to 20 August 1945. 127 have been ordered by the Justice to return to their homes, 26 have been denounced to the Preture for disobeying the "Foglio di via obbligatorio" and the others are still confined in the hospital.

The Pretore has tried 8 cases involving prostitutes and sentences imposed ranged from one month to two months and 20 days imprisonment. Most cases involving violation of the T.U.D.P.S., art. 157.

In Pisa, 32 suspected prostitutes were apprehended between 20 July 1945 and 20 August 1945 and dealt with by the proper Italian authorities. 21 cases were tried by the Pretore.

5. General.

Conditions in the jails remain unchanged. In the Judiciary Jail in Livorno, with a normal capacity of approximately 170, there are 269 male and 52 female prisoners. 81 of these, however, are awaiting transfer to other places of confinement. In Pisa there are 74 male and 50 female prisoners in a jail with a normal capacity of 270 prisoners. Political prisoners continue to make up a rather large percentage of the total.

The number of arrests by Allied Military Police decreased for the fifth consecutive month. More arrests are being made by the Italian police agencies and the offenders are denounced directly to the Italian judicial authorities.

For the Zone Commissioner:

Belo
Chambers
AJ/mn.

Arber Johnson
ARBER JOHNSON
1st Lt., Infantry
Legal Officer.

UNITED MILITARY COURT
LEVERNO ZONE

CASES DISPOSED FROM 31st. JULY TO 28th. AUGUST 1945.

CHARGES	No. of offences for		No. of offences for		No. of offences tried	
	SUMMARY COURTS	SUPPLYOR COURTS	GENERAL COURTS	GENERAL COURTS	(18 JULY TO 10 AUGUST)	(18 JULY TO 10 AUGUST)
	W.G.	G.	W.G.	G.	W.G.	G.
1. Possess	2	3	1	None	None	None
2. Theft & Possession	4	55	None	None	5	14
3. Black Market	None	3	None	None	None	None
4. Arms & Ammo.	None	2	None	1	None	1
5. Looting	None	None	None	None	None	8
6. Violation Code	None	None	None	1	None	None
7. Other Offences	2	24	2	7	None	11
E. Totals	8	97	3	9	None	7

Not 1 cases imposed : SUMMARY COURTS £. 159.300.-

SUPPLYOR COURTS £. 260.000.-

Total number of cases tried : SUMMARY COURTS : 83.-

SUPPLYOR COURTS : 4.-

Number of offences does not agree with number of cases, as one case often includes several accused or several charges of both.

14

1783

ALLIED MILITARY GOVERNMENT
PROVINCE OF LIVORNO ZONE

Sentences of imprisonment of over 1 year imposed during month of Agosto 1945
 Sentenze di reclusione superiore ad un anno durante il mese di Agosto 1945

Case N°.	COGNOME	NOME	Paternità e Maternità	ETA'	Luogo e data di nascita	REATO	Sentenza e Data	DISPOS.
1/GEN.	TOCCAFONDO	Carlo	fu Vito e di Michelletti An- giolina.	20	S.Ciuliano Ter- me 8 Ottobre 1925	1 - IV - 15 1 - IV - 16 1 - VI - 1 1 - IV - 5	50 anni 20 anni assolto 10 anni consecutivi Totale 80 anni 26 Giugno 1945	13 A. 00 30 an 10 an assol 4 an concor Totale

319
45
C. M. C.
C. M. C.

**ALLIED MILITARY GOVERNMENT
PROVINCE OF LIVORNO ZONE**

FORM N. 13

Sentences of imprisonment of over 1 year imposed during month of
Sentenze di reclusione superiore ad un anno durante il mese di

Agosto 1945

ME	NOME	Paternità e Maternità	ETA'	Luogo e data di nascita	REATO	Sentenza e Data	DISPOSIZIONE
DO	Carlo	fu Vito e di Micheletti An- giolina.	20	S.Giuliano Ter- me 8 Ottobre 1925	1 - IV - 15 1 - IV - 16 1 - VI - 1 1 - IV - 5	50 anni 20 anni assolto 10 anni consecutivi concorrenti Totale 80 anni 26 Giugno 1945	13 Agosto 1945 30 anni 10 anni assolto 4 anni Totale 30 anni 1945

HEADQUARTERS
^{ZONE}
LIVORNO PROVINCE
ALLIED MILITARY GOVERNMENT

DA

30 July 1945

File: L.O. 1507.B/19.

Subject: Monthly Legal Report.

To: Hq, Allied Commission, APO 394.
(Attn: Chief, Legal Sub-Commission).

Copy to: Commissioner, LIVORNO Zone, A.M.G.

1. Allied Military Courts: From 28 June 1945 to 30 July 1945, General, Superior and Summary Allied Military Courts disposed of 166 charges for violations of Proclamations and General Orders. The number and nature of the offences, and the total amount of fines imposed are shown on the attached schedule..

General Courts were held in Pisa and Florence, presided over by Major Anthony F. Nugent, Legal Sub-Commission, Headquarters, Allied Commission. Capt. Charles F. Delbridge, Jr. held Superior Court in Florence. Lt. Eric Feldman acted as prosecutor in the trials held at Florence. Penalties inflicted ranged from a 5 years suspended sentence in the case of Baroni Renato to 80 years imprisonment in the case of Toccafondo Carlo who was found guilty of killing a member of the Allied Forces.

2. Italian Courts.

(a) Livorno and Collesalvetti Communes. From 20 June 1945 to 20 July 1945 the Tribunale has disposed of 60 criminal cases involving 84 defendants, 14 of whom were acquitted. One defendant was found guilty of looting and sentenced to 6 years imprisonment, while another was sentenced to eight years imprisonment for aggravated assault. Other cases involved violations of the rationing law, assault, and stealing.

The Pretura disposed of 91 cases involving violations of administrative regulations, prostitution etc. Prostitution is being dealt with exclusively by the Italian Courts.

15 Allied interest cases are pending in the Italian Courts. The majority of them have been referred to the "Giudice Istruttore" and others, involving Italian soldiers, are pending before the Italian Military Tribunal in Florence. Trial dates have been set for several cases.

(b) Pisa Commune. The Italian Courts have been disposing of Allied interest cases in Pisa since the middle of May. From 1 June 1945 to 17 July 1945 the Tribunale and Pretura have tried 44 cases, 29 of which involved wrongful possession of Allied property. (See schedule attached). The prostitutes are dealt with by the competent Italian authorities.

The Tribunale disposed of 18 cases during the period from 1 June 1945 to 17 July 1945, 7 of which involved thefts and 3 involved assaults.

The Pretura for the same period tried 68 cases, 75 of which involved violations of the rationing law, and 2 involved breaches of the peace.

- 2 -

The Italian Courts in Pisa are functioning in a normal manner, and there is no large backlog of cases. Sentences imposed in cases affecting Allied interest have been given adequate priority, and sentences imposed are considered adequate.

(c) Toscana Region, exclusive of Livorno Zone and the Provinces of Apuania and Lucca.

The Procuratori del Regno of the seven provinces under the supervision of the Liaison Officer (Legal) for Toscana Region, have been asked to submit to this Office uniform reports of cases involving Allied interests tried in their provinces. The Allied police authorities have been notified as to the proper action to be taken in cases of civilian arrests.

Reports have been received from the Procuratori del Regno of the Provinces of Florence, Siena and Arezzo. The Procuratore Generale will be contacted if reports from the other provinces are not forthcoming. From the reports received to date, however, it appears that the cases involving Allied interests are receiving adequate priority and that adequate sentences are being imposed. Details of these reports will be furnished if desired.

3. Epuration.

(a) Livorno and Collesalvetti Communes.

(1) The Procuratore del Regno. Since the last report, 79 denunciations involving 160 alleged fascists have been received by the Procuratore del Regno. 24 of them have been sent to the "Giudice Istruttore" for formal instruction; 5 to the Prefect for summary instructions; 17 to Procur for summary instructions; 6 to other Procur for competence; 11 to Judiciary Police for investigations; 8 to the Tribunale; and 8 have been dismissed for lack of evidence.

3 Fascist trials were held involving 13 defendants, 5 of whom were found not guilty. Sentences imposed ranged from one to six years imprisonment.

(2) Provincial Delegate for Epuration. The Provincial Delegate is supervising the work of the various commissions for epuration. Nothing unusual to report.

(3) Intendente di Finanza. No new sequestration orders have been issued by the President of the Special Section of the Provincial Commission for incomes as it is expected that a new law will be passed concerning the transfer to the government of fascist property.

Investigations concerning undue enrichment and property owned by alleged fascist are continuing.

(b) Pisa Commune.

During the past month, the Procuratore del Regno has received 75 denunciations concerning fascists. Work of the Provincial Delegate and the Intendente di Finanza is progressing in a normal manner. The various Commissions for epuration have been appointed and are functioning.

4. Prostitution.

From 20 June to 20 July 1945; 134 suspected prostitutes were apprehended in Livorno by the Military Police and the Italian Police Agencies.

1787

- 3 -

493 have been ordered to return to their homes by the questura, 7 have been denounced to the Preture for disobeying the "Foglio di via obbligatorio", 1 for infecting a soldier with a communicable disease and the remainder are still confined in the hospital.
The Pretore has tried 25 cases involving prostitutes and sentences imposed ranged from twenty days to two months imprisonment. The majority of cases (23) involved violation of the T.U.L.P.S. Art. 157.

5. General.

The number of arrests by Allied Forces police agencies has reached an all time low in Livorno Zone. This is due to a number of factors, the two principal ones being (1) that the suspected prostitutes are being tried by Italian authorities and (2) the military police are not making arrests in petty possession cases unless for good reasons. Also the number of military police agencies has been decreased.

The crowded conditions in the jails continue, due largely to the number of political prisoners held in confinement. There are 302 male and 49 female prisoners in the Judiciary Jail in Livorno, the capacity of the jail being approximately 170. The jail in Pisa is not overcrowded except in the section for women. There the normal capacity is 25, and 61 women are in confinement. The jail has a normal capacity of 370, and there are 362 persons at present in confinement.

For the Zone Commissioner:

Arben Johnson
ARBEN JOHNSON,
1st Lt., Infantry,
Legal Officer.

AJ/an.

LEGAL SUB COMMISSION

CLO

AC

DCLO

AC

Chief Counsel

CLO

AC

Italian

AC

CL RKS

2 Adm

1788
ALLIED MILITARY COURT
LIVORNO ZONE

CASES DISPOSED FROM 26th JUNE TO 30th JULY 1945.

C H A R G E S	No. of offences for		No. of offences for		No. of offences for		
	SUMMARY COURTS	SUPERIOR COURTS	GENERAL COURTS	GENERAL COURTS	ALLIED INTEREST (1 June to 17 July)	ALLIED COURTS OF ITALIAN COURTS	
	N.G.	G.	! G.	W.G.	G.	N.G.	G.
1. Curfew & passes	4	5	None	None	None	12	2
2. Theft & possession	34	78	None	None	None	12	30
3. Black market	None	8	None	1	None	None	5
4. Arms & ammo.	None	4	None	None	None	None	1
5. Looting	None	None	None	None	None	None	None
6. Italian Code	None	None	None	None	None	None	None
7. Other offences	6	22	None	None	1	None	5
8. Totals	44	117	None	1	1	24	43
Total fines imposed		: SUMMARY COURTS £. 60. 600.-					
Total number of cases tried :		SUMMARY COURTS : 106-					
SUPERIOR COURTS :		1-					
GENERAL COURTS :		2-					

Number of offences does not agree with number of cases, as one case often includes several accused or several charges or both.

1789

ALLIED MILITARY GOVERNMENT

PROVINCE OF LIVORNO ZONE

Sentences of imprisonment of over 1 year imposed during month of
 Sentenze di reclusione superiore ad un anno durante il mese di

Luglio 1945

Case n°	COGNOME	NOME	Paternità e Maternità	ETA'	Luogo e data di nascita	REATO	Sentenza e Data	DISPOSIZIONI
102 SUP	MARTELLI	Fiorina	di Armando e di Ceccarini Elettra	36	Livorno 15 Settembre 1909	1 - IV - 11	18 mesi e £. 50.000.- 1° giugno 45	19 luglio 1945 Confermat
2/GEN	BARONI	Renato	fu Emilio e di Coli Ida	44	Buti (Pisa) 6 gennaio 1901	1 - IV - 5 1 - IV - 16	5 anni sospesi assolto	14 luglio 4½ anni da 27 giugno sospesi.

1790

FORM N. 13

ALLIED MILITARY GOVERNMENT

PROVINCE OF LIVORNO ZONE

Sentences of Imprisonment of over 1 year imposed during month of
 Sentenze di reclusione superiore ad un anno durante il mese di }
 } Luglio 1945 5

ME	NOME	Paternità e Maternità	ETA'	Luogo e data di nascita	REATO	Sentenza e Data	DISPOSIZIONE
SELLI	Fiorina	di Armando e di Ceccarini Elettra	36	Livorno 15 Settembre 1909	1 - IV - 11	18 mesi e £. 50.000.- 1° giugno 45	19 luglio 1945 Confermata
I	Renato	fu Emilio e di Coli Ida	44	Buti (Pisa) 6 gennaio 1901	1 - IV - 5 1 - IV - 16	5 anni sospesi assolto	14 luglio 45 4½ anni dal 27 giugno 45 sospesi.

1791

D
4043/21
HEADQUARTERS
LIVORNO ^{ZONE} PROVINCE
ALLIED MILITARY GOVERNMENT

(IA)

29 June 1945.

File: 410.1230 3/10.

Subject: Monthly Legal Report.**To:** Chief Commissioner, Allied Commission, APO 394.
Attn: Chief, Legal Sub-Commission.

Copy to: Zone Commissioner, LIVORNO Zone.

1. This report covers cases tried from 28 May 1945 to 27 June 1945, with comments for this period. No remarks concerning the Commune of Pisa are included in this report, but they will be included in the next monthly report.

2. Allied Military Courts. During this period, the General, Superior and Summary Allied Military Courts disposed of 288 charges for violations of Proclamations and General Orders. The number and nature of the offences, and the total amount of fines imposed, are shown in the attached schedule.

3. Italian Courts. The Tribunale has disposed of 40 criminal trials involving 67 defendants, 16 of whom were acquitted. The majority of cases tried involved charges of stealing and violation of the rationing law. Penalties inflicted ranged from 15 days to 6 years imprisonment. Three civil suits were heard, and 25 "istruttorie civili" were made.

The Pretura tried approximately 40 cases, mostly violations of various administrative regulations.

The Province of Livorno now has 3 acting Procuratori del Regno, and the business of that office is kept on a current basis. The Tribunale and Pretura are disposing of cases in the normal length of time, depending upon the nature and scope of the investigations to be made.

The first Allied interest case tried by the Tribunale on 8 June 1945 resulted in a sentence of 3 years imprisonment and a fine of 15,000 £. The defendant was convicted of receiving stolen property (ricettazione), namely Allied Forces sugar valued at \$ 453.60. This case was tried seven days after receipt of charges.

4. Pruration.

(a) Procuratore del Re: Trials involving fascists were held in the ANC courtroom for the first time on 22 June 1945. Six defendants were tried by the Tribunale, 3 of whom were acquitted. The other three defendants were found guilty and sentenced to six,

- 2 -

three and one years of imprisonment. Six other fascist trials were had, involving 16 defendants, one of whom was acquitted. Penalties ranged from three months to seven years.

Since 20 May 1945, Italian Police Agencies have submitted 103 denunciations involving 160 alleged fascists to the Procuratore del Regno. 21 of these denunciations have been sent for formal instructions to the "giudice istruttore"; 10 to the Procura Generale; 5, already investigated by the Procura have been forwarded for trial to the "tribunale"; 5 to other jurisdiction; 1 to Questura for further investigation; and 61 to the Italian Military Tribunal.

(b) Provincial Delegate for Epuration:

The Commission for Epuration of Local Public Officials of the Province, Commune and hospital has practically finished its work.

The Commission for Epuration of Lawyers has been appointed and 14 lawyers have been denounced to date.

The Commissions for Epuration of Schools have been appointed and are functioning, as is the Commission for Undue Enrichments.

(c) Intendente di Finanza: The property of two fascists has been put under control of receivers by the President of the Tribunale, upon denunciation made by the Intendente di Finanza.

The Special Section of the Provincial Commission of Incomes has been organized and held its first meeting on 15 June 1945.

The Office interested in the administration of the property of the former Fascist Party has rendered a statement of assets and liabilities of that Party as of 31 July 1943 to competent authorities. Inquiries are being made concerning furniture, typewriters and automobiles formerly belonging to the Fascist Party.

5. Prostitution: Military Police and Italian Police Agencies have apprehended 107 suspected prostitutes, 22 of whom have been denounced to the Pretore for violation of one or more of the following: Articles 157 and 191, T.U.I.P.S. and Articles 527 and 547 Penal Code. The others have been ordered, by the Questura, to return to their homes. The Pretore has tried 15 cases involving prostitutes and sentences imposed ranged from one month to six months imprisonment.

6. General. A room in the Municipio, which was badly damaged by the bombings, has been repaired and will be ready for use as a courtroom next month.

1793

ALLIED MILITARY COURT
LIVORNO ZONE

CASES DISPOSED FROM 28th MAY TO 27th JUNE 1945.

CHARGES	No. of offences for SUMMARY COURTS		No. of offences for SUPERIOR COURTS		No. of offences for GENERAL COURTS		No. of offences for ITALIAN COURTS of ALLIED INTEREST.	
	N.G.	G.	N.G.	G.	N.G.	G.	N.G.	G.
1. Curfew & passes	4	39	None	None	None	None	None	None
2. Theft & possession	19	134	None	3	None	None	None	1
3. Black-market	None	29	None	3	None	None	None	None
4. Arms & ammo.	1	5	None	None	1	1	1	None
5. Looting	None	None	None	None	None	None	None	None
6. Italian Code	None	None	None	None	None	None	None	None
7. Other Offences	8	32	None	3	4	2	None	None
8. Totals	32	239	None	9	5	3	1	1
Total fines imposed	:		SUMMARY COURTS £. 776.300.-		SUPERIOR COURTS £. 75.000.-			
Total number of cases tried	:		SUMMARY COURTS : 175		SUPERIOR COURTS : 2			
			GENERAL COURTS : 1					

Number of offences does not agree with number of cases, as one case often includes several accused or several charges or both.

**

1794