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

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INVESTIGATION OF FORTUNES ACQUIRED DURING THE  
FASCIST REGIME  
SEPT. 1943 - JULY 1945

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

785016

FILE CLOSED 21 July 1945  
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HEADQUARTERS ALLIED COMMISSION  
APO 394  
LEGAL SUB-COMMISSION

AG/4072/L

21 July 1945.

SUBJECT : Illegal Profits by Fascists

TO : Regional Commissioner (Attn Regional Legal Officer)  
LOMBARDIA Region.

1. Reference your LEG/5075 of 19 July 1945 PLO Braschi's letter has been passed to Civil Affairs Section for communication to the High Commissioner.

2. Instructions will be forwarded as soon as received.

By Command of Rear Admiral STONE :

C. G. HAMILTON,  
Lt. Col.,  
Officer i/c Italian Branch,  
for Chief Legal Advisor.

0414

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HEADQUARTERS  
ALLIED MILITARY GOVERNMENT  
LOMBARDIA REGION  
APO 394  
Legal Division

Ref.: LEG/5075 19 July 1945

SUBJECT : Illegal profits by Fascists.

TO : HQ. Allied Commission  
(Legal Sub-Commission)

Forwarded to  
Major Palumbo  
by Capt. [unclear]  
21/7/45

1. Herewith copy letter from P.L.O. Brescia dated 16th July 1945, on which instructions are requested. An extra copy is enclosed for the use of the Civil Affairs Section if required.

2. Please advise whether any particular action is called for in respect of cases located in AMG territory.

42

For the Regional Commissioner :

*H.M. Dickie*

H.M. DICKIE  
W/CDR. RAF  
Regional Legal Officer

Encl.: P.L.O. Brescia  
letter 16/7/45  
(2 copies)

Copy to : Regional Epuration Officer.

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	A
CL RKS	
21 JUL 1945	

*Also forward by  
Capt [unclear] vb  
"P.L.O. Brescia's letter has been  
forwarded to CA Sec for comment to the  
Regional Commissioner  
If instructions will be forwarded on 20/7/45 as wanted"*

Copy

HEADQUARTERS  
ALLIED MILITARY GOVERNMENT  
BRESCIA PROVINCE

Ref.: BR/220/G/204

SUBJECT : Illegal profits of Fascists.

TO : HEADQUARTERS  
LOMBARDIA REGION  
Attn. REGIONAL LEGAL OFFICER

Brescia, 16 July 1945

In August 1943 the Badoglio Government passed a law N° 720 of 9/8/43, setting up commissions to deal with illegal Fascist profits.

Curiously the Fascist Republican Government confirmed this law and up to August 1944 a commission sat in Brescia and worked on enquiries.

This law is now cancelled and replaced by Part.3 of DLL 159 of July 27 1944.

41

There are now in the archives of the Court of Appeal at Brescia between 2000 and 3000 files dealing with prominent fascists all over Italy.

The Primo Presidente suggests that the High Commissioner for sactions against fascism be informed and be requested to send transport to Brescia and to collect these files and take them to Rome for distribution at Rome among the Provincial Commission set up by Art. 30 of DLL No. 159

Do you think these files relating to AMG territory should be treated separately and distributed through AMG channels to the Presidente of the various Tribunali for immediate action under art. 35 of DLL 159 or would it better to get the whole lot distributed at Rome ?

The Commission here has put in a great deal of work and there is undoubtedly most valuable information in these files, on which as speedy action could be taken.

(sgd). Capt. E.V. Falk  
P.L.O.

0-4-16

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TRANSLATION NO. 794

THE PRESIDENT OF THE COUNCIL OF MINISTERS

ROME, 14 June 1945

Ref. No. 36344/10124.6.17/1.7

My dear Admiral,

With reference to your letter DF/5.17/CA of 21 May I had ordered that the law concerning the forfeiture of unlawful profits to the State, already approved by the Council of Ministers, be not enforced until your approval was given.

The opinion you expressed, that that part of the measure concerning profits of corporations might affect vital interests of the Allied Governments has been a cause of apprehension to me inasmuch as the Italian Government, even outside any question of control, does not desire in any way to impair the interests of the Allied Governments.

On the other hand, the measure in question must be applied throughout the entire territory of the State in order to be fully effective; it is therefore necessary that it receives the approval of the A.C. so that its sphere of enforcement will not be limited, as it has happened recently (I am referring to your letter DF/4.14/CA).

Minister Pesenti, who has kept in touch with the Commission through a delegate, informs me that a statement of the Italian Government on the matter would be enough to dispel the expressed apprehensions, and suggests the text herewith enclosed.

Since I am resigning, it is evident that the statement on the future enforcement of the law should be made by my successor; I should be very grateful if you will send me your approval of the text of the statement so that my successor may sign it immediately, thus avoiding further delay.

I remain, my dear Admiral

Yours truly  
/s/ I. Bonomi

COPY

With reference to the clarifications and assurances requested by the A.C. on the complementary rules for the forfeiture of profits derived from the regime and, in particular, on the extent of art 6 letters (b) and (c), the application of which may impair the interests of citizens or companies of the United Nations, the Italian Government would like to make it clear that:

1) Art 6, letter (b) commits to forfeiture proceedings persons associated or having common interests with fascist leaders or persons declared to be profiteers by the law.

In order to determine that a relation of association existed, it must be proved that such a relation was kept with persons on whose fascist activities there cannot be nor could there have been any doubt. Moreover, the said article specifies that the presumption covers only that part of the profit obtained by private citizens or companies in partnership with profiteers, which is derived directly from one or more definite transactions made in association with the profiteer.

This is a second assurance for third parties. If by chance a company in which citizens of the United Nations have interest, should be committed to proceedings for forfeiture, the factor of good faith and the proof contemplated by art 7 of the draft may favor the company.

7 39

2) Art 6 letter (c) gives the power to refer to proceedings of forfeiture those companies, nine tenths of whose stocks or proportionate interests on 31 December 1942 belonged to persons declared to be profiteers by the law or to relative or persons associated with them.

With these rules the legislator intended to hit the fictitious companies, presuming

the stocks owned by citizens, the other tenth



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7 39

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With these rules the legislator intended to hit the fictitious companies, presuming that when the nine tenths of the stock capital belonged to profiteers, the other tenth was also to be considered as belonging to profiteers by means of nominees. This is in fact what experience has proved and what is actually true in all cases.

However, if by chance in the remaining one tenth there are stocks held by persons of good faith, these persons would not be hit as would the profiteers who hold the nine tenths, but would only lose their proportionate interests in the company. This is evidently a just rule.

In any case the Italian Government would like to consider it impossible for citizens of the United Nations to have acted as nominees for recognized fascists or used as nominees recognized fascists. This would mean that the fascist regime and its economic and international policy had been supported.

In ~~cases of~~ proceedings for forfeiture involving the interests of citizens or companies of the United Nations, the Italian Government will examine carefully any observations which the United Nations may make.

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Notes on DLL 222 of 12 April 1945 concerning D.L. No. 26 of 20 January 1944 and establishing rules for the restoration of their property rights to Italian and foreign citizens who have suffered loss as the result of discriminatory racial legislation.

1. In cases where property rights in the nature of uses and easements have been established on immovable properties which, according to racial laws, were transferred by Jews to the "Ente di Gestione e di liquidazione immobiliare" and also where contracts for leases have been stipulated, by virtue of D.L. No. 22 such rights are extinguished, the holders of such rights being entitled to restitution of the amounts which they paid to constitute them. Contracts for leases, stipulated for more than three years, are to be reduced to three years, subject to the current provisions concerning the prorogation of lease.

2. Under Art. 6 of R.D.L. 9.2.1929, No. 126, Jews were allowed, to transfer their own estates by donation to relations not considered as Jews, or to charitable institutions. Such donations may be revoked within 180 days from the date on which the present D.L.L. No. 222 becomes effective, third party rights excepted. The donor shall be entitled to demand from the donee the amount obtained by the latter through the alienation of the property, if it occurred.

In cases where inheritances have been waived for fear that the maximum limits of wealth, fixed by racial laws, might be exceeded, the waivers are revocable; third party rights always excepted.

3. All fictitious deeds (shares, sales, etc.) entered into evade racial persecutions may be rectified any means of evidence, oral evidence being admissible even beyond the limits fixed by ordinary rules of the civil code (Art. 1721 Cod. Civ.).

4. Factories must be given back to prior owners within 30 days from the date of the application and extensible by the President of the Tribunal to a maximum of 60 days. Applications for restitution of confiscated estates may be filed within 1 year after the peace. Immovable property must be given back in the state as it was at the moment of the application.

5. The prior owner may ask for payment in cash instead of restitution; in any case the rate of interest on the bonds delivered by the "Ente di Gestione e di liquidazione immobiliare" is raised from 4% to 5% from the day on which the ownership was transferred to the said "Ente".

Whereas the R.D.L. 20.1.44, No. 26, prescribed the reimburse-

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Whereas the R.D.L. 20.1.44, No.26, prescribed the reimbursement of any expenses resulting from improvements to the property, the present decree binds the prior owner, who has recovered his property, to refund also the expenses resulting from the repairs occasioned by war, force majeure, and circumstances beyond control.

6. Transferences of ownership and any instrument intended for reestablishment of the status quo situation, are exempted from taxes, moderate fees for registration excepted.

The fees of notaries and Bank charges are reduced to one half.

7. Action for rescission is permitted if the lesion exceeds one quarter of the value of the property alienated after 6.10.1938, whereas the ordinary rule (art.1448) admits the action for rescission only in cases where lesion exceeds one half of the value.

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Telegrams

Avr Foligno.

The ~~key~~ points which are particularly concerning us are Art 6. (b) and (c).

If Foligno likes to submit <sup>to me</sup> an explanation to show that allies interests cannot be adversely affected - or any diplomatic assurance, I will consider it.

WWS

I have given the above information to Foligno. He will present a memo to you.

He 37

11 June

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HEADQUARTERS ALLIED COMMISSION  
APO 394  
CIVIL AFFAIRS SECTION

Ref: DF/5.17/CA.

1 Jun 45

SUBJECT: Decree on Forfeiture of Fascist Profits.  
TO: Executive Commissioner.

Reference by DF/5.17/CA dated 25 May 45.

1 I feel that your attention should be drawn specifically to Article 6 of the above mentioned Decree. You will observe that by Sub-para (b) of that Article, companies who have common interests with the persons on the proscribed lists set out in Articles 1, 3 and 4, will suffer confiscation to the degree that their increase in wealth has been the result of such association or co-interest.

It seems to me that this might hit Allied companies, e.g. oil or silk companies who have been associated with prominent fascists in the course of their business dealings and that they are, therefore, laid open to attack under Article 6.

This is not a matter which affects Allied Commission as such, but is one upon which I feel the Chief Commissioner would desire to consult the Embassies before giving his permission to the publication of the decree. 36

2 I should also draw your attention to Sub-para (c) of Article 6, which lays open to attack a company wherein nine-tenths of the investments or interests belonged to fascists on the proscribed lists. It follows that an Allied holding of the remaining 10% would be open to suffer heavy loss and this also is a matter which the Embassies may care to consider although it is not so important from an Allied point of view as the provision of Article 6 (b) which I have discussed above.

Copy to: Political Adviser (A),  
Political Adviser (B),  
Legal Sub-Commission,  
Finance Sub-Commission.

LEG  
CIC  
POL  
Chief Comm  
CIC  
International Section  
CL RKS  
1 JUN 1945

G. R. Upton  
G.R. UPTON, Brig.,  
VP CA Section.

← file with you

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HEADQUARTERS ALLIED COMMISSION  
APO 524  
CIVIL AFFAIRS SECTION

30/5.17/DA

25 May 1945

SUBJECT: Decree on Forfeiture of Fascist Profits  
TO: Executive Commissioner

- 1. I attach a translation of the new decree on the Forfeiture of Fascist Profits. It consists of eighteen pages and has been put into prelo forms for your convenience (Page 4).
- 2. The decree was passed by the Council of Ministers on 12 May. It then went back to be "finished", which in this case has meant considerable alteration. It was promised to GA Section on 17 May. The Section, from that time onwards, was in daily contact with the Ministry but did not receive the decree until very late on 21 May. The translation was completed on 23 May and the staff study and typing was finished this morning.

I mention these dates in order to assure you that the responsible officers have kept in close touch with the Government and have not lost any time. It is a very long decree.

- 3. I also attach two minutes and a memo from the officer who made the staff study. The minute at page 3 expresses the view, with which I concur, that the petition addressed to the Chief Commissioner was based on surprise and was an attempt to enlist sympathy for political party interests.

The memo at page 2 is an aide memoire for <sup>the officer</sup> himself and is included because it shows his line of thought when making his recommendations.

- 4. The recommendations, together with the effects of the decree, are given in the minute on page 1.

5. It is considered that there is nothing in this decree to which exception can be taken. The danger to Allied interests is very remote indeed and even so there are very reasonable safeguards (Page 1, paras. 7 & 8).

Should you feel that...

with which I concur, that the petition submitted to the Finance Commissioner was based on surprise and was an attempt to enlist sympathy for political party interests.

The memo at page 2 is an aide memoire for the officer himself and is included because it shows his line of thought when making his recommendations.

The recommendations, together with the effects of the decree, are given in the minute on page 1.

It is considered that there is nothing in this decree to which exception can be taken. The danger to Allied interests is very remote indeed and even so there are very reasonable safeguards (Page 1, paras. 7 & 8).

Should you feel that any further safeguarding is necessary, the Allies might be given the right to acquire, at current market rates, up to one-half of the forfeited shares. (Page 1, para 10). I do not believe this is necessary and think it might meet with considerable opposition from the Italian Government, but it is put before you as a possible solution.

Mr. Rosworthy of the British Embassy has already taken a copy and has verbally expressed the view that there is no objection to the decree. With your approval, copies of all the papers will now be sent to the Political Advisers and the Finance and Legal Sub-Commissions.

*J.A. Bonham-Carter*  
A. D. Bonham-Carter, Lt. Col.  
CSC Civil Affairs Section

Copies to: Political Adviser (A)  
Political Adviser (B)  
Legal Sub-Commission  
Finance Sub-Commission

FOIA SUBCOMMISSION  
Chief Counsel  
1387



(8B)

FORFEITURE OF FASCIST PROFITS

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1. Minute on effect of Decree and recommendation.	1.
2. Memo on consideration of Italian Legislation.	2.
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4. Precipis of the Decree.	4.
5. Full text of the Decree.	8.

Memorandum on the Decree forfeiting Fascist Profits

1 This decree has been passed by the Council of Ministers but has not yet been published in the Gazette.

2 DL 159 states the law in very wide terms. It requires both amplification and clarification. Rules of Procedure with actions for the recovery of profits are also required. These deficiencies are supplied by this decree. Almost the whole decree is taken up with these matters.

3 Apart from the above the only new matter is that which declares forfeit the estates of persons convicted under part I of DL 159 and of those who held a relatively small number of important posts in the fascist government or Party or subscribed substantially for party purposes.

4 The major part of the decree is taken up with details of procedure for recovery of profits derived from the regime".

5 With the exception of one question which is dealt with below there is nothing in the decree to which objection should be taken.

6 It is not unreasonable that the corruptly wealthy should be deprived of their ill gotten wealth. It follows however that the state, if it acquires their assets, will also acquire their voting or other rights which appertain to such assets. The question is, is it possible for the state as a result to obtain control of important concerns to the detriment of Allied interests.

7 It must be borne in mind that the decree does not deal with the property of fascists generally but of a relatively few persons who held named positions and of profiteers. In order that the state may obtain control of a concern it would be necessary first that a majority of the shareholding should come within the decree which in most cases is in itself unlikely. That in itself is not sufficient, the whole of the property of a "profiteer" is not forfeitable but only the amount by which his wealth has increased. Therefore to get control of a company it is necessary that the wealth of the majority shareholding shall have increased by an amount which is in itself equal in value to a majority shareholding. Such a position is highly improbable though not completely impossible. 33

8 Even so the decree provides the following safeguards. (Art 34) that the manager shall vote only on ordinary matters of administration - on extra ordinary matters the vote shall remain in its previous owner. Secondly it forms a very high level committee of experts (Art 29) whose directions as to voting the manager must follow. It must be presumed that a Committee of the prescribed standing will act honestly.

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8 Even so the decree provides the following safeguards. (Art 34) that the manager shall vote only on ordinary matters of administration - on extra ordinary matters the vote shall remain in its previous owner. Secondly it forms a very high level committee of experts (Art 29) whose directions as to voting the manager must follow. It must be presumed that a Committee of the prescribed standing will act honestly.

9 Of necessity the rights must be lodged somewhere and the Italian Government seems to have tried to find a reasonable solution. The time limit contained in Art 49 will bring the matter to a conclusion within a relatively short time. It is submitted that the scheme is reasonable and the risk is very remote.

10 Even so the matter can be satisfactorily dealt with by negotiating an agreement with the Italian Government that in the event of forfeiture of a substantial interest in concerns in which the Allies have an interest the Allies shall have a right to acquire at current market rates up to one half of the forfeited shareholding (or that proportion of the forfeited shares as their interest bears to the total shareholding; but this latter division does not neutralise the forfeited shares as a 50-50 division would). If this is done there seems to remain no possible ground of objection to the decree. <sup>\* This would increase the proportion of the Allied interest and may be objected to by Italy as inequitable.</sup>

11 The opinions of the Finance and Legal Sub-Commissions on this decree have not yet been obtained.

Memorandum on the consideration of Italian legislation

- 1 When considering Italian legislative proposals it is useful to have in mind the tests proper to be applied.
  - 2 The touchstone by which proposals would be tested to see if objection should be taken by AC is fourfold.
    - a) It is contrary to the interests of Allied operations or Allied forces.
    - b) It is contrary to the obligations imposed on the Italian Government by the Armistice Terms.
    - c) It is so contrary to the interests of the Allied nations or of Allied nationals that in peace time representations would have been made.
    - d) It is so contrary to natural justice as to constitute a tyranny such as the Allies entered into the war to destroy.
 Unless the proposed law offends one of these criteria the Allied Commission has no proper foundation for voicing any objection.
  - 3 It is as useful to bear in mind the negative tests
    - a) that provided the above criteria are not infringed, it is not open to the Allied Commission to object because the offences created, the punishments authorized, the administrative powers granted or the procedure laid down differ from those to which we are accustomed.
    - b) That there is no difference between the opprobrium with which Nazism and Fascism should be regarded and in particular there is no justification for treating fascists more leniently than Nazis. It is a test which may be applied "would this provision be objectionable if applied to a Nazi". If the answer is no there is no logical reason for objecting to its application to a fascist.
    - c) That provided the above criteria are not infringed it is not open to the Allied Commission to object because it may not be in sympathy with an ideology believed to be instigating some of the proposals. Italy is not to share its own form of Government.

Memorandum on the Petition at 14 A.

- 1 Fascism originated as an ideology to combat Communism. The petition is thoroughly "fascist". Its argument is based upon the necessity of combining to combat communism. It suggests that the decree will destroy the bourgeoisie which is a bulwark against communism. It ignores the fact that the decree does not deal with the bourgeoisie but with fascists and not with all fascists or only with those fascists who have been either of particularly high standing or have been corrupt. The petition suggests that fascists should not be punished, so that they should not be crippled for the struggle against communism.
- 2 The petition where it deals with facts is based upon surmise. It alleges that it will not be open to an accused to show that an accretion to his estate has been legally and honourably obtained. That is not so. Art. 7 provides that a forfeiture shall not be enforced where the accused proves that the accretion did not arise corruptly.
- 3 The petition does not mention the provision (Art 10) that where forfeiture has been ordered the court can make provision for the maintenance of the accused and his dependants either by excepting a portion of the estate from forfeiture or by granting an annuity.

Precis of the Contents of the Decree on Confiscation of Fascist Property

- Art. 1 The estate of any person convicted of Treason, of assisting to break the old constitution or of actively aiding the Germans is declared forfeit.
- 2 Profits derived from any contract with the Germans acquired after 8 Sep 43 is declared forfeit.
- 3 Any increase of wealth acquired since 3 Jan 25 by any person holding one of a relatively few named important positions in the Government or Fascist party is declared forfeit; but where the accused had retired or was anti-fascist or there are extenuating circumstances he may show that the increase was properly acquired and escape forfeiture.
- 4 An increase of wealth acquired since 3 Jan 25 by any person holding one of a wider list of offices (including all persons who have made substantial subscriptions to party funds) is declared forfeit so far as he cannot show that the accretion was honestly obtained.
- 5 Any increase of wealth corruptly acquired since 3 Jan 25 whether directly or indirectly is a profit derived from the regime.
- 6 An increase of wealth acquired since 3 Jan 25 by a close relative or by any person or body corporate or incorporate, associated or having common interests with any person within any of the preceding articles is, so far as he cannot show that the accretion was honestly obtained, a profit derived from the regime.
- 7 An increase of wealth to which Arts 4, 5 and 6 apply shall be exempt from forfeiture to the extent to which it can be proved to have been properly acquired. Where any increase of wealth arising from any property or enterprise exceeds the normal rate of increase so as to lead to the conviction that it has been dishonestly acquired, this exemption from forfeiture shall not apply and the increase in excess of the normal rate shall be forfeit.
- 8 Any profit derived from fascist political activities, fascist appointments or from favouritism by fascist leaders which are not within any of the preceding Articles is forfeit.
- 9 In the event of the death of a person whose estate is forfeitable his heir shall be liable to the extent to which assets come to his hand.

- 5 Any increase of wealth corruptly acquired since 3 Jan 25 whether directly or indirectly is a profit derived from the regime.
- 6 An increase of wealth acquired since 3 Jan 25 by a close relative or by any person or body corporate or incorporate, associated or having common interests with any person within any of the preceding articles is, so far as he cannot show that the accretion was honestly obtained, a profit derived from the regime.
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- 8 Any profit derived from fascist political activities, fascist appointments or from favouritism by fascist leaders which are not within any of the preceding Articles is forfeit.
- 9 In the event of the death of a person whose estate is forfeitable his heir shall be liable to the extent to which assets come to his hand.
- 10 In ordering any forfeiture the Court may except certain property for the maintenance of the accused or his dependants or may assign him an allowance.
- 11 The President of Provincial Commissions may require any person to declare the value of his estate as on 3 Jan 25, on 31 Dec 42 and on the day on which this decree comes into force and to supply particulars of property acquired or disposed of between those dates showing from or to whom it was transferred. All persons within the provisions of Arts 3 and 4 hereof will make such a return within 30 days.
- 12 Failure to make the return is punishable by fine of one tenth the value of the increase except as regards an increase relating to the years 1938 - 43 in which case failure to make a return will involve a fine of the full value of the increase.
- 13 Holders of property belonging to persons referred to in Arts 3 and 4 hereof must give particulars thereof to the Intendenti within 60 days. In the absence of satisfactory explanation failure to report is punishable by fine to the full value of the property not reported, but this does not

apply to Banks and Credit houses except so far as they are called upon to disclose the property of named persons.

Art. 14 A Provincial (Assessment) Commission may make an interim order for forfeiture not exceeding 2% of the estimated forfeitable increase.

15 All property becoming part of the estate after 3 Jan 25 shall be included in computing the increase; conversions and re-investments will not be included nor will inherited property, or gifts from relatives nor investments or conversions thereof provided that they are not derived from a predecessor whose estate is liable to forfeiture. The increase so determined shall be increased by 1% which shall be deemed to be the value of jewels cash and valuable chattels.

16 A Provincial Commission may order the forfeiture of particular items in which case their value shall be deducted from the assessed increase.

17 Any person against whom an order for forfeiture is made shall be deemed a "trader" and may be declared bankrupt.

18 Sub-Commissions may be formed and sit as Divisions of the Provincial Commissions of the Central Commission.

19 Jurisdiction shall lie with the Commission of the Province of residence or last residence of the person concerned.

20 A Provincial Commission shall have power to decide all interlocutory proceedings but its decisions shall not bind third parties. It shall not deal with false witness, civil status or capacity but shall adjourn pending decision of the competent authority.

21 Extends to the Intendant the powers of investigation, entry etc. granted to a Provincial Commission. The powers may be exercised directly or by Judicial police. For the purposes of enforcing sequestration the same powers are extended to the Presidents of Tribunals and of the Special Sections.

22 A proposal for assessment shall be served by registered post. Objections thereto shall be filed by the respondent within 30 days by the Finance Dept forthwith. The Article then proceeds to deal with the form of objections and of the procedure to be followed in connection therewith.

23 Deals with notice of hearing and the procedure in connection therewith.

24 States how the Commission will act in arriving at a decision and how the same shall be notified.



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- 20 A Provincial Commission shall have power to decide all interlocutory proceedings but its decisions shall not bind third parties. It shall not deal with false witness, civil status or capacity but shall adjourn pending decision of the competent authority.
- 21 Extends to the Intendenti the powers of investigation, entry etc. <sup>3</sup> granted to a Provincial Commission. The powers may be exercised directly or by Judicial police. For the purposes of enforcing sequestration the same powers are extended to the Presidents of Tribunali and of the Special Sections.
- 22 A proposal for assessment shall be served by registered post. Objections thereto shall be filed by the respondent within 30 days <sup>14</sup> by the Finance Dept forthwith. The Article then proceeds to deal with the form of objections and of the procedure to be followed in connection therewith.
- 23 Deals with notice of hearing and the procedure in connection therewith.
- 24 States how the Commission will act in arriving at a decision and how the same shall be notified.
- 25 Fixes the time for the commencement of the time permitted for appeal.
- 26 Applies Arts 20 and 24 by analogy to the Central (appeal) Commission.
- 27 Empowers the Provincial Commission to protect property "in jeopardy" as laid down in the following Arts. Where no Provincial Commission has been formed the President of the Tribunali may act.
- 28 The High Commission may appoint a technical committee who shall
  - a) decide whether the protection shall be by appointment of a manager or by Sequestration and advise as to administration;
  - b) decide whether in lieu of a) a guarantee or mortgage may be accepted and if so to determine the amount and other conditions thereof;
  - c) nominate receivers and managers who shall be properly qualified persons;
  - d) direct and control and pay the managers.
- 29 The technical Committee shall be presided over by the High Commissioner and shall consist of six persons appointed by decree of the Min. of Finance

and shall consist of experts of Economics, agriculture, industry and commerce.

The Committee shall have a secretariat and a staff of Inspectors chosen from engineers, industrialists, chemists, accountants, surveyors and other experts.

The Article then deals with details of personnel pay etc.

Art. 30 The authority having power to protect property must before doing so consult and act on the advice of the Technical Committee but in case of emergency may order temporary sequestration, but on receipt of advice of the committee shall take such steps as may be necessary to follow the same, as also they shall do in the case of sequestrations already in force.

31 Contains instructions as to the removal of managers already appointed.

32 The power to take protective measure extends not only to property in possession of the respondent and his heirs but in the possession of intermediaries and where the guarantees are insufficient in the possession of legatees, donees and other transferees.

33 Contains details of the procedure to be followed in effecting a sequestration.

34 The right to vote in ordinary administrative matters shall belong to the trustee who shall exercise his powers in accordance with the Instruction of the Technical Committee.

The right to vote in extraordinary matters shall remain in the respondent but if authorised by the Technical Committee the resolution may be challenged if carried only by virtue of the respondent's vote. Administrative powers may be delegated to the trustee. He shall also have the right to attend meetings.

35 Empowers the trustee to exercise powers of option, cancellation, etc.

36 Deals with sequestration when third parties are involved. 23

37 Sequestration shall continue until the Provincial Commission announces its decision.

38 The body putting protective measures into effect shall have power to decide questions in connection therewith.

39 The Respondent may ask for revocation of a sequestration order or for its substitution by guarantee. The body with power to order protection may vary the form of protection.

40 As to priority of the debt to the state.

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- 38 Sequestration shall continue until the Provincial Commission announces its decision.
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- 40 The Respondent may ask for revocation of a sequestration order or for its substitution by guarantee. The body with power to order protection may vary the form of protection.
- 41 As to priority of the debt to the state.
- 42 Formation and constitution of Secretariats for the Provincial and Central Commissions.
- 43 Expenses and fees chargeable in connection with sequestrations and as to the paying and accounting therefor.
- 44 Amounts due to the State may be ordered to be paid to the Treasury. Such orders may be enforced by the tax collector as for arrears of taxes on war profits.
- 45 Unmovable property shall be realised by auction and rules therefor. Movable property shall be offered at auction and rules thereon; unsold, movable property may be taken by the State. Stocks and Shares may be acquired by the State at the current value.
- 46 Transfers to fulfill an existing moral obligation are exempt from the right of the State to recover the property from the transferee, examples of acts

which may be avoided.

- Art. 46 As to the keeping and publication of records of forfeited property.
- 47 As to suspension of bankruptcy proceedings pending action for forfeiture.
- 48 As to the priority of payments of debts.
- 49 Actions for assessment to be commenced within two years from the coming into force of this decree.
- 50 As to extinction of the debt by effluxion of time (5 years).
- 51 As to the expenses of the technical Committee.
- 52 Applies certain statutory rules to proceedings.
- 53 Revokes provisions inconsistent with this decree.
- 54 Commencement.

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ART I

The provision of art 9 of DLL 159 of 27 July 44 remaining in force, the property of those persons who have been convicted for any of the crimes set out in art 2 of the said decree shall be forfeited to the State.

The property of those persons who have been convicted for any of the crimes referred to in art 3, 1st and 2nd paras and art 5 of the said decree, may be forfeited wholly or in part according to the gravity of the act and the extenuating circumstances referred to in art 7, paras 1st and 3rd, of the afore-mentioned decree.

The forfeiture shall be ordered by the Court which pronounces the sentence. Where sentence has been pronounced prior to the coming into force of this decree, forfeiture shall on the request of the High Commissioner for sanctions against fascism, be ordered by the Court which pronounced sentence.

If the penal proceeding shall become extinct the forfeiture shall, upon the request of the High Commissioner for sanctions against fascism, be ordered by the penal Tribunal of the place in which the greater part of the property to be forfeited is located. The Tribunal shall act, after having heard the heirs' citation; the latter may be assisted by an attorney. Action shall be by order in council and be subject to appeal to Cassation. The section of the Supreme Court of Cassation referred to in art 6 of DLL 159 of 27 July 1944 shall decide appeals.

ART 2

Without prejudice to the provisions of art 9 of DLL 159 of 27 July 1944 and of para 3 of the preceding art, all the profits acquired through contracts, since 8 September 1943, supplies or any other transactions with the Germans either directly or through intermediaries are forfeited to the State.

Transactions with the Germans through intermediaries are those transactions in which the contracting party knew or had good reason for believing that the benefit of the contract would be received by the Germans.

ART 3

All increases of property acquired since 3 Jan 1925 by any persons who have held any of the offices mentioned below shall be forfeited to the State:

- a) Member of the Grand Council of Fascists;
- b) Member of the Fascist Government;
- c) Secretary or Vice Secretary of the Fascist party or member of the Fascist National Directorate; and National Inspector of the Fascist Party;
- d) President, Public Prosecutor or member of the Special Tribunal for the defence of the State;
- e) Commanding General or Counsel of the Volunteers' Militia for National Security in permanent services, except those acting as assistants or belonging to special militias;
- f) Official or advisor of the OVRA;
- g) Prefect or Questore appointed because of his fascist merits;
- h) Head of diplomatic missions or colonial Governor appointed because of his fascist merits;

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- a) Member of the Grand Council of Fascists;
- b) Member of the Fascist Government;
- c) Secretary or Vice Secretary of the Fascist party or member of the Fascist Party; National Directorate; and National Inspector of the Special Tribunal for the
- d) President, Public Prosecutor or member of the Militia for National defence of the State;
- e) Commanding General or Counsel of the Volunteers' Militia for National Security in permanent service, except those acting as assistants or belonging to special militias;
- f) Official or advisor of the OVRA;
- g) Prefect or Questore appointed because of his fascist merits;
- h) Head of diplomatic missions or colonial Governor appointed because of his fascist merits;
- i) Federal Secretary of the Fascist party;
- l) Fascist deputy who after 3 January 1925 has kept his registration in the Fascist party or has registered in it during his offices or after such a date has voted for fascist laws;
- m) National Councilman;
- n) Senator appointed after 3 January 1925 declared removed or who has voted after such a date for fascist laws;
- o) President of fascist confederations.

Whenever any of the circumstances referred to in the first and third paragraph of art 7 of DL 159 of 27 July 1944 exist in favour of any of the persons mentioned in the preceding paragraph or of his heirs, the proof referred to in art 7 of the present decree shall be admissible in respect of the said person or, within the limits of the respective acquired rights, for his heirs.

The provisions of art 7 of the present decree may be applied by the special Section of the Central Commission for direct taxes, on a proposal of the special Section of the provincial Commission for direct taxes; as regards those accused persons referred to in letter g) and following when,

because of the brief period they were in office or for the small importance of their political activity because they have been acquitted by the Reputation Commission or by other bodies for sanctions against fascism, they are found to be deserving. In such a case the special Section of the central Commission for direct taxes shall return the papers relative to the proceeding in question, to the special Section of the provincial Commission having jurisdiction.

ART 4

The increases of property acquired since 3 January 1925 by the persons listed below shall be presumed to be profits derived from the regime unless the proof referred to in art 7 exists;

- a) Members of the Italian Academy;
- b) whoever has held any of the offices indicated in the decree of 2 February 1945 of the President of the Council of Ministers, published in the Gazzetta Ufficiale of 15 February 1945, No 20 and not included in the preceding article;
- c) whoever has administered secret State funds with no obligation to account for the same;
- d) whoever after 3 January 1925 has directed, or supported with considerable funds of his own or of others, the propaganda or political activity of the fascist party;
- e) Podestats of provincial capitals and presidi of provinces.

ART 5

Unless the evidence referred to in art 7 exists, increases of property acquired since 3 Jan 1925 are presumed to be profits derived from the regime, if they have been acquired by any person who, by holding political offices or by taking advantage of the work of professional advisers or brokers having influential positions in the political field, or by maintaining business relations or connections with fascist figures, or by taking advantage of the evil practice introduced by fascism, has acquired for himself, for relatives or companies in which he is interested contracts, supplies or concessions from the State, from provinces, communes and from State-controlled or supervised bodies and also such increases of property acquired by solicitors or agents who have acted for businesses in negotiations for any of the above.

ART 6

Increases of property acquired since 3 Jan 1925 by the following persons shall in the absence of the evidence referred to in art 7 be presumed to be derived from the regime:

- a) forebearers or descendants, the husband or wife of any of the persons indicated in the preceding articles or anyone who has had relations of concubinage with any of the said persons;
- b) by private physical or juridical persons and unrecognized bodies which have been associated or have had common interests with any of the persons

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Unless the evidence referred to in art. 7 is proved, profits derived from the regime, if acquired since 3 Jan 1925 are presumed to be profits derived from the regime, if they have been acquired by any person who, by holding political offices or by taking advantage of the work of professional advisers or brokers having influential positions in the political field, or by maintaining business relations or connections with fascist figures, or by taking advantage of the evil practice introduced by fascism, has acquired for himself, for relatives or companies in which he is interested contracts, supplies or concessions from the State, from provinces, communes and from State-controlled or supervised bodies and also such increases of property acquired by solicitors or agents who have acted for businesses in negotiations for any of the above.

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ART 6

Increases of property acquired since 3 Jan 1925 by the following persons shall in the absence of the evidence referred to in art 7 be presumed to be derived from the regime:

- a) forebears or descendants, the husband or wife of any of the persons indicated in the preceding articles or anyone who has had relations of concubinage with any of the said persons;
- b) by private physical or juridical persons and unrecognized bodies which have been associated or have had common interests with any of the persons indicated in (a) above or in the preceding articles. The presumption shall be limited to the increases acquired as the result of such association or co-interest;
- c) by private juridical persons and by unrecognized bodies nine tenths of whose investments or interests belonged on 31 Dec 1942, to any of the persons indicated in (a) and (b) of this paragraph or in the preceding articles.

ART 7

Where it is conclusively proved that the office, the business relations, the activities or the investments indicated in the said articles had no influence, or only a partial one, on the acquisition of such increases, the forfeiture of increases of property referred to in articles 4, 5 and 6 shall not be ordered or shall be ordered only to such partial extent.

Whenever the property increases exceed the normal rate of increase to such an extent as to constitute evidence in itself of participation in the evil practice introduced during the fascist period, the evidence in exoneration referred to in the preceding paragraph shall not be admitted and the increases in excess of normal shall be forfeited.

ART 8

Profits derived from fascist political activities or from a position secured in the fascist regime, as well as those profits acquired through

the favoritism of any party leader by any person other than those included in the categories referred to in the preceding articles shall be forfeited to the State.

ART 9

In the case of the death of any person liable a proceeding for forfeiture the proceeding shall be initiated or continued against his heir in the same form in which it would have been initiated or continued against his predecessor and with the same guarantees and obligations due to the same.

Of his predecessor's profits declared forfeited, the heir shall answer within the limits of the property received through his succession.

ART 10

In ordering any confiscation or forfeiture in accordance with the preceding articles, the court or the special Sections of the Provincial and Central Commissions of taxes may except certain property or assign an allowance in the form of alimony to the person concerned or to the persons who, in accordance with Arts 433 and following of the Civil Code he is or was obliged to support.

ART 11

For the purpose of determining the amount of the profits derived from the regime the President of the Special Section of the Provincial Commission may on his own initiative or on the request of the High Commission or of the "Intendente di Finanza", order any person believed to be within the provisions of Arts 2, 3, 4, 5, 6 and 8 or his heirs to report within 30 days:-

- a) the property owned on 3 Jan 1925 or on such later date when he received the appointment or the conditions referred to in the said articles aross;
- b) the property owned, even if through an agent, on 31 Dec 1942 and on the date of the coming into force of this;
- c) the property which during the period commencing from the date referred to at the date above (a) and ending on the date on which this decree comes into force have been acquired by or disposed from the state of the person concerned or of his agents, specifying the origin or destination of each property item and with a statement of the value of the property on the date it was so acquired or disposed of.

All persons who on the date of publication of this decree are included within the provisions of Arts 3 and 4 shall submit the report referred to in the preceding paragraph within 30 days after the coming into force of this decree. This shall not apply to heirs.

The report shall be submitted in accordance with the procedure laid down by Art 21 for the lodging of objections.

For the purpose of determining the amount of the profits derived from the initiative of the Special Section of the Provincial Commission or of the "Intendente di Finanza", order any person believed to be within the provisions of Arts 2, 3, 4, 5, 6 and 8 or his heirs to report within 30 days:-

- a) the property owned or appointment or the conditions referred to in the said articles arose;
- b) the property owned, even if through an agent, on 31 Dec 1942 and on the date of the coming into force of this;
- c) the property which during the period commencing from the date referred to in the date above (a) and ending on the date on which this decree comes into force have been acquired by or disposed from the state of the person concerned or his agents, specifying the origin or destination of each property item and with a statement of the value of the property on the date it was so acquired or disposed of.

All persons who on the date of publication of this decree are included within the provisions of Arts 3 and 4 shall submit the report referred to in the preceding paragraph within 30 days after the coming into force of this decree. This shall not apply to heirs.

The report shall be submitted in accordance with the procedure laid down by Art 21 for the lodging of objections.

ART 12

Without prejudice to the penal proceeding contemplated by Art 36, para 3 of Art 159 of 27 July 1944, any person failing to submit the report referred to in the preceding article or submitting the same out of time or omitting therein any property owned by him or making any false statement as to the origin or destination of any such property shall be liable to a fine equal to 1/10 of the total assessed increase when the proposal for assessment of the special section of the Provincial Commission of Taxation is accepted without appeal, any fine for omitted, late or false report shall be excused.

Notwithstanding the provisions of the preceding paragraphs, where the failure to report concerns property owned during the 5-years period prior to 25 Jul 1943, a fine equal to their full value shall be paid.

ART 13

Any person holding any property belonging to any person referred to in Art 4 shall within 60 days of the date on which this decree comes into force in the same to the Intendenza di Finanza in whose district he resides.

Without prejudice to the penal proceeding contemplated by Art 36, para 159 of 27 July 44, whoever shall fail to submit the report referred to in the paragraph shall unless he shows that a great impediment existed or that the title of the person concerned, be liable to a fine equal to the value not reported.

The provision of the preceding paragraph shall not apply to banks and Credit Institutes except in the case of such persons as may be named to them by the High Commission, the Intendence of Finance or by the Special Section.

ART 14

In making a proposal for assessment under art 30 of D.L. 159 of 27 July 1944 the special Section of the provincial Commission may, whenever there is clear evidence that forfeitable profits exist, order the persons against whom the proposal is being made to pay temporarily a quota not exceeding 25% of the profits indicated in the proposal, without prejudice to the balance to be paid on the basis of the final results of the assessment.

The order for payment shall be executive.

ART 15

In computing increases of property there shall be included all property which became part, even if through an agent, of the estate of the person concerned after 3 Jan 1925 or, where applicable, after the more recent date on which the appointment was made or the conditions referred to in arts 2,3,4,5,6, and 8 arose. Property derived from the conversion of other property or from the investment of money pre-existing in the estate of the person concerned shall be excluded. Where property has been acquired by succession or donation from relatives or kin, the income as well as the capital resulting from the conversion of such assets shall be excluded, provided that the property in question is not derived from profits of the predecessor which are subject to forfeiture.

The increase determined in accordance with the preceding paragraph shall be augmented by 15% for the presumed possession of jewels, money and valuable movables.

ART 16

The special Section of the provincial Commission may on its own initiative or on the request of the Department of Finance order property part of the estate of the person concerned to be forfeited directly to the State, determining its value and deducting it from the entire assessed profits subject to forfeiture.

ART 17

Any person liable to forfeiture of profits derived from the regime shall be considered a trader for the purpose of a declaration of bankruptcy. Such declaration may be made by the competent tribunal upon application of the Intendente di Finanza if the person concerned is in arrears in the payment of the assessed profits.

The date of the cessation of payments shall be that on which the arrears began.

ART 18

One or more sub-sections, each presided over by the President of the Tribunal or by another Magistrate of equal or next lower grade, and composed of four commissioners to be appointed in accordance with art 30 of D.L. 159 of 27 July 1944 may be formed by

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ART 18

One or more sub-sections, each presided over by the President of the Tribunal or by another Magistrate of equal or next lower grade, and composed of four commissioners to be appointed in accordance with art 30 of D.L. 159 of 27 July 1944 may be formed by decree of the Minister of Finance in addition to the special section of the provincial Commission of taxation.

By the same decree the Minister shall appoint the President of such sub-sections, upon nomination submitted by the Minister of Justice.

By decree of the Minister of Finance one or more sub-sections may be formed, in addition to the special Section of the Central Commission of Taxation, whose presidents and members shall be appointed according to art 32 of D.L. 159 of 27 July 1944.

The President of the special Section shall have power to take cognizance of proceedings before the Section or the Sub-Section; if one or more of the commissioners of the Section or the Sub-section, is unable to act a commissioner of the sub-sections or of the Section respectively may be appointed to act in their place.

ART 19

The jurisdiction for the assessment of fascist profits shall belong to the special provincial Section in whose district the person concerned resides, and if his residence is not known or if he is dead, to the Section in whose district the same is found to have had his last residence.

The Special Section of the Provincial Commission of Taxation shall have jurisdiction over all pre-judicial or incidental questions connected with the assessment, liquidation of profits derived from the regime. The decision on such questions shall be effective in respect to third parties.

Questions involving false statements, civil status and capacity, other than as to being party in the proceeding are excluded from the jurisdiction of the Special Section.

If any of these last questions arises, the Special Section may deem it relevant for the settlement of the dispute order the proceeding to be suspended until such time as the competent judge has given his decision, if it, but without prejudice to, the power of the Finance Department to promote or prosecute any particular case.

## ART 21

The powers indicated in the first paragraph of Art 31 of D.L. 159 of 27 Jul 1944 are for the purposes of ascertaining the properties of presumed profiteers granted also to the Intendente di Finanze, who may exercise them also upon third parties.

In addition to the powers referred to in the first paragraph of the said Art 31, the Special Sections of the Provincial and Central Commission either themselves or through the judicial police, enter and search houses including those of third parties in accordance with the Code of penal procedure.

The same powers are for the purposes of sequestration granted to the President of the Tribunal and to Presidents of Special Sections, after the latter have been formed.

## ART 22

Respondent or his heirs shall be notified by the Special Section of the Provincial Commission of the proposed assessment which shall be communicated to him by registered letter with return receipt to the High Commissioner and to the Intendente of Finance of the place in which the said Section has its seat.

Any objection to the proposed assessment must be submitted whether by the Respondent or by the Finance Department within the strict time limit of 30 days which in the case of the former shall run from the notification and in the case of the latter from receipt of the communication.

The objection shall be made by filing in the Secretariat of the Special Section the original and four copies in ordinary paper. The secretariat shall deliver an acknowledgment of the objection which shall be the only proof of the filing and of the date of the same.

If the Respondent has his residence or abode in a town other than that in which the competent Special Section has its seat, the claim may be filed with the Secretariat of the nearest Special Section, which shall issue the relative receipt, acknowledge the date of filing and shall forward the objection immediately to the appropriate Section.

The objection must state all the objections and defences against the proposal, indicate specifically how the same will be proved and whenever this will be by documentary evidence the documents relied upon must be filed in the Secretariat within 30 days from the date of the objection.

On the expiry of such period, the President shall issue a decree ordering the meeting for the discussion and shall appoint the reporter.

Unless the Special Section considers it necessary to arrive at a decision new objections, new evidence and new documents shall not be admitted in the proceedings.

ART 22

Respondent or his heirs shall be notified by the Special Section of the Provincial Commission of the proposed assessment which shall be communicated to him by registered letter with return receipt to the High Commissioner and to the Intendente of Finance of the place in which the said Section has its seat.

Any objection to the proposed assessment must be submitted whether by the Respondent or by the Finance Department within the strict time limit of 30 days which in the case of the former shall run from the notification and in the case of the latter from receipt of the communication.

The objection shall be made by filing in the Secretariat of the Special Section the original and four copies in ordinary paper. The secretariat shall ~~be~~ <sup>be</sup> ~~by~~ <sup>by</sup> an acknowledgment of the objection which shall be the only proof of the filing and of the date of the same.

If the Respondent has his residence or abode in a town other than that in which the competent special Section has its seat, the claim may be filed with the Secretariat of the nearest Special Section, which shall issue the relative receipt, acknowledge the date of filing and shall forward the objection immediately to the appropriate Section.

The objection must state all the objections and defences against the proposal, indicate specifically how the same will be proved and whenever this will be by documentary evidence the documents relied upon must be filed in the Secretariat within 30 days from the date of the objection.

On the expiry of such period, the President shall issue a decree ordering the meeting for the discussion and shall appoint the reporter.

Unless the Special Section considers it necessary to arrive at a decision new objections, new evidence and new documents shall not be admitted in the proceedings.

ART 23

Notice of the decree fixing the date of the hearing shall be given, at least 30 days prior to the said hearing to the Respondent and shall be communicated, by registered letter with return receipt, to the Intendente of Finance of the place in which the Special Section has its seat, to the High Commission and to the Advocatura of the State when the latter is constituted to represent the Administration.

The Respondent as well as the Administration and, on its behalf, the Advocatura dello Stato may, not more than twenty days prior to the hearing, file in the Secretariat of the special Section supplementary notes accompanied by 5 copies on duty-free paper.

In the hearing, which is public, after the opening by the President or the Commissioner delegated by him and after submission of the evidence, the counsel for the Administration shall be heard first and then the respondent or his attorney or legal representative.

The special Section may authorize its President or his Commissioner to hear the evidence and if the evidence is to be given outside the seat of the Section, another Section or an ordinary Judge may be authorized to receive it.

ART 24

The special Section shall come to its decision in secret session and by majority vote immediately after the discussion, and shall make an order also as to costs.

The reasons for the decision shall be set out in summary form by the President or by a Commissioner appointed by him. The original of the decision, signed by the President and by the Secretary shall be filed in the Secretariat of the special Section which shall notify the respondent thereof within twenty days from the filing date by registered letter with return receipt, and to the High Commissioner, to the Intendente of Finance and to the "Avvocatura dello Stato" whenever the letter takes part in the proceedings.

ART 25

The time limits of 30 and 60 days within which the Respondent, the Finance Department and the High Commissioner respectively may, under art 30 of DLL 159 of 27 July 1944, appeal to the special Section of the Central Commission of taxation, shall begin respectively from the notice of the decision and from the receipt of the said decision in accordance with the provisions of the preceding articles.

ART 26

The rules of articles 20 and 24 shall be applicable as regards the jurisdiction and the powers of the special Section of the Central Commission, the lodging of the appeal and the proceedings on appeal in general.

The hearing before the special Section of the Central Commission shall be conducted in similar manner to that before the special Section of the Public Provincial Commission.

ART 27

22

The protective measures indicated in the following articles may be ordered by the President of the special Section of the competent Provincial Commission under art 8, either on his own initiative or upon the request of the High Commissioner or the Finance Department, when any property is in jeopardy. In urgent cases the measures may be ordered by the President of the special Section, in whose district they are to be put into effect, either on his own initiative, or upon the request of the competent special Section, of the High Commissioner or of the Finance Administration.

Before the Special Section is formed, the said measures may when required by the President of the tribunal in the district of which the suspected profiteer has or had his last residence, either on his own initiative or upon the request of the High Commissioner or the Finance Administration, or alternatively by the President of the tribunal in whose district the property to be protected is located,



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Before the Special Section is formed, the said measures may when required by the President of the tribunal in the district of which the suspected profiteer has or had his last residence, either on his own initiative or upon the request of the High Commissioner of the Finance Administration, or alternatively by the President of the tribunal in whose district the property to be protected is located.

ART 28

A technical Committee shall be constituted in the High Commission which

shall:

- a) decide whether the protection which the appropriate authority wishes to adopt should be in the form of control or when it appears necessary sequestration and state in each case the procedure to be followed for carrying out the method chosen and for administering the property subjected to such measures;
- b) decide whether, instead of control or sequestration, a guarantee should be taken by registering a legal mortgage or security, specifying in the first case the amount to be secured and the property to be charged and, in the second, the amount and nature of the security and the time limit within which the security must be provided;
- c) nominate the persons who are to receive or control the sequestrated property, selecting them preferably, for real estate, from the Institutes of Land and Farming Credit; for moveable property, money, bonds and values, from the Bank of Italy, the banks specified by law as being of public interest, the regional and peoples banks and the savings banks; for business concerns and industrial bonds, from the Institute for Industrial Reconstruction and the bodies and companies controlled by the "Demanio Mobiliere".

d) direct, supervise and control the activity of the receivers of the proceeds of the crime; e) examine and approve the accounts and reports which they must submit to it periodically; f) pay sums due to the receivers or controllers as reimbursement of expenses; orders as to which shall not be open to challenge through either judicial or administrative channels.

ART 29

The Committee shall be presided over by the High Commissioner or a delegate appointed by him and shall be composed of six members to be appointed by decree of the Minister of Finance; one of the members shall belong to the Ministry of Finance, one shall be nominated by the Minister of the Treasury and the other four shall be selected from persons who are either Civil Servants or have a particular knowledge of economics, agriculture, industry and commerce.

The Committee shall have a secretariat, an accountancy office and a technical office with not more than twenty employees altogether, temporarily released from the civil service. It shall have also a body of ten inspectors to be chosen from engineers, commercialists, chemists, accountants, surveyors and other experts employed temporarily among persons not belonging to the civil service or released by them.

The Civil Servants serving on the Committee, on the Secretariat or on the other offices or appointed inspectors shall be released according to the procedure of the "comando" and the money expended in payment of their salaries shall be reimbursed to the departments to which they belong. The salaries of those persons who do not belong to the civil service and who are serving on the Committee or are appointed inspectors shall be fixed by decree of the Minister for Finance, in agreement with the Minister of the Treasury.

For the execution of its tasks the Committee may call upon the legal, the technico-financial and police agencies of the State.

ART 30

The authority empowered to initiate or order protective measures must, before deciding upon and ordering them, make a report of its proposals to the Committee and follow the decisions of that body as provided by art. 28.

In case of urgency such authority may decide upon an order of sequestration; any such protective measure shall be changed for such other form of protection as the Committee may determine; or, if the Committee approve of the sequestration the trustee may be replaced by such person as may be designated for such office by the Committee.

As regards sequestrations effected prior to the coming into force of this decree the technical Committee, having considered the report of the authority which proposed or ordered them shall decide upon the questions referred to in subparas a, b and c of art 28 and instruct the said authority to carry out such decision.

21 23

ART 31

In ordering a protective measure, the authority having jurisdiction under art 27 may remove from office the Commissioners previously entrusted with the administration of certain property or groups of property.

As regards sequestrations already in effect the removal of the Commissioners shall be carried out by the afore-said authority within 30 days from the coming into force

For the execution of its technical-financial and police agencies of the State.

ART 30

An authority empowered to initiate or order protective measures must, before deciding upon and ordering them, make a report of its proposals to the Committee and follow the decisions of that body as provided by art. 28.

In case of urgency such authority may decide upon an order of sequestration; any such protective measure shall be changed for such other form of protection as the Committee may determine; or, if the Committee approve of the sequestration the trustee may be replaced by such person as may be designated for such office by the Committee.

As regards sequestrations effected prior to the coming into force of this decree the technical Committee, having considered the report of the authority which proposed or ordered them shall decide upon the questions referred to in subparas a, b and c of art 28 and instruct the said authority to carry out such decision.

7 23

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As regards sequestrations already in effect the removal of the Commissioners shall be carried out by the afore-said authority within 30 days from the coming into force of this decree.

ART 32

The authority empowered under Art 27 may order the protective measures referred to in sub-Paras a and b of art 28 to be taken in respect of real estate and movable property and, when it appears necessary, over concerns and other property in general belonging to any person referred to in arts 2,3,4,5,6 and 8 or to his heirs as well to:

- a) physical intermediaries;
- b) legatees, donees and other persons in whose favor any disposition referred to in Art 29 of DL 159 of 27 Jul 44 has been effected if the guarantees received from the suspected profiteer and of his heirs is found to be insufficient.

ART 33

A sequestration shall be carried out as laid down in arts 678 and 679 c.p.c. (code of civil procedure).

Arts 674, 675, 680 c.p.c. shall not be applied even if the sequestration is ordered 'di ufficio'. The property specified in art 520 c.p.c. shall be kept in such

custody as the technical committee may decide.

Books, registers, documents, models, samples and anything else from which evidence as to the origin of the profits may be obtained, may also be sequestered.

The sequestration of shares shall generally consist of possession of the shares and serving of notice thereof on the legal representative of the company issuing the shares.

It may also be executed by means of a garnishee notice to the legal representative of the company in which case the latter will call in the sequestered shares, within 30 days from the said notice, supply the authority ordering the sequestration with particulars of the shares not returned to it.

Apart from the right to propose the amortization of such shares the said authority shall have the power to demand from the company in the place of the shares themselves fresh certificates in the name of the trustee which shall entitle the latter to exercise the rights referred to in the following article.

A transfer of the shares made after the date this decree comes into force shall imply as a condition precedent to such transfer that, at the time it was effected, no notice of sequestration of the transferred share had been served on the company.

The rules of the preceding paragraphs shall so far as they are appropriate apply in respect of rights in concerns not secured by shares.

#### ART 34

The trustee shall be entitled to vote as to ordinary administrative acts. He shall exercise such powers in accordance with the directions he may receive from the technical committee.

The right to vote as to extraordinary administrative matters shall remain in the person whose property has been sequestered; the trustee if authorized by the technical committee, may contest the resolution in question, if the said vote provided the prescribed majority.

The rules of art 2378 c.o. shall where applicable be observed.

The trustee shall also have the power to, carry out subrogatorily all the administrative operations.

The trustee shall have the right to attend all the meetings of the administration.

#### ART 35

Upon the application of the Respondent the Technical Committee may authorize the trustee to exercise the right of refusal, to exercise options, to pay calls in respect of any shares, using for this purpose the available funds of the sequestered property.

#### ART 36

Sequestration against third parties may be effected under the same rules as the direct sequestration against the debtor, following notification to the third part of the consignment order, but without observing the other rules prescribed by art 543 and subsequent articles of the Code of Civil procedure.

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ART 36

Sequestration against third parties may be effected under the same rules as the direct sequestration against the debtor, following notification to the third part of the consignment order, but without observing the other rules prescribed by art 543 and subsequent articles of the Code of Civil procedure.

ART 37

The sequestration shall be effective until the Special Sections pronounce their final decision.

ART 38

The authority referred to in art 27 shall have jurisdiction to decide questions which arise during the execution of the protective measures.

ART 39

The person against whom sequestration has been ordered may apply for its revocation, reduction or change to another form of guarantee. Such application shall be addressed to the authority which ordered the sequestration, which shall announce its decision after consulting the technical Committee.  
 The authority which ordered a sequestration may, on its own initiative, after consulting the Technical Committee, revoke, reduce or change the sequestration to another form of guarantee.  
 After the special Section has been formed, however, only its president shall have the power to order, after hearing the technical Committee, the revocation, reduction

or change of the sequestration previously ordered by the president of the tribunal.

ART 40

A debt to the state in respect of profits derived from the regime shall have general priority over all movable and real property of the debtor. As to movable property it shall have priority over the debts indicated in No. 15 of art 2778 c.c. and as to real property, over the debts indicated in No. 5 of art 2780 c.c.

Debt guaranteed by mortgage created before 25 July 1943 and book debts resulting from documents of a certain date prior to 25 Jul 1943 shall be preferred to the State credit.

ART 41

In the special section of the provincial Commissions and in the special section of the Central Commission there shall be a secretariat composed of one or more secretaries and a suitable number of employees for filing, copying and serving deeds.

The secretaries shall be present at public hearings, shall help the president and the commissioners to obtain evidence, shall take part in entries, searches and inspections and shall sign, together with those who make them, decisions, draw and certify copies thereof as they shall for any other deed, and in general they shall discharge all the duties which are entrusted by law to the chancellors of an ordinary judge.

One or more officers or non-commissioned officers of the judicial Police and one or more technical and accountancy experts may also be attached to every special Section of the provincial Commission and to the special Section of the Central Commission.

The personnel indicated in the preceding paragraphs, if already regularly employed by the State, provincial or communal Administration, will be transferred to the Commissions, as 'attached personnel'.

The Minister of Finance, in agreement with the Minister of the Treasury, shall by decree, fix the maximum number of persons belonging to the State Departments and the capacities in which, they shall be employed.

Money expended in the payment of salaries of attached personnel shall be reimbursed to the departments to which the said personnel belongs.

The Minister for Finance shall also be authorized to employ temporary personnel up to a maximum to be fixed by decree, in conjunction with the Minister of the Treasury.

ART 42

The costs, fees and charges for carrying out a sequestration shall be advanced by the Finance Department, and re-imbursed by the Respondent.

If the Commission upon the request of the respondent conducts further investigations or prepares further estimates or collects further evidence, the respondent if the section so orders, will advance the estimated cost thereof without prejudice

One or more officers of the Commission may also be attached to every special section of the provincial Commission and to the special section of the Central Commission.

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If the Commission upon the request of the respondent conducts further investigations or prepares further estimates or collects further evidence, the respondent if the section so orders, will advance the estimated cost thereof without prejudice to the payment of any balance, and will deposit such advance within the time limit to be fixed in each case.

An account shall be kept, in an appropriate book, of any other expenses, and stamp duties on behalf of the Commission as well as the costs for the preparation of the case, as is done with fees for notices, copies and such; such account shall be kept in the secretariat of the special Section which, at the completion of the proceedings shall provide for their recovery in the proceeding and for the liquidation and collection of expenses and judicial taxes entered as debits, from the respondent if forfeiture was ordered, or, jointly, from every other person who took part in the proceeding whose applications were rejected.

## ART 43

The Intendente of Finance may, either on his own initiative or on application of the debtor, order that the payment of fascist profits be made directly to the treasury.

Whenever the debtor does not pay the sum due on the appointed day, the Intendente of Finance shall instruct to the proper tax-collector to collect, together with the charges for arrears and collection. The Erario shall be entitled to retain the charge for arrears.

through the collection of taxes the rules and the privileges established for the collection of the tax on war profits shall apply to the collection of fascist profits but without responsibility for the uncollected amounts.

The Minister of Finance shall by decree determine the percentage to be paid to the collectors.

ART 44

Realisation of immovable property shall be by single auction and the reserve shall be the value given to each item of property as decided by the Commission. If such a value does not appear from the afore-mentioned decision, the technical Committee instituted under Arts 28 and 29 shall fix the same for each item of property.

If the single auction is abortive, the property shall be forfeited to the State. As regards movable property, the rule set out in the first paragraph regarding the reserve shall apply and the new auction, in accordance with Art 39 of T. U. of the Laws on tax collection and subsequent amendments, shall be authorized by the Intendants of Finance, who shall have the power to order the forfeiture to the State of any property unsold.

In any final auction the State shall have in each case a right of pre-emption on the property submitted on auction at the price reached in the bidding.

Such a right must be exercised strictly within a period of 30 days following the acceptance of the bid, by an application to be filed in the proper judicial chancery.

Shares, bonds and other rights the right of pre-emption may be exercised even before the executive procedure commences; as for the shares, on the basis of the value of the stock exchange or in its absence, on the basis of the value to be determined by exchange brokers; as regards other rights on the basis of the value to be determined by the chamber of commerce.

For shares, obligations and similar credit holdings the preference right may be exercised, even before the commencement of the executive procedure, on the basis of values in the stock exchange or, in the absence of these, on those established by the Committee of brokers.

ART 45

3 18

Those Acts performed to fulfill a moral obligation or for the public advantage shall be deemed not to be a gratuitous act within the meaning of para 1 of Art 29 of D.L. 159 of 27 Jul 44.

Payment of certain and liquid debts not contracted to increase artificially the debtor's liabilities shall not be included within the acts referred to in para 2 of the same Article.

The other dispositions shall be void, in accordance with the first part of the said Article, if it is shown that the owner of the property, which was formerly owned by the person whose profits were forfeited, knew and was in a position to know, at the time he acquired the ownership of the said property, that among his predecessors in interest there was such a person and that he had acquired fascist profits.

The Finance Department shall initiate proceedings for a declaration that such dispositions are void, before a competent judge according to the ordinary rules.



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The Finance Department shall initiate proceedings for a declaration that such dispositions are void, before a competent judge according to the ordinary rules, against the debtor and the person in whose favor the debtor made the donation or disposition.

The application for such a declaration must be registered. No action shall be commenced after the lapse of two years following the day on which a decision for the forfeiture became irrevocable.

ART 46

Within six months from the day on which this decree comes into force the Special Sections of the Provincial Commissions shall draw up and communicate to the High Commissioner a list of persons who have been or are to be subjected to an order for forfeiture under articles 2. 3. 4. 5. 6. 8. and 9.

The High Commissioner, within the following month, shall procure the publication of such lists in the Gazzetta Ufficiale and the filing of such lists with the offices of the real estate public register, of the public automobile register, public naval register, public aeronautical register, as well as with the stock exchange.

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Upon the publication and filing of such lists, an action to set aside a disposition under the preceding article, shall not be initiated with regard to dispositions subsequently made if the name of the transferor or his predecessor in title is not included in the said lists.

A list of persons freed from forfeiture proceedings shall be compiled by an analogous procedure.

## ART 47

Upon the application of the High Commissioner, of the Finance Department or of the President of the Special Section the competent judge shall order the suspension of any execution or bankruptcy procedure pending or undertaken against any person respondent a proceeding for assessment of profit or against whom protective measures are being taken or were taken until a decision on such proceedings has been reached.

## ART 48

On application of the trustee or of any interested person and following the authorization of the technical Committee, the payment of debts having priority over the State debts in accordance with the first paragraph of Article 40, may be allowed together with those contemplated by the second paragraph of the same Article and of others the payment of which is found to be evidently useful for the Administration and for the conservation of the sequestrated property.

## ART 49

Action by the State for the assessment of profits derived from the regime must be commenced within two years from the coming into force of this decree.

Any notice of a proposal for assessment suspends this period which shall not run during of any proceeding before a Special Section of the Commissions of taxation.

## ART 50

The debt to the State on account of profits derived from the regime shall cease after a period of five years from the date in which the assessment became irrevocable.

This term shall be suspended by receipt of any payment or of an order for payment addressed to the Treasury.

## ART 51

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## ART 50

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This term shall be suspended by receipt of any payment or of an order for payment addressed to the Treasury.

## ART 51

The expenses necessary for the operation of the technical Committee referred to in Article 20, and of the Special Sections of the Commissions of taxation are to be charged to the account of the Ministry of Finance.

The Ministry of the Treasury is empowered to order the necessary appropriations and makes the necessary changes.

## ART 52

Unless otherwise prescribed by the DL 159 of 27 July 1944 or by the present decree, the rules contained in RL 1639 of 7 August 1936 converted into law No. 1016 of 7 June 1937 and RD 1516 of 8 July 1939 and subsequent amendments shall apply.

## ART 53

All provisions contrary to or inconsistent with the present decree are hereby revoked.

## ART 54

The present decree shall become effective on the day after its publication in the Gazzetta Ufficiale. In the territories not yet restored to the Italian Administration, it shall become effective on the date of the restoration or on the date it comes into force by order of the Allied Military Government.

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Draft for the Confiscation of profits made under the fascist regime.

Sec. 1

In case of a sentence for the crimes punished by Sections 2 and 3 (1st and 2nd paras.) and 5 of R.M. 27/7/44 n. 159, the Court orders the confiscation of the property of the sentenced persons. The Court can grant an allowance to the members of the family who are dependant on the sentenced person.

In cases when an action cannot be brought before the Courts the confiscation is ordered by the territorially competent Court on request of the High Commissioner.

Sec. 2

The increased wealth of those who after the 3rd of January 1925 were :-

- 1) Members of the Great Council of Fascism.
- 2) Members of the Fascist Government.
- 3) Secretary or Vice Secretaries of the fascist party or members of the national directorship.
- 4) Presidents, public prosecutors or members of the special Court for the defence of the State
- 5) General commander of the Voluntary Militia for National Safety.
- 6) Lieutenant General, Consul General or Consul of the Militia in permanent service.
- 7) Chief of a mission appointed for fascist merits.
- 8) Governor of a Colony appointed for fascist merits.
- 9) Prefect or Questore (Chief of the Police) appointed for fascist merits.
- 10) Federal Secretary.
- 11) Persons on whom a new title of nobility was conferred after the 3rd of January 1925, are seized by the State.

The special section of the Central Commission of direct taxes may in special cases, when it is proved that the person belonging to one of these categories has resigned his post of his own will or has behaved with special straightforwardness, exclude from the above provisions and deal with him as in Sec 3.

Sec 3

Increased estates exceeding the normal by a sizeable amount obtained by those who have had any public post or been politically active, or by

- 3) Secretary or Vice Secretaries of the fascist party or members of the national directorship.
- 4) Presidents, public prosecutors or members of the special Court for the defence of the State?
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Sec 3

Increased estates exceeding the normal by a sizeable amount obtained by those who have had any public post or been politically active, or by those who, even if not members of the party, have availed themselves of the political immorality created by fascism whether directly or indirectly, are presumed fascist profits and seized by the State.

The increase that can be seized consists of the difference between the estate on the 28th of October 1922 - or the subsequent date when the person became a member of the fascist party or carried on political activity or even if not a member of the party began to avail himself of the political immorality created by fascism - and the estate owned by him on the date of assessment.

In order to determine the increase of the estate exceeding the normal, the commission instituted by D.L. 27/7/44, No 159 can diminish this difference by a portion not exceeding 40% of the sum of the incomes inscribed in the rolls of direct taxes assessed on the accused party in the period of time between the two dates.

The amount of deduction will be fixed from <sup>time</sup> them to time by the special Commission of the Provincial Commission of Taxes in connection with the kind and importance of the activity carried out by the party and to the measure in which the special situation occasioned by fascism may have influenced in their opinion the increase of the estate.

The value of the estates to be compared is equalized to that current at the moment of assessment, except as provided by DL 27/7/44 n. 159 concerning the variations that took place after the 25th of July 1943.

The increases of estate which after the above deductions do not exceed L. 200.000 will not be confiscated.

Sec. 4

The increases of estate of the ascendants, descendants, spouse and anyone even if not a member of the fascist party, had relations of association, partnership, or concubinage with the person listed in sec. 2 and 3 are presumed to be fascist profits unless proof to the contrary is given and are confiscated by the State according to the previous sections.

Sec. 5

The initial estate is the one resulting from the assessment for the extraordinary estate and property tax under the law of 5 Feb. 1922 n. 78 with the addition of the increases occurring until the 28th October 1945 and with deduction of the diminutions up to that date when they are a loss of property and not a transformation.

The onus of proof of the amount of the initial estate lies on the party.

After the 28th of October 1922 the initial estate is assessed, subject to proof to the contrary, by adding to the estate assessed under the law of 5/2/22 and its amendments until the 28/10/22 the 40% of the incomes assessed for direct taxation on the party.

If on the 28/10/22 the party owned no estate, the initial estate will be assessed by adding a figure not above 40% of the incomes inscribed in the rolls of direct taxes, of the several years up to the moment when the party became a member of the fascist party or carried on fascist activity or profited by the political immorality created by fascism.

Sec. 6

In order to assess the amount of the fascist profits, the President of the Special Section of the Provincial Commission can, either ex officio

Sec. 5

The initial estate is the one resulting from the assessment for the extraordinary estate and property tax under the law of 5 Feb. 1922 n. 715 with the addition of the increases occurring until the 28th October 1922 and with deduction of the diminutions up to that date when they are a loss of property and not a transformation.

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If on the 28/10/22 the party owned no estate, the initial estate will be assessed by adding a figure not above 40% of the incomes inscribed in the rolls of direct taxes, of the several years up to the moment when the party became a member of the fascist party or carried on fascist activity or profited by the political immorality created by fascism.

Sec. 6

In order to assess the amount of the fascist profits, the President of the Special Section of the Provincial Commission can, either ex officio or on request of the High Commissioner or of the Intendente di Finanze, issue an order to anyone who is suspected to be in the position of sections 1, 2, 3 to make a declaration, (within a specified period of not less than 10 days) of the property owned by him on the date of the liberation of the territory where he owns most of the property, as well as on the date of the order, making a description of all the items of his estate, and indicating the present value of each of them.

In the order the party will be demanded to indicate his property on the 28/10/22 in case of members after 28/10/22 or persons who held public posts or high grades in the party after that date, and who only after that date have commenced to make supplies to the State or to the other Enti limited in Sec. 17, the President can summon them to state their property on the date when they became members of the party or obtained the post or grade, or began their supplies.

Sec. 7

Whoever fails to make the declaration of sec. 6 or delays in making same is liable to a penalty of one half of the amount that will be finally assessed.

Whoever declares a property more than one third inferior to the one that will be finally assessed is liable to a penalty equal to the difference between what is due under his declaration and what is due under the assessment. However, if the assessment is accepted by the party the penalty is cancelled. Every item which has not been declared is seized by the State, apart from the provisions of the previous sections.

Sec. 8

The persons who have been members of the fascist party and have held one or more of the following posts are compelled to make the declaration both of their property on the 28/10/22 and at the moment of the order and at the moment when they were appointed to their posts.

- a) Members of the Fascist Government whether Ministers or Under-secretaries.
- b) Members of the Great Council of Fascism.
- c) Members of the directorship of the fascist party.
- d) National Inspector of the fascist party.
- e) Secretary of fascists abroad.
- f) Federal secretaries and vice-secretaries.
- g) Permanent officers of the voluntary militia of rank not below colonel.
- h) President or member of the special Court for the defence of the State.
- i) Senator appointed after the 26/10/22 for the category 3; 20, 21 of Section 33 of the constitution and who was dismissed according to Sec. 8 of D.L. 27/7/44 n. 159.
- 1) Member of parliament who remained member of the party after the 3rd Jan. 1925 or became a member of the party after that date, or National Councillor.
- m) Governor of a colony appointed after the 3rd Jan. 1925.
- n) Ambassador or Minister, Prefect or Questore chosen out of the lists after that date.
- o) A person on whom a title of nobility was conferred after that date.



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- b) Members of the directorship of the fascist party.
- c) Members of the directorship of the fascist party.
- d) National Inspector of the fascist party.
- e) Secretary of fascists abroad.
- f) Federal secretaries and vice-secretaries.
- g) Permanent officers of the voluntary militia of rank not below consul.
- h) President or member of the special court for the defense of the State.
- i) Senator appointed after the 28/10/24 for the category B, 20, 21 of Section 33 of the constitution and who was dismissed according to Dec. 8 of Dec. 27/7/44 n. 159.
- j) Member of parliament who remained member of the party after the 3rd Jan. 1925 or became a member of the party after that date, or National Councillor.
- k) Governor of a colony appointed after the 3rd Jan. 1925.
- l) Ambassador or Minister, Prefect or Questore chosen out of the lists after that date.
- m) A person on whom a title of nobility was conferred after that date.

Sec. 9

In assessing the value of the real property of the initial estate one must take into account the value of the lira at the moment of the assessment of the increase.

Sec. 10

The declaration of the above sections must be made also by all the contractors of public works and purveyors to the State even if they are not members of the party, who, either directly or through companies or firms in which they have a share, have made a contract with the State with Enti pubblica or Enti parastatali for an amount exceeding all together 10 millions and also all agents, representatives or intermediaries who took part in these contracts or supplies or were concerned in them, as well as exporters and importers of goods subject to a quota and those who have collected (ammasso) these goods.

Sec. 11

The special section of the Provincial Commission on receiving the Declaration, will fix temporarily the amount of the increase appearing from the data contained in the declaration and will refer it to the financial administration for collection; the assessment is enforceable.

The final decision declares that the amount collected is just or, as the case may be, below the one due, and orders the payment of the balance.

Sec. 12

The Commissions must, if possible, examine and decide the appeals in groups and kinds of taxpayers and when for the decision of some appeal a special knowledge is required they can ask for official or other experts to attend; the latter have only a consultative vote.

The Intendenti di Finanza and their deputies can attend the meeting of the Commissions with a consultative vote.

Sec. 13

In assessing the profits to be seized according to previous sections, the property received from successions or donations from relatives, if supported by documents, are not reasoned.

Sec. 14

The Commission in the first meeting after the appeal has been presented, is entitled to fix provisionally and with reserve of giving a final decision, an amount to be paid by the debtor on account of his debt.

This amount cannot exceed 25% of the increase of the estate appearing on the provisional assessment unless the claimant admits that the increase exceeds that percentage.

It is compulsory to fix this amount for the persons listed in sections 8 and 10 if the amount of the increase of the estate to be seized and appearing from the provisional assessment exceeds one million.

Sec. 15

The Commission is entitled to order that some special goods existing in the estate of the debtor whose acquisition is due to fascist profits be appropriated by the State, according to the amount assessed on the

the property received from successions or donations from relatives supported by documents, are not reckoned.

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Sec. 15

The Commission is entitled to order that some special goods existing in the estate of the debtor whose acquisition is due to fascist profits be appropriated by the State, according to the amount assessed on the debtor.

It is also entitled to order that this amount be totally or partially paid by particular goods included in the estate of the debtor, reckoned at the value determined by . . .

Sec. 16

Whoever is liable to the appropriation for fascist profits is considered a merchant or broker even if he does not carry out this profession. If he is in arrears with payment, the Court, on application of the Intendente di Finanza declares his bankruptcy considering him under the present decree to be insolvent.

Sec. 17

The companies and Entities whose boards of directors at the date of . . . was composed with a majority of persons listed in sections 1, 2, and 3 or in which one fifth of the shares were owned by a person listed in sections 1, 2 and 3 are declared fascist companies and consequently

put under the control of the ente mentioned in Sec. 30. The ente will guarantee the interests of the minor shareholders. The order is issued by the special sections of the Provincial Commissions.

Sec. 18

Besides the special section of the Provincial Commission, the Minister of Finance can appoint one or more sub-sections each provided over by the President of the Court or by another magistrate of the same grade or of next lower grade and composed of four commissioners to be appointed in accordance with sec. 30 of the law. By the same decree the Minister appoints the Presidents of the sub-sections on nomination of the President of the section. By decree of the Minister of Finance one or more sub-sections can be formed besides the special section of the Central Commission whose presidents and members are appointed according to Sec. 32 of the law. The President of the special section assigns the several cases to the section or the sub-sections and also in case one or more Commissioners of the section or sub-sections is unable to attend, can substitute him with another Commissioner.

Sec. 19

The assessment and liquidation is the competence of the special Provincial section of the district where the debtor resides and if the residence is unknown, in the Province where the debtor has had his last residence.

Sec. 20

All prejudicial and incidental questions whether of law or of procedure connected in any way with the assessment, liquidation and appropriation of fascist profits fall within the competence of the special Provincial sections, except questions of status and forgery. If one of these questions should arise the Commission suspends the proceeding until they have been decided by a competent judge and the financial administration is entitled to commence or prosecute the judgment concerning them.

Sec. 21

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Sec. 21

In order to find out the property of the presumable profiteers, the powers indicated in the first part of sec. 31 of the law belong also to Intendenza di Finanze which can investigate also with third parties derogating from the rules of banking secrecy. The Special Provincial sections can also either directly or through the police search the dwelling with the formality prescribed by the Code of original procedure. Before the Commissions are formed the President of the Court has the same powers for the purpose of sequestration.

Sec. 22

The notice of assessment is served by the special section of the Provincial Commission on the debtor and is communicated by registered letter with return receipt to the High Commissioner and to Intendente di Finanze of the place where the section is located. The appeal against the assessment must be made by the debtor and by the administration of Finanze within 30 days from service or from receiving the communication. The appeal is made by filing in the secretary's office one original and four copies, on unstamped paper. The secretary delivers a receipt which is the only legal proof of the filing and the date.

The appeal must state all the defences against re-assessment, indicate the evidence and when there are documents communicate them of depositing them in the secretary's office within 30 days from the appeal. After this term is expired the President fixes the date of hearing and appoints a "relatore" (member of the Commission who investigates the case and refers on it to the Commission).

Sec. 23

In case, in order to determine the increase of estate provided for in Sec. 26 of the law, the property of other persons involved, the assessment must be notified also to these persons who become parties in the case with the same rights and guarantees of the party against whom the assessment is made and the decision is binding also on these people.

Sec. 24

The decree fixing the day of hearing is notified at least 20 days before to the debtor and communicated by registered letter with return receipt to Intendente di Finanza of the place where the section is located to the High Commissioner and also to Avvocatura dello Stato when it represents the administration. Both the debtor and the administration, on the latter's behalf can deposit with the secretary of the special section additional memoranda in five copies on unstamped paper at least 10 days before the day of hearing. At the hearing, after the summing up by the President or Commissioner deputized by him and after hearing the evidence submitted, it is argued by the representatives of the administration or by the member of Avvocatura dello Stato and then by the debtor or his councillor or solicitor. The special section decides in secrecy and by majority vote immediately after the debate and decides also about the costs.

Sec. 25

The motivation in summary form is drawn up by the President or by the Commissioner deputized by him. The original decision signed by the President and secretary is deposited in the secretary's office who will arrange within 20 days for the communication by registered letter with return receipt to the High Commissioner, Intendente di Finanza and to the Avvocatura dello Stato if this office has taken part in the case.

Sec. 26

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Sec. 26 The period within which the debtor, the administration and the High Commissioner can appeal to the Special Section of the Central Commission according to Sec 32 of the law, commences for the debtor from the date of service of the decision and for the administration and High Commissioner from the date of receipt of the decision through the channels set forth in the previous section.

Sec. 27 The rules of the previous sections apply to the filing of the appeal to the Central Commission and to judgment of appeal in general. The debate before the Special Section of the Central Commission, like the one before the Special Section of the Provincial Commission, is public.

Sec. 28 Before the Special Sections of the Provincial Commissions are formed the President of the Court of the place where the section is located according to the previous section 5 or the President of the Court in whose district the property is situated is competent to order the restraint (sequestro conservativo) according to sec. 35 of the law.

When the special sections of the Provincial Commissions are formed, the restraint can be ordered by the President of the special section which is competent according to the provisions sec.5 and also to the Presidents of the special sections of the Provinces in whose district the property is situated.

Sec. 29

The Ente indicated in the following sections is by law the trustee of the restrained property according to sec. 35 of the law. In ordering the restraint the President of the Court or the President of the special section declares null and void the powers of the Commissioners who had been formerly entrusted with the management of the property distrained and fixes the terms and method for transferring the management to the Ente.

For restraints already carried out the President will declare null and void the powers of the Commission within 15 days from this decree becoming effective.

Sec. 30

An Ente called "Ente per Amministrazione e Gestione Sequestrataria" is instituted in Rome with the task of taking over and managing the property that is placed under restraint according to sec. 35 of the law. The Ente is a public body and is supplied with a fund of 3 millions to be appropriated by the Minister of Finance in the budget of his Ministry.

In carrying out its duties the Ente obeys directives and the particular instructions issued by the High Commissioner to whom he makes opportune proposals for the exercise of the faculties conferred by sec. 27 of the law. The Ente avails itself of the Avvocatura dello Stato for its assistance representations and defence before the Courts. If the Ente decides to avail itself for the administration of real property of the services of the Istituti di Credito Fondiario the latter can institute special sections, even derogating from existing laws and articles of association.

Sec. 31

The Ente is administered by a President, a Vice-President and 5 members appointed by a decree of the Minister of Finance on the proposal of deputy High Commissioner for the confiscation of fascist profits. With the Ente there will be three auditors and 2 supplementary auditors to be appointed by a decree of the Minister of Finance on proposal of the deputy High Commissioner for the confiscation of fascist profits. One of the three



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Sec. 32

The Ente is regulated by regulations to be approved by decree on the proposal of the Minister of Finance. The budget at the end of each financial period is submitted to the approval of the Minister of Finance. The credits of the Ente for the amounts advanced by it to the various managements have a lien on the property of these managements with priority on all other credits. The garnishee order is carried out with the same rules of distraint by issuing a summons to the third party to release the property without observing the other rules prescribed by sections 345 and following of the Code of Civil Procedure. The third party can appear in the judgment even in the judgment of appeal and present his claims on the distrainted goods with the same rights and guarantees as the debtor. For this purpose

if the garnishee order precedes the assessment the latter must be notified as to the third party as well as all other orders and decisions which must be notified also to the third party as well as all other orders and decisions which must be notified to the debtor during the proceedings. If the third party does not appear in the judgment the decision of the special section and of the central section are effective also against him.

Sec. 34

The provisions of sec. 673 of the Code of Civil Procedure does not apply to the order of distraint issued according to the sec. 35 of the law.

If within a year from levying distraint the assessment has not been notified according to previous sec. 2, the debtor or the third party can apply to the President of the Court or of the Special Section in order to obtain the revocations of the distraints and the application must be notified to the authority that had applied for distraint. The President decides after hearing the parties and if there are justified motives can grant an extension not exceeding six months.

Sec. 35

The decision of all incidents arising during the execution of the distraint is given by the president of the Court or of the special section who has ordered it.

Sec. 36

If there are special requirements of public economy or reasons which make the direct management not convenient or when there are dangers of loss or devaluation of the property the President of the Ente after consulting the board of directors can arrange for the concern to be submitted to a trusteeship.

Sec. 37

The trustee is appointed by the President of the Ente among individual persons or Companies which are particularly qualified for managing similar concerns. The trustee controls the activity of the concern and makes a report to the ente at least once every three months. He can inspect the books, records and correspondence and can forbid the owners to carry out certain transactions, informing the Ente at once that will decide the advisability of such transactions and whose decision is final and cannot be revoked.

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Sec. 38

The fees and reimbursement of expenses of the trustee are determined by the President of the Ente according to Sec. 18 and are charged on the concerns put under trusteeship.

Sec. 39

Without altering the priority of costs according to sec. 2777 of Civil Code, the priority depending on the general or special liens established for the war profits tax, which are extended also to the credit of the State for fascist profits, is exercised when it concurs with other liens in the order prescribed in sec. 2777 and 2778 of the Civil Code.

Sec. 40

Gifts and donations included in N. 1 of sec. 29 of the law do not comprise those made to fulfill a moral duty or for public benefit provided they are in proportion to the lawful estate of the donor.

Among the deeds included in n. 2 of the same section are not comprised those of payment of a certain and liquid debt which has been contracted not for the purpose of evincing artificially the estate of the debtor. The other deeds of sale and the like are null and void, according to the first part of this section if the person who owns at present the property which formerly belonged to the profiteer does not prove that when the contract was made he or she was not aware that the other party was a profiteer who had realized fascist profits. The action is brought by the financial administration before the competent Court, according to the usual rules, against the debtor and the person to whom he has sold his property or otherwise disposed of it. The writ is transcribed. The action is limited in two years from the date when the decision of appropriation have become final.

Sec. 41

With every special section of the Provincial Commission and with special section of Central Commission there will be a secretariat composed of one or more secretaries and a proper number of clerks for the service of filing copying and carving deeds. The secretaries attend the public meeting, assist the President and Commissioners in taking evidence as well as in the searches and inspections compiling the records, signing decisions, delivering copies of them, certifying that the copies correspond to the original and carrying out all the duties which the law confers on the Court clerks. With every special section of the Provincial Commission and with every section of the Central Commission can be detailed one or more officers or non commissioned officers or police and one or more technical or accounting experts. This staff, if belonging to the rolls of the State, Provincial or Communal administrations will be taken over by the Commissions in the position of "comandati". The Minister of Finance is also empowered to engage temporary employees in the number that will be fixed in another decree.

Sec. 42

The costs and Court fees relative to the appeal, the assessment and subsequent proceedings are borne by the parties against whom the assessment is made or who appear in the case. These parties if they request

With every special assessment section of Central Commission there will be a secretariat composed of one or more secretaries and a proper number of clerks for the service of filing copying and serving deeds. The secretaries attend the public meetings, assist the President and Commissioners in taking evidence as well as in the searches and inspections compiling the records, signing decisions, delivering copies of them, certifying that the copies correspond to the original and carrying out all the duties which the law confers on the Court clerks. With every special section of the Provincial Commission and with every section of the Central Commission can be detailed one or more officers or non commissioned officers or police and one or more technical or accounting experts. This staff, if belonging to the roll of the State, Provincial or Communal administrations will be taken over by the Commissions in the revision of mandata. The Minister of Finance is also empowered to engage temporary employees in the number that will be fixed in another decree.

Sec. 42

The costs and Court fees relative to the appeal, the assessment and subsequent proceedings are borne by the parties against whom the assessment is made or who appear in the same. These parties if they request an inquiry or technical report and other evidence entailing a sizeable expense must advance the amount that will be determined by the sections immediately with reserve of paying the difference, depositing the amount within the period that will be fixed. All other costs or fees for acts of the Commission or for defence of the administration, as well as the fees of the third parties for services, copies etc. will be entered in a special account to be kept by the secretary of the Commission at the end of the judgment the secretary will by the recovery of the account with the proceedings for the recovery and collection of costs and Court fees against the person against whom the assessment has been made and jointly against any other person who has appeared in the case and whose claims have been rejected.

Sec. 43

The payment of fascist profits can be made directly into the Treasury by order of the Intendente di Finanza whether ex-officio or on application of the debtor. For the collection of fascist profits through the Montepiù the rule and privileges for the collection of the war profits tax are

applicable without obligation of "non riscosso per riscosso" (of being responsible for the non collected amounts). The Minister of Finance will issue the rules about the aggio to be given to the Esattori.

Sec. 44

For the execution on real property for the purpose of collecting fascist profits, the auction will be a single one and the minimum price is fixed in the amount equivalent to the value attributed to each item in the final decision of the Commission. In case this valuation does not appear in the decision, it will be made by the Ente after consulting the Ufficio Tecnico Erariale. If the auction has been unfruitful, the property is devolved on the State. For the execution on personal property, the minimum price is fixed according to the previous paragraphs and the new auction according to sec. 39 of T.U. of the laws on the collection of direct taxes and subsequent amendments, must be authorized by the Intendente di Finanza who is entitled to order the appropriation of the unsold property to the State. In any case, the State has a right of priority on all goods sold by auction at the final price and can exercise this right within thirty days from the sale by depositing a declaration with the clerk of the competent Court. Regarding shares, debentures, and other securities, the right of priority can be exercised even before the beginning of the execution on the basis of the quotation in the Stock Exchange or failing this, of the price to be determined by the Committee of Stock Brokers.

Sec. 45

The property confiscated by the State according to sec. 27 of the law and purchased according to the previous section becomes an integral part of State property.

Sec. 46

Unless otherwise provided for by the decree 27/7/44 n. 159 and by this decree, the rules contained in RDL 7/8/36 n. 1639 converted into the law 7/6/37 n. 1016 and in the RD 8/7/37 n. 1516 and subsequent amendments are still operative.

Sec. 47

All provisions contrary to those of the present decree or incompatible with them are repealed.

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Sec. 47 All provisions contrary to those of the present decree or incompatible with them are repealed.

Subject: Order of S.C.A.C., Salerno Province dated 28th September, 1943, entitled "Order by the Allied Military Government for the Investigation of Fortunes acquired during the Fascist Regime."

A 662/4072/L

A 662. P. 9. STOLLI.

To: C.S.C.

6th October, 1943.

1. The order recites that "during the Fascist Regime, many politicians, traders, industrialists etc. have acquired illicitly large fortunes" and provides that all property "acquired illicitly shall be confiscated and become the property of the state."
2. It is not clear just what is meant by property "acquired illicitly". If the order is meant to apply merely to property acquired in violation of law, it is difficult to see why it is necessary to set up the rather extraordinary procedure provided for in the body of the order. Persons whose property was acquired in violation of law have recourse to the courts and unless there is clear evidence that the courts are not properly functioning it would be improper under international law for an occupying power to supersede the existing courts of the land in so drastic a manner as that provided in the order.
3. If, on the other hand, the purpose of the order is to institute machinery for the return of property of non-Fascists seized under various Fascist decrees, an entirely different situation is presented. It is the declared policy of the Allied Powers to do everything in their power to set aside and nullify such decrees and to restore property obtained under them to the rightful owner. This question has been the subject of considerable discussion since the inception of ANTO in its early planning stages. It has always been recognized that most difficult and complicated problems were presented and that a comprehensive programme and scheme must be worked out on a national scale applicable to the whole of Italy.
4. Since the Institute, it has been said that steps to accomplish this purpose have been taken by the Italian Government itself. Obviously the Italian Government would be in the best position to know how to accomplish this purpose, provided it is willing to do so. It would seem, therefore, that no steps should be taken until it has been ascertained what steps, if any, the Italian Government itself is taking to accomplish this purpose. If no such steps are contemplated, the whole subject should be studied from a national viewpoint. Clearly this is a matter which could not properly be handled on a provincial or even regional basis and does not come within the subject matter of local legislation set forth in the instructions to S.C.A.C. dated 27 August, 1943.
5. Apart from the above general observations, the order itself is subject to serious objection from the standpoint of the common principles of justice. It provides for a "Star Chamber" proceeding by a commission meeting in secret and



3. If, on the other hand, the purpose of the order is to insure the return of property of non-fascists seized under various fascist decrees, an entirely different situation is presented. It is the declared policy of the Allied Powers to do everything in their power to get aside and nullify such decrees and to restore property obtained under them to the rightful owner. This question has been the subject of considerable discussion since the inception of the program and the early planning stages. It has always been recognized that most difficult and complicated problems were presented and that a comprehensive program and scheme must be worked out on a national scale applicable to the whole of Italy.

6 Since the Minister, as has been said, that steps to accomplish this purpose have been taken by the Italian Government itself. Obviously the Italian Government would be in the best position to know how to accomplish this purpose, provided it is willing to do so. It would seem, therefore, that no steps should be taken until it has been ascertained what steps, if any, the Italian Government itself is taking to accomplish this purpose. If no such steps are contemplated, the whole subject should be studied from a national viewpoint. Clearly this is a matter which could not properly be handled on a provincial or even regional basis and does not come within the subject matter of local legislation set forth in the instructions to S.C.A.O., dated 27 August, 1943.

5. Apart from the above general observations, the order itself is subject to serious objection from the standpoint of the common principles of justice. It provides for a "State Charter" proceeding by a commission meeting in secret and empowered to arrest persons "suspected" of attempting to "encourage" transfer his property" and to extradite the property of such "suspects". These provisions are contrary to the express provisions of the policy directive of the Combined Chiefs of Staff and to the express terms of Proclamation No. 13 which abolishes proceedings shall be held in public, and of Proclamation No. 13 which abolishes the powers of Italian officials to imprison persons on suspicion and guarantee to the people of Italy that they shall not be imprisoned unless a specific charge is brought against them. The procedure provided in the order violates the very principles of democratic and fascist procedure which it is one of the principal declared purposes of the Allied Nations to abolish.

6. It is recommended that instructions be given that the order be disregarded as "ultra vires" the S.C.A.O. It is further recommended that a special committee be appointed of lawyers now at Tizi-Duzon to study this entire subject with a

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view to determining how to accomplish the directive of the Combined Chiefs of Staff to restore property taken under the Fascist decrees to the rightful owners.

W.C. CHAMBER, Lt. Col. (A. U. S.),  
Chief Legal Officer.

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Order by the United Military Government for the investigation of  
 fortunes acquired during the Soviet Regime  
 T. S. (NO. Palermos in collaboration) with the Profed

Grafiero Murotto,  
 Whence during the Soviet Regime, many politicians,  
 traders, industrialists etc have acquired  
 illicitly large fortunes

It is hereby ordered as follows.

Art 1. All property such as real estate, furniture, stocks, shares,  
 works of art, jewels etc acquired illicitly  
 shall be confiscated & become the property of  
 the State

Art 2. Investigations will be made in connection with  
 the origin of such acquired property, taking  
 as a basis the financial situation of the dependents  
 on 22 Oct 1922 and taking into account of the  
 legitimate yield of capital & labour.

Art 3. A Commission for the confiscation of illicit  
 gains is hereby created.  
 This Commission will be invested with the  
 largest powers of research & investigation and  
 will be entitled to make use of the Police,

Art 2. Investigations will be made in connection with the origin of such acquired property, taking as a basis the financial situation of the defendant on 22 Oct 1922 and taking into account of the legitimate yield of capital & labor.

Art 3. A Commission for the cooperation of 'Blind years' is hereby created. This Commission will be created with the largest powers of research & investigation and will be entitled to make use of the Police, the guards of Prisons, 'Polizia Turbentaria' and to order imprisonment. In serious cases, when it can be suspected that the defendant may attempt an escape, or transfer his property, the Commission will be empowered to order his arrest and seizure of his property.

Art 4. The activities of the Commission will be secret. The account will be allowed to present memoranda and documents for his defense and ~~to~~ to be heard with the assistance of a trusted lawyer.

Art 5 - The Commission will be composed of a representative of the Prefetto of the Province, three judges and one officer of the Carabinieri.

Art 6 - All judgments of the Commission shall be posted in the Pretore (also below) and if desirable the Commission may order ~~to display~~ <sup>to be brought</sup> them to the notice of the public by posting in the streets and insertion in the local papers at the expense of the person sentenced.

Art 7 - All judgments, even when appeal to the Supreme Commission is pending, will be executed immediately if necessary with the aid of the Police.

Art 8 - Any sentenced person may within three days of the sentence being posted in the Pretore appeal to the Supreme Commission for the revocation of the sentence.

Art 9 - The Supreme Commission will be composed of the SGO or his representative, the Prefetto or his

Art 8 - Any sentenced person may within three days of the sentence being passed in the Pretoria appeal to the Supreme Commission for the Corporation of Property, identity acquired.

Art 9 - The Supreme Commission will be composed of the SAO or his representative, the Prefetto or his representative, two Congresses in (Art 3 Appells) & the general of the Commission.

Art 10 - Sentences of the Supreme Commission will be brought to the notice of the public as in art 6.

Art 11 - The present order will become operative at once.  
Palerms, 28 Sep 43.  
(SA) Charles Paletti  
SAO.  
The Prefetto - Musotto

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## Un cuneo formato dalla V Armata nello schieramento avversario fra il settore tirrenico e quello adriatico

**Ulteriori progressi alleati sul fronte di Napoli - Regolare marcia in  
direzione di Avellino - L'VIII Armata occupa l'aeroporto di Foggia**

LONDRA, 29.

Le Forze Alleate della V Armata, avanzando verso il nord, hanno formato un cuneo nello schieramento avversario tra il settore tirrenico e quello centrale, cuneo che potrà avere conseguenze disastrose per le forze germaniche. Attraverso difficoltà varie e spezzando la resistenza avversaria ora la marcia si svolge regolarmente in direzione di Avellino.

Anche sul fronte di Napoli, la resistenza avversaria non ha impedito alle Forze Alleate di conseguire ulteriori progressi.

Sulla costa adriatica, la VIII Armata ha occupato Foggia conquistando anche il

tri contro le folle di dimostranti che chiedono di essere sfamati, i tedeschi sparano sui cittadini inermi.

Il governo fascista si accontenta adesso, con l'aiuto delle baionette tedesche a fare azioni di rappresaglia contro gli antifascisti.

Le autorità tedesche in Italia hanno ordinato che tutte le macchine in possesso di privati debbano immediatamente essere consegnate e anche gli autisti si debbono presentare per essere adibiti ai trasporti germanici.

Gli operai italiani che lavorano in Germania nelle regioni vicine alla frontiera svizzera sono stati inviati nell'interno del Reich.

In seguito alle consensi

marina germanica ha l'intenzione di inviare alcune unità germaniche nell'Atlantico il che ha determinato atti di sabotaggio da parte degli equipaggi a bordo della nave da guerra « Schamhorst » e di altri incrociatori.

Altre gravi perdite sono state inflitte ai tedeschi in Corsica dove è stata occupata St. Florent, mentre un aeroporto presso Bastia è stato evacuato dai germanici.

Le truppe tedesche cercano continuamente di lasciare l'isola ma sono ostacolate dai reiterati bombardamenti su Bastia. Anche sottomarini alleati incrociano al largo dell'isola e attaccano continuamente le navi germaniche che cercano di lasciare la Corsica.

vuto incagliarsi e altre cinque navi sono state danneggiate con siluro e colpi di cannone.

Nei Balcani, i patrioti jugoslavi collaborano sempre attivamente con le truppe italiane negli aspri combattimenti per tenere in saldo possesso la costa dalmata.

Nella zona di Spalato l'iniziativa è passata in mano dei patrioti che respingono sempre più indietro i tedeschi e ora fanno pressione su Kin occupata dai tedeschi.

Nel Montenegro i patrioti avanzano verso Niciel e su Nikisik.

L'aviazione alleata ha bombardato ieri l'aeroporto di Castelli Pedriada nell'isola di

# LA LIBERATA

GIORNALE DI INFORMAZIONI Mercoledì 29 settembre 1943

Edizione - Amministrazione: Palermo: Via Stabile Una Lira

## Armato dalla V Armata L'attacco avversario tirrenico e quello adriatico

## NEWS IN ENGLISH

### ITALY

The important German air base at FOGGIA, center for thirteen airfields, was occupied by forces of the Eighth Army yesterday.

With these fields in our hands, Allied bombers will be in easy range of central and northern Italy, also some of the Balkans.

In the drive on NAPLES, the Fifth Army was fighting through steep mountains which must be crossed on foot. Several villages were taken in the heights overlooking NAPLES. Reporters said even mules could not ascend some of the slopes, which were well defended by German machinegun nests in the crags.

From the air, Allied bombers continued to rain bombs on German supply lines and such bases as VITERBO.

### RUSSIA

Red Army forces continued their three-pronged thrusts toward White Russia, striking toward VITEBSK, MOGILEV and GOMEL, the last named an important center.

Reports from MOSCOW said the bridgehead across the Dnieper between DNEPROPETROVSK and KREMENCHUG is being rapidly enlarged. Fighting is reported in the streets of DNEPROPETROVSK.

Indicating that the German evacuation of the KUBAN is now complete, the Russians announced that

## La battaglia sul fronte di Napoli - Regolare marcia in avanti La VIII Armata occupa l'aeroporto di Foggia

Folle di dimostrazioni di esseri umani tedeschi sparano inermi. Il fascista si accinge, con l'aiuto delle tedesche a fare appresaglia con i tedeschi in Italia. Il fatto che tutte le armi in possesso di noi sono immediatamente consegnate e che i nostri si debbono essere adibiti ai tedeschi. I tedeschi italiani che la mania nelle re- della frontiera sviz- zeri inviati nell'in-

marina germanica ha l'intenzione di inviare alcune unità germaniche nell'Atlantico il che ha determinato atti di sabotaggio da parte degli equipaggi a bordo della nave da guerra « Schamhorst » e di altri incrociatori.

Altre gravi perdite sono state inflitte ai tedeschi in Corsica dove è stata occupata St. Florent, mentre un aeroporto presso Bastia è stato evacuato dai germanici.

Le truppe tedesche cercano continuamente di lasciare l'isola ma sono ostacolate dai reiterati bombardamenti su Bastia. Anche sottomarini alleati incrociano al largo dell'isola e attaccano continuamente le navi germaniche che

vuto incagliarsi e altre cinque navi sono state danneggiate con siluro e colpi di cannone.

Nei Balcani, i patrioti jugoslavi collaborano sempre attivamente con le truppe italiane negli aspri combattimenti per tenere in saldo possesso la costa dalmata.

Nella zona di Spalato l'iniziativa è passata in mano dei patrioti che respingono sempre più indietro i tedeschi e ora fanno pressione su Kin occupata dai tedeschi.

Nel Montenegro i patrioti avanzano verso Nicief e su Nikisik.

L'aviazione alleata ha bombardato ieri l'aeroporto di Castelli Pedriada nell'isola di



te di conseguire ulteriori progressi.

Sulla costa adriatica, la VIII Armata ha occupato Foggia conquistando anche il grande aeroporto e gli altri 12 campi di aviazione minori che esistono nella pianura foggiana e che presto riattivati serviranno all'aviazione alleata per martellare ancora più duramente gli obiettivi militari tedeschi del settentrione e degli altri territori a oriente della penisola.

L'avanzata lungo il Tirreno e l'Adriatico è protetta dalle navi da guerra anglo americane che rovesciano tonnellate di esplosivo sulle linee tedesche e sugli obiettivi bellici delle retrovie germaniche. Tutta la zona di operazioni, inoltre, di Napoli, di Salerno e nel foggiano è stata attaccata dall'aviazione alleata che ha bombardato autocolonne, concentramenti di truppe, linee ferrate e di comunicazioni e altri obiettivi militari.

Inoltre l'idroscalo del lago di Bracciano e stabilimenti industriali presso Viterbo sono stati attaccati e bombardati.

L'appello di Mussolini per il richiamo alle armi nella M. V.S.N. degli italiani che vogliono combattere a fianco dei tedeschi è caduto nel vuoto e ha testimoniato una volta di più la volontà dei cittadini della penisola di non accostarsi a false idealità che hanno dovuto subire per un ventennio.

Infatti soltanto l'uno per dieci si è presentato e a Domoossola hanno chiesto di essere arruolati nella milizia fascista soltanto 13 individui. Gli italiani invece preferiscono unirsi alle truppe e fare la guerriglia contro i tedeschi.

Centinaia di italiani fuggono verso le linee alleate. Alcuni di essi hanno raccontato come i germanici saccheggiano tutte le città italiane da loro occupate. In molti cen-

Gli operai italiani che lavorano in Germania nelle regioni vicine alla frontiera svizzera sono stati inviati nell'interno del Reich.

In seguito alla consegna della flotta italiana agli Alleati, fra gli equipaggi tedeschi comincia a serpeggiare vivo malcontento per le sorti della guerra. Il comando della

reiterati bombardamenti su Bastia. Anche sottomarini alleati incrociano al largo dell'isola e attaccano continuamente le navi germaniche che cercano di lasciare la Corsica. Così dieci navi tedesche cariche di truppe sono state silurate e affondate; una petroliera di grosso tonnellaggio colpita da siluro ha do-

avanzano verso Nicief e su Nikisik.

L'aviazione alleata ha bombardato ieri l'aeroporto di Castelli Pedriada nell'isola di Creta. Apparecchi Wellington hanno attaccato il porto di Suos. Attacchi aerei germanici sulle isole di Leros e di Cos hanno arrecato danni.

# Tamonsk occupata dai sovietici

## Colonne russe puntano su Vitebsk e Gomel

MOSCA, 29

L'ultimo porto della costa settentrionale del Mar d'Azov, Tamonsk, è stato occupato in seguito ad un audace attacco delle forze russe.

I tedeschi hanno subito nel combattimento di difesa di Tamonsk forti perdite e hanno dovuto abbandonare un grande bottino di guerra dato che non hanno avuto il tempo di salvare quasi tutto il materiale bellico accumulato in quella zona data la rapidità della manovra delle truppe sovietiche.

Presso il Dnieper la battaglia infuria furiosamente in tutto il settore. A Dnepropetrovsk si combatte alla periferia. La lotta si svolge per le strade che sono conquistate una per una dai soldati russi che infliggono dure perdite ai difensori. Anche qui il bottino è di grande entità.

A nord ovest di Cramencinsk, i sovietici hanno consolidato e allargato la testa di ponte sul Dnieper e avanzano verso quel centro. La resistenza tedesca è anche in questa zona disperata. Moltissimi prigionieri sono caduti nelle mani delle colonne avanzanti.

Gomel è minacciata da vicino, dato che le avanguardie distano una ventina di chilometri dalla città. È stata occupata lungo questa direttrice la città di Ceminovka.

Le colonne che puntano su Vitebsk hanno compiuto un ulteriore balzo in avanti liberando 25.000 civili russi che erano de-

stinati a essere trasportati in Germania e adibiti ai lavori forzati.

Nel settore di Smolensk, Molev e altri 350 villaggi abitati sono stati liberati. I tedeschi, nel corso di aspri combattimenti hanno avuto 4000 morti e hanno lasciato nelle mani dei russi molti prigionieri e materiale bellico.

### Poderosa incursione della RAF su Hannover e Braunschweig

LONDRA, 29

L'offensiva aerea alleata contro la Germania e i territori occupati è stata condotta anche ieri e ieri notte implacabilmente.

Poderosi contingenti della RAF hanno compiuto una violenta incursione notturna su Hannover centrando numerosi obiettivi bellici, dai quali si sono sviluppati vasti incendi.

Anche Braunschweig è stata attaccata ieri notte da forze aeree britanniche che hanno provocato danni a stabilimenti industriali.

Su Emden è stata compiuta un'altra incursione e le bombe hanno arrecato nuove devastazioni a quell'importante base tedesca di sommergibili.

Incursioni sono state compiute su Aurich, sull'aerodromo di Rouen e su obiettivi bellici di Conche e di Abeville, mentre unità leggere germaniche sono state affondate alla foce della Selda.

Violenti duelli aerei si sono verificati nel corso di tali incursioni fra gli aerei attaccanti e la caccia germanica: 58 velivoli tedeschi risultano abbattuti; 8 bombardieri alleati e 8 caccia non hanno fatto ritorno alle basi.

Sul primo bombardamento di Emden si apprende che le «Fortezze volanti» hanno sganciato sulla base di sottomarini di quella città circa mille tonnellate di bombe.

Fotografie eseguite dalla ricognizione dopo gli ultimi tremonti di bombardamenti su Berlino, mostrano gli immensi danni arrecati a molti stabilimenti ed edifici. La grande fabbrica di motori Siemens risulta distrutta in più parti. I due grandi gazometri della capitale del Reich e quello della Società elettrica centrati in pieno sono saltati in aria. Anche la fabbrica Osram e molti altri stabilimenti nel Charlottenburg hanno riportato gravissimi danni.

Davanti alle coste della Gran Bretagna, unità leggere inglesi hanno attaccato di sorpresa unità tedesche, affondandone una e danneggiandone varie altre.

Un sommergibile tedesco è stato colato a picco da aviatori sud africani nell'Oceano Indiano.

Notizie dalla Norvegia informano che negli equipaggi delle unità da guerra tedesche colà dislocate, comincia a serpeggiare del malcontento e che numerosi atti di sabotaggio si sono verificati sulle navi stesse.

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enlarged fighting is reported in  
the streets of DNEPROPETRO-  
VSK.

Indicating that the German eva-  
cuation of the KUBAN is now com-  
plete, the Russians announced that  
they had taken TAMONSK, last  
remaining port on the Black Sea.  
In the battles West of SMO-  
LENSK, the Russians said 4,000  
Germans were killed yesterday

BALKANS.

LONDON announced King Peter  
of Yugoslavia has gone from Bri-  
tain to the Middle East with his  
staff. BERLIN announced that Ge-  
slapo Chief Heinrich Himmler is  
making an inspection tour of the  
Balkans area.

CORSICA.

Ten troop-laden German trans-  
ports, evacuating men from the  
Corsican port of BASTIA, have  
been sunk by Allied naval action.  
The British announced yesterday  
five other ships were damaged.  
Fighting continues around the port  
which the Germans are trying to  
protect for evacuation operations.

WESTERN FRONT.

A heavy force of Lancasters and  
Wellingtons struck at HANOVER,  
BRAUNSCHWEIG and EMDEN.  
Thirty-eight planes failed to return  
from the heavy raids. The RAF  
announced that despite seemingly  
heavy losses in raids in August, the  
percentage was lower than during  
the preceding twelve months.

EMDEN had not yet recovered  
from a daylight raid when hit  
again at night. During the daylight  
raid 58 German planes were shot  
down.

PACIFIC.

The Japanese base of FINSCHA-  
FEN is completely surrounded by  
Allied troops.

### La base di Finschafen accerchiata dai americani

NEW YORK, 29

L'importante base nipponica  
di Finschafen, nella Nuova Gui-  
nea, è stata completamente ac-  
cerchiata dalle colonne alleate, e  
tutte le vie di comunicazione con  
l'esterno sono state complemen-  
te sbarrate.

Nella città della Nuova Guinea con-  
tinuano a opporre resistenza,  
ma non resta loro altra alterna-  
tiva che di cedere per fame o farsi  
massacrare.

## sk occupata dai sovietici

### russe puntano su Vitebsk e Gomel

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E

E

# CRONACA DI PALERMO

LA RUBRICA DEL LETTORE

## I beni provenienti da illeciti arricchimenti saranno confiscati a beneficio dello Stato

### Un'ordinanza del Governo Militare Alleato per l'istruttoria sulle ricchezze accumulate durante il regime fascista

L'Ufficiale Superiore addetto agli Affari Civili del Governo Militare Alleato, in collaborazione col Prefetto On.le Francesco Musotto;

Considerato che, durante il regime fascista, molti uomini politici, commercianti, industriali ecc. fascisti hanno accumulato delle ricchezze illecite;

#### ORDINA

Art. 1 - Tutti i beni provenienti da illeciti arricchimenti, immobili, mobili, valute, gioielli, oggetti d'arte etc. saranno confiscati e diventeranno patrimonio dello Stato.

Art. 2 - Per tutti gli indiziati sarà fatta un'istruttoria sulla provenienza delle ricchezze accumulate, prendendo come base la situazione al 27 Ottobre 1922 e tenendo conto di quei che, legittimamente, il capitale ed il lavoro potevano fruttare.

Art. 3 - E' costituita la Commissione per la confisca dei beni provenienti dagli illeciti arricchimenti. Essa avrà i poteri più larghi per l'istruttoria e l'investigazione; e potrà servirsi della Polizia, della Guardia di Finanza, della Polizia Tributaria e potrà ordinare perquisizioni. Nel caso gravi, in cui si abbia il sospetto della fuga dell'indiziato o del trafugamento dei beni, potrà essere ordinato l'arresto dell'indiziato ed il fermo dei beni.

Art. 4 - Le sedute della Commissione saranno segrete. L'accusato di illecito arricchimento potrà presentare memoriali e documenti a disculpa, solo a sua firma, ed avrà diritto, però, ad essere udito anche con l'assistenza di un avvocato di fiducia.

cesso di derubare gli amministratori. A nessuno è concesso arricchiarsi alle spalle del popolo. Ecco perchè l'ordinanza esce fuori dall'ambito della cronaca ed assume una forma politica che esalta la libertà e l'onestà democratica.

L'ex casta dominante che senza ritengo abusò della pratica abolizione degli istituti parlamentari e di controllo, e che per arricchirsi illecitamente pretese l'abolizione della libertà di stampa, è già bollata dalla storia. Oggi è chiamata anche davanti ai tribunali di una superiore giustizia. E' lo Stato che si difende, è una nuova morale che sorge, la morale degli onesti, la mo-

rale che fu viva sino al 27 ottobre 1922.

Il maitello deve essere restituito e «Sicilia Liberata» che levò la sua voce a favore di questa causa di onestà politica sarà ben lieta di collaborare con la Commissione perchè i «ladri» restituiscano la refurtiva. E lieti di collaborare saranno i cittadini che hanno non solo il diritto ma il dovere di partecipare a questa opera di bonifica morale. La restituzione del maitello dimostrerà agli accumulatori di ricchezze illecite che la democrazia e la libertà non sono parole: sono principi di onestà e di buon governo della cosa pubblica.

### GOVERNO MILITARE ALLEATO Provincia di Palermo

Considerato che con la semplificazione dei servizi demandati agli Uffici Provinciali dell'Ente Economico della Zootechnia in Sicilia e la soppressione dei raduni per bestiame da macello, viene a cessare la funzione della Commissione Compartmentale Controllo Esperti, con sede in Palermo; Visto l'art. 19 della legge Comunale e Provinciale ed in virtù dei poteri conferiti;

#### ORDINA:

provvedere alla nomina di un reggente dell'Ispettorato Agrario Provinciale al fine di assicurare il regolare funzionamento dell'Ufficio;

Visto l'art. 19 della legge Comunale e Provinciale ed in virtù dei poteri conferiti;

#### ORDINA:

Il dott. Giovanni Chironi, Ispettore Agrario, è nominato Reggente dell'Ispettorato Agrario Provinciale di Palermo.

Palermo, 27 settembre 1943.

**FRANCESCO MUSOTTO**  
Prefetto della Provincia di Palermo

### PER IL RIPRISTINO DELL'AUTOBUS N. 7

I borghigiani e gli sfollati delle borgate Passo di Rigano Santo Isidoro pregano «Sicilia Liberata» di rendersi interveroso verso le competenti Autorità, per il ripristino della automobilistica N. 7 (Piazza Giuseppe Verdi - Passo di Rigano S. Isidoro), anche con un numero di corse limitate nelle mattutine e nel pomeriggio, sarebbe di sollievo specie con l'approssimarsi dell'inverno, potere arrivare senza ritardo agli uffici e nelle officine, onde condurre ai propri lavori.

Fanno noto che qualora l'autobus intralciasse la zona Piazza Giuseppe Verdi, potrà partire dal Corso Canillo F. Chiaro Aprile, angolo Corso Umberto Amelco.

Un gruppo di sfollati

#### Istituto

### LA CASA DELLO STUDIO

Sono in corso le iscrizioni per esami di ammissione alla prima classe parificata del Liceo Scientifico annesso a questo Istituto. Segreteria è aperta tutti i giorni feriali dalle 9 alle 13 in Via Roma 188 (Palazzo Finocchiaro).

#### Dr. V. BEVILOTTI

Medicina interna - Cura radiologica della malaria - Ore 13-14 - Piazza Croci (Via La Farina)

#### CLINICA ARNONE

Viale Libertà 179  
Raggi X - Consultazioni - Ricoveri

#### Dott. FILIPPO DI BELLA

Specialista Radiologo e Fisico  
RAGGI X FISSI E PORTATI  
RADIUM - ONDE CORTI  
Via Vincenzo Errante, 78 (Polclia)

Malattie Orecchio, Naso, Gola

*Art. 113  
Ho visto  
Musotto  
Costanzo  
Moro March  
Indiziato  
Leggenda*

SICILIA LIBERATA

Mercoledì 29 settembre 1943

# DI PALERMO

## Da illeciti arricchimenti a beneficio dello Stato

### Militare Alleato per l'istruttoria te durante il regime fascista

rubare gli ammini-  
strativo è concesso ar-  
e spalle del popolo.  
e l'ordinanza esce  
ambito della cronaca  
una forma politica  
la libertà e l'onestà

dominante che sen-  
abusò della pratica  
degli istituti parla-  
controllo, e che per  
illegittimamente pretes-  
la libertà di stam-  
bollata dalla storia  
mata anche davanti  
di una superiore giu-  
Stato che si d'ifer-  
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### MILITARE ALLEATO di Palermo

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a servizi demandati  
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pressione dei radu-  
ne da macello, vie-  
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Fanno noto che qualora l'au-  
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chiario Aprile, angolo Corso Al-  
berto Amedeo.

*Un gruppo di sfollati*

### Istituto LA CASA DELLO STUDIOSO

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Affari penali - Via Dante, 79

**Avv. VINCENZO PETRIGNI**  
Affari Penali

Art. 4. - Le sedute della Commissione saranno segrete. L'accusato di illecito arricchimento potrà presentare memoriali e documenti a disculpa solo a sua firma, ed avrà diritto, però, ad essere udito anche con l'assistenza di un avvocato di fiducia.

Art. 5. - La Commissione sarà composta di un rappresentante del Prefetto della Provincia, di tre magistrati di grado non inferiore a Giudice di Tribunale e di un ufficiale superiore dei Carabinieri.

Art. 6. - Il giudicato della Commissione sarà affisso nell'albo Pretorio; ed ove la Commissione lo ritenga opportuno, reso noto al pubblico con manifesti nelle pubbliche vie sarà ordinata la pubblicazione sui quotidiani della Sicilia a carico e spese del condannato.

Art. 7. - Il giudicato, anche quando sia fatto reclamo, alla Commissione Suprema, sarà subito eseguito, se è necessario con l'aiuto della forza pubblica.

Art. 8. - Contro il giudicato della Commissione, il condannato potrà entro i tre giorni dalla affissione della ordinanza nell'albo Pretorio presentare reclamo alla Commissione Suprema per la confisca dei beni provenienti dagli illeciti arricchimenti.

Art. 9. - La Commissione Suprema è composta dell'Ufficiale Superiore addetto agli Affari Civili del Governo Alleato, o da un suo rappresentante, dal Prefetto o da un suo rappresentante da due magistrati di grado non inferiore a Consigliere di Corte di Appello e dal Generale Comandante la Legione dei Carabinieri.

Art. 10. - Le sentenze della Commissione Suprema saranno pubblicate con le forme di cui all'art. 6.

Art. 11. - Il presente ordine entra subito in vigore.

Palermo 28 Settembre 1943.

**CHARLES POLETTI**

Tenente Colonnello  
Ufficiale Superiore Addetto  
agli Affari Civili

Il Prefetto: **MUSOTTO**

L'ordinanza del Governo Militare Alleato sugli illeciti arricchimenti non va guardata solo dal lato finanziario ma principalmente da quello squisitamente morale. Che ritorni al popolo ciò che allo Stato ed al popolo fu tolto è in verità una norma di giustizia che solo il regime fascista ha potuto in vent'anni far decadere. Ma è il mondo quello che interessa: a nessuno è concesso di approfittare del potere che il popolo loro affida, a nessun amministratore è con-

ne a cessare la funzione della Commissione Compartmentale Controllo Esperti, con sede in Palermo; Visto l'art. 19 della legge Comunale e Provinciale ed in virtù dei poteri conferiti;

**ORDINA:**

1.) La Commissione Compartmentale Controllo Esperti di Palermo viene sciolta.

2.) Il dott. Luigi Minafra è incaricato della liquidazione della predetta Commissione Compartmentale.

3.) I mobili e tutte le suppellettili, di pertinenza dell'Ufficio che viene sciolto passeranno in carico allo Ispettorato Agrario Compartmentale di Palermo.

Visto che il Capo dell'Ispettorato Agrario Compartmentale di Palermo, prof. Giuseppe Dondi, è assente dalla Sicilia fin dal giorno u. s.;

Considerata la necessità di provvedere alla nomina di altro Capo dell'Ispettorato Agrario Compartmentale in sostituzione del suddetto prof. Dondi, al fine di assicurare il regolare funzionamento del massimo organo agrario per la Sicilia;

Visto l'art. 19 della legge Comunale e Provinciale ed in virtù dei poteri conferiti;

**ORDINA:**

Il dott. Luigi Minafra, attuale Capo dell'Ispettorato Agrario Provinciale di Palermo è nominato Capo dell'Ispettorato Agrario Compartmentale per la Sicilia con sede in Palermo.

Palermo, 27 settembre 1943.

**CHARLES POLETTI**

Tenente Colonnello  
Ufficiale Superiore Addetto  
agli Affari Civili

**Prefettura**

**Provincia di Palermo**

Visto che il Capo dell'Ispettorato Agrario Provinciale di Palermo, dott. Luigi Minafra, con ordinanza del 27 settembre 1943, è stato nominato Capo dell'Ispettorato Agrario Compartmentale; Considerata la necessità di

**Grande Albergo PATRIA**

Palermo, Via Alloro, 104  
Posteggio Automobile. - Riapertura 1° Ottobre Propr. Gov. e Vinc. Corsaro

Giovanni Chironi, Ispettore Agrario, è nominato Reggente dell'Ispettorato Agrario Provinciale di Palermo, Palermo, 27 settembre 1943.

**FRANCESCO MUSOTTO**  
Prefetto della Provincia di Palermo

Visto:

**CHARLES POLETTI**

Tenente Colonnello  
Ufficiale Superiore Addetto  
agli Affari Civili

**Una circolare del Prefetto ai Sindaci della Provincia**

Il Prefetto, on. Musotto, ha diramato la seguente circolare ai Sindaci della Provincia:

« Nel richiamare all'attenzione delle SS. I.L. le norme emanate dal Governo Militare Alleato sulla abrogazione delle leggi che fanno distinzione di razza, colore o fede, e, in particolare, quella di cui all'art. 4 del proclama N. 7, dispongo che negli atti di ufficio e, fra essi, in quelli dello stato civile e nei registri di popolazione, sia omesso ogni riferimento ad una tale distinzione. I moduli e registri attualmente esistenti saranno mantenuti in uso, provvedendosi alle opportune cancellazioni; nei nuovi si ometteranno le parole riferentisi alle abolite distinzioni.

Attendo cenno di assicurazione.

**FRANCESCO MUSOTTO**  
Prefetto della Provincia di Palermo

Visto:

**CHARLES POLETTI**

Tenente Colonnello  
Ufficiale Superiore Addetto  
agli Affari Civili

**REVISIONE AUTOVEICOLI**

a Castelbuono, Collesano e Cerda

Si ricorda che la revisione degli autoveicoli del Comune di Castelbuono avrà luogo mercoledì 29, alle ore 10, presso il locale Comando di stazione RR. CC. e che lo stesso giorno, alle ore 14.30, avrà luogo presso il Comando di stazione di Collesano la revisione degli autoveicoli del Comune di Collesano e Isnello.

Il giorno 30 corrente, alle ore 10, avrà luogo, invece, a Cerda, presso il locale Comando di stazione RR. CC., la revisione degli autoveicoli di Cerda, Sclafani e Caltavuturo.

RICOVERI

**Dott. FILIPPO DI B.**  
Specialista Radiologo e T.  
RAGGI X FISSI E PORT  
RADIUM - ONDE COE  
Via Vine Errante, 78 (Poll

Malattie Orecchio, Naso,  
**Il Prof. PUSATER**  
Direttore servizi Palermo  
riprese le visite Via Milan

**CLINICA ORESTA**  
Chirurgia generale Cura  
Via D'Asaro 48. ore 8-11

**Dott. Vincenzo Giamb.**  
Ostetrico Ginecologo  
Piazza N. Turrisi (già P. Ma  
ore 9-11 e 15-17

**Cav. Dr. Nicastro A.**  
Malattie della pelle, sifil  
e veneree  
Via Principe Granatelli 86 or

**Dr. Cav. G. Di Chiara R.**  
Medico Analista degli Os  
Anali di Sangue, Urine  
Ore 8-12 Via Bandiera 11

**Il Prof. NICOLÒ CAN**  
ha ripreso visite ed oper  
Via Villareale 54

**Prof. Dott. Cav. F. P.**  
Lib. Docente R. Università  
Malattie Orecchio, Naso,  
Via Napoli 70

**DENTISTA**  
**Dr. DI CARLO.** Ha ripreso  
sultazioni. Orario 8-12 Via  
tang. Discesa Giudice

**Prof. LUIGI ZANCO**  
Lib. Doc. Ostetrica e Gine  
San. Noto, Via Dante 310  
porm Mondello Via III Cor  
n 35.

**CINEMA T**  
**Mercoledì**  
**Un nuovo docu**  
**Gli Alle**  
**e PASSE**  
**Un'attesa prima**  
**F E**  
**con MARY CA**  
Gli spettacoli hanno  
menica alle ore 13.30 og  
La vendita del biglietto

...ssure la funzione della  
...sione Compartmentale  
...io Esperti, con sede in  
...o; Visto l'art. 19 della leg-  
...onale e Provinciale ed in  
...i poteri conferiti;  
**ORDINA:**  
... Commissione Comparti-  
... Controllo Esperti di Pa.  
...lene scelta,  
...dott. Luigi Minafra è in-  
...della liquidazione della  
... Commissione Comparti-

...mobili e tutte le suppli-  
...di pertinenza dell'Ufficio  
...ne sciolto passeranno in  
...allo Ispettorato Agrario  
...imentale di Palermo.

\*  
...che il Capo dell'Ispetto-  
...ario Compartmentale di  
...o, prof. Giuseppe Dondi,  
...e dalla Sicilia fin dal giu-  
...;

...erata la necessità di  
...ere alla nomina di altro  
...dell'Ispettorato Agrario  
...imentale in sostituzione  
...dott. prof. Dondi, al fine  
...urare il regolare funzio-  
...del massimo organo a-  
...er la Sicilia;

...l'art. 19 della legge Co-  
...a Provinciale ed in virtù  
...ri conforiti;

**ORDINA:**  
...Luigi Minafra, attuale  
...dell'Ispettorato Agrario  
...ale di Palermo è nomi-  
...po dell'Ispettorato Agra-  
...partmentale per la Sic-  
...sede in Palermo.

...o, 27 settembre 1943.

**CHARLES POLETTI**  
Tenente Colonnello  
Ufficiale Superiore Addetto  
agli Affari Civili

**prefettura**

**Provincia di Palermo**

...che il Capo dell'Ispetto-  
...ario Provinciale di Pa-  
...dott. Luigi Minafra, con  
...a del 27 settembre 1943,  
...nominato Capo dell'Ispet-  
...grario Compartmentale;  
...erata la necessità di

**Albergo PATRIA**

...no, Via Alloro, 104  
...o Automobile. - Risper-  
...Ottobre Propr. Gov. e  
...Vinc. Corsaro

...tore Agrario, è nominato Reg-  
...gente dell'Ispettorato Agrario  
...Provinciale di Palermo,  
...Palermo, 27 settembre 1943.

**FRANCESCO MUSOTTO**  
Prefetto della Provincia  
di Palermo

Visto:

**CHARLES POLETTI**

Tenente Colonnello  
Ufficiale Superiore Addetto  
agli Affari Civili

### Una circolare del Prefetto ai Sindaci della Provincia

Il Prefetto, on. Musotto, ha di-  
ramato la seguente circolare ai  
Sindaci della Provincia:

« Nel richiamare all'attenzione  
delle SS. LL. le norme emanate  
dal Governo Militare Alleato  
sulla abrogazione delle leggi che  
fanno distinzione di razza, colo-  
re o fede, e, in particolare, quel-  
la di cui all'art. 4 del proclama  
N. 7, dispongo che negli atti di  
ufficio e, fra essi, in quelli dello  
stato civile e nei registri di po-  
polazione, sia omesso ogni rife-  
rimento ad una tale distinzione.

I moduli e registri attualmen-  
te esistenti saranno mantenuti  
in uso, provvedendosi alle op-  
portune cancellazioni; nei nuovi  
si ometteranno le parole riferen-  
tisi alle abolite distinzioni.

Attendo cenno di assicurazione.

**FRANCESCO MUSOTTO**  
Prefetto della Provincia  
di Palermo

Visto:

**CHARLES POLETTI**

Tenente Colonnello  
Ufficiale Superiore Addetto  
agli Affari Civili

### REVISIONE AUTOVEICOLI

a Castelbuone, Collesano e Cerda

Si ricorda che la revisione deg-  
li autoveicoli del Comune di  
Castelbuono avrà luogo merco-  
ledi 29, alle ore 10, presso il lo-  
cale Comando di stazione RR.  
CC. e che lo stesso giorno, alle  
ore 14.30, avrà luogo presso il  
Comando di stazione di Colles-  
ano la revisione degli autovei-  
coli del Comune di Collesano e  
Isaleo.

Il giorno 30 corrente, alle ore  
10, avrà luogo, invece, a Cerda,  
presso il locale Comando di sta-  
zione RR. CC., la revisione degli  
autoveicoli di Cerda, Selafani e  
Caltavuturo.

**RICOVERI**

**Dott. FILIPPO DI BELLA**  
Specialista Radiologo e Tisologo  
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**Il Prof. PUSATERI**  
Direttore servizi Palermo, ha  
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Piazza N. Turrisi (già P. Marmi) 36  
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Via Principe Granatelli 86 ore 11-13

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Medico Analista degli Ospedali  
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Ore 8-12 Via Bandiera 11 T. 18868

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ha ripreso visite ed operazioni  
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Malattie Orecchio, Naso, Gola  
Via Napoli 70

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sultazioni. Orario 8-12 Via Roma  
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Lib. Doc. Ostetrica e Ginecologia  
San. Not. Via Dante 310 ore 9-12  
pom. Mondello Via III Compagnia,  
n. 35.

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Reparto lavorazione del legno  
Via Pignatelli Aragona, 84

**Avv. Comm. Franc. Cracolici**  
Affari penali - Via Dante, 79

**Avv. VINCENZO PETRIGNI**  
Affari Penali  
Riove Via Stabile, 221. ore 9-13

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P.zza G. Verdi, 6 - Tel. 13085  
Ore 12-14

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Affari Penali  
Via Giovanni Meli, 39

**Avv. FRANCESCO SOMMA**  
Via Nicolò Garzilli, 24

**Avv. G. Romano Battaglia**  
Via Libertà 31 - Ore 8-14

**Dott. FRANZ FERRO**  
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Via Maqueda, 334. Telef. 17193  
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**Cinema Teatro Massimo**

Mercoledì 29 Settembre - Ore 15,45  
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**All americane su Tokio**

**Film: Pazzo d'amore**

Per le inserzioni pubblicitarie rivol-  
gersi in Vicolo Cerda

Tipografia - Via Stabile

**CINEMA TEATRO SAVOIA**

Mercoledì 29 Settembre 1943

Ore 15,45

Un nuovo documentario:

**Gli Alleati in Sicilia**  
e **PASSEGGIATA LAMBETH**

Un'attesa prima visione:

**FEBBRE.**

con **MARY CARILLO** e **ANDREA CHECCHI**

Gli spettacoli hanno inizio i giorni feriali alle ore 15,45; la do-  
menica alle ore 13,30 ed alle ore 15,45  
La vendita del biglietto ha inizio tutti i giorni dalle ore 10 in

Order by the Allied Military Government for the investigation of fortunes acquired during the Fascist Regime.

The S.C.A.C. Palermo in collaboration with the Prefet Francesco Musetto.

WHEREAS during the Fascist Regime, many politicians traders, industrialists etc., have acquired illicitly large fortunes

IT IS HEREBY ORDERED as follows:-

All property such as real estate, furniture, stock and shares works of art, jewells etc., acquired illicitly shall be confiscated and become the property of the State.

Investigations will be made in connection with the origin of such acquired property taking as a basis the financial situation of the defendants on 22nd October 1922 and taking into account of the legitimate yield of capital and labour.

A "Commission for the confiscation of illicit gains" is hereby created.

This Commission will be invested with the largest powers of research and investigation and will be entitled to make use of the Police, the Guards of Finance, "Polizia Tributaria and to order requisitions.

In serious cases, when it can be suspected that the defendant may attempt an escape or transfer his property, the Commission will be empowered to order his arrest and seizure of his property.

The sittings of the Commission will be secret. The accused will be allowed to present memorials and documents for his defence and to be heard with the assistance of a trusted lawyer.

The Commission will be composed of a representative of the Prefetto of the province, three judges and an officer of the Carabinieri.

All judgments of the Commission shall be posted in the Prefecture (Albo pretorio) and if desirable, the Commission may order them to be brought to the notice of the public by posting in the streets and insertion in the local papers at the expense of the

Art. 1.

Art. 2.

Art. 3.

Art. 4.

Art. 5.

Art. 6.

This Commission will be invested with the largest powers of research and investigation and will be entitled to make use of the Police, the guards of Finance, "Polizia Tributaria and to order perquisitions.  
In serious cases, when it can be suspected that the defendant may attempt an escape or transfer his property, the Commission will be empowered to order his arrest and seizure of his property.

Art. 4. The sittings of the Commission will be secret. The accused will be allowed to present memorials and documents for his defence and to be heard with the assistance of a trusted lawyer.

Art. 5. The Commission will be composed of a representative of the Prefetto of the province, three judges and an officer of the Carabinieri.

Art. 6. All judgments of the Commission shall be rosted in the Preture (Albo pretorio) and if desirable, the Commission may order them to be brought to the notice of the public by posting in the streets and insertion in the local papers at the expense of the person sentenced.

Art. 7. All judgments, even when appeal to the Surreme Commission is pending; will be executed immediately, if necessary with the aid of the police.

Art. 8. Any sentenced person may within three days of the sentence being rosted in the Preture appeal to the "Surreme Commission for the confiscation of property illicitly acquired".

Art. 9. The "Surreme Commission" will be composed of the <sup>S.C.A.O.</sup> ~~S.I.C.~~ or his representative, the Prefetto or his representative, two "consiglieri di Corte d'arresto" and the general of the Carabinieri.

Art. 10. Sentences of the Surreme Commission will be brought to the notice of the public as in Art. 6.

Art. 11. The present order will become operative at once.  
Falerio. 28th Sept. 1943.  
The Prefetto. Fusotto.  
(S.C.A.O.)  
S.C.A.O.



# CRONACA DI PALERMO

## I beni provenienti da illeciti arricchimenti saranno confiscati a beneficio dello Stato

### Un'ordinanza del Governo Militare Alleato per l'istruttoria sulle ricchezze accumulate durante il regime fascista

L'Ufficiale Superiore addetto agli Affari Civili del Governo Militare Alleato, in collaborazione col Prefetto On.le Francesco Musotto; Considerato che, durante il regime fascista, molti uomini politici, commercianti, industriali ecc., fascisti hanno accumulato delle ricchezze illecite;

#### ORDINA

Art. 1. - Tutti i beni provenienti da illeciti arricchimenti, immobili, mobili, valute, gioielli, oggetti d'arte ecc. saranno confiscati e diventeranno patrimonio dello Stato.

Art. 2. - Per tutti gli indiziati sarà fatta un'istruttoria sulla provenienza delle ricchezze accumulate, prendendo come base la situazione al 27 Ottobre 1922 e tenendo conto di quel che, legittimamente, il capitale ed il lavoro potevano fruttare.

Art. 3. - E' costituita la Commissione per la confisca dei beni provenienti dagli illeciti arricchimenti. Essa avrà i poteri più larghi per l'istruttoria e l'investigazione; e potrà servirsi della Polizia, della Guardia di Finanza, della Polizia Tributaria e potrà ordinare perquisizioni. Nel caso gravi, in cui si abbia il sospetto della fuga dell'indiziato o del trafugamento dei beni, potrà essere ordinato l'arresto dell'indiziato ed il fermo dei beni.

Art. 4. - Le sedute della Commissione saranno segrete. L'accusato di illecito arricchimento potrà presentare memoriali e documenti a disculpa, solo a sua firma, ed avrà diritto, però, ad essere udito anche dall'avvocato di sua scelta.

cesso di derubare gli amministratori. A nessuno è concesso arricchirsi a le spalle del popolo. Ecco perchè l'ordinanza esce fuori dall'ambito della cronaca ed assume una forma politica che esalta la libertà e l'onestà democratica.

L'ex casta dominante che senza ritengo abusò della pratica abolizione degli Istituti parlamentari e di controllo, e che per arricchirsi illecitamente pretese l'abolizione della libertà di stampa, è già bollata dalla storia. Oggi è chiamata anche davanti ai tribunali di una superiore giustizia. E' lo Stato che si difende, è una nuova morale che sorge, la morale degli onesti, la mo-

rale che fu viva sino al 27 ottobre 1922.

Il moltiplo deve essere restituito e «Sicilia Liberata» che levò la sua voce a favore di questa causa di onestà politica sarà ben lieta di collaborare con la Commissione perchè i «ladri» restituiscano la refurtiva. E lieti di collaborare saranno i cittadini che hanno non solo il diritto ma il dovere di partecipare a questa opera di bonifica morale. La restituzione del moltiplo dimostrerà agli accumulatori di ricchezze illecite che la democrazia e la libertà non sono parole: sono principi di onestà e di buon governo della cosa pubblica.

### GOVERNO MILITARE ALLEATO Provincia di Palermo

Considerato che con la semplificazione dei servizi demandati agli Uffici Provinciali dell'Ente Economico della Zootecnia in Sicilia e la soppressione dei raduni per bestiame da macello, viene a cessare la funzione della Commissione Compartmentale Controllo Esporti, con sede in Palermo; Visto l'art. 19 della legge Comunale e Provinciale ed in virtù dei poteri conferiti;

#### ORDINA

provvedere alla nomina di un reggente dell'Ispettorato Agrario Provinciale al fine di assicurare il regolare funzionamento dell'Ufficio;

Visto l'art. 19 della legge Comunale e Provinciale ed in virtù dei poteri conferiti;

#### ORDINA

Il dott. Giovanni Chironi, Ispettore Agrario, è nominato Reggente dell'Ispettorato Agrario Provinciale di Palermo.

Palermo, 27 settembre 1943.

**FRANCESCO MUSOTTO**  
Prefetto della Provincia di Palermo

### LA RUBRICA DEL LETTORE

#### PER IL RIPRISTINO DELL'AUTOBUS N. 7

I borghigiani e gli sfollati delle borgate Passo di Rigano e Santo Isidoro pregano «Sicilia Liberata» di rendersi interprete verso le competenti Autorità Alleate, per il ripristino della linea automobilistica N. 7 (Piazza Giuseppe Verdi - Passo di Rigano - S. Isidoro), anche con un numero di corse limitate nelle ore mattutine e nel pomeriggio. Ciò sarebbe di sollievo specie con lo approssimarsi dell'inverno, per potere arrivare senza ritardo negli uffici e nelle officine, onde accudire ai propri lavori.

Fanno noto che qualora l'autobus intralciasse la zona di Piazza Giuseppe Verdi, potrebbe partire dal Corso Candillo Finocchiaro Aprile, angolo Corso Alberto Amedeo.

Un gruppo di sfollati

#### Istituto

### LA CASA DELLO STUDIOSO

Sono in corso le iscrizioni per gli esami di ammissione alla prima classe parificata del Liceo Scientifico annesso a questo Istituto. La Segreteria è aperta tutti i giorni feriali dalle 9 alle 13 in Via Roma 188 (Palazzo Finocchiaro).

#### Dr. V. BEVILOTTI

Medicina interna Cura radicale della malaria Ore 13-16 Piazza Croci (Via La Farina, 1)

#### CLINICA ARNONE

Viale Libertà 179 Raggi X - Consultazioni Ricoveri

#### Dott. FILIPPO DI BELLA

Specialista Radiologo e Fisiologo RAGGI X FISSI E PORTATILI RADIUM - ONDE CORTE Via Vinc. Errante, 78 (Policlinico)

Malattie Orecchio, Naso, Gola

SICILIA LIBERATA

Mercoledì 29 settembre 1943

# DI PALERMO

## La illegittimi arricchimenti beneficio dello Stato

### Militare Alleato per l'istruttoria durante il regime fascista

...bare gli amministrato e concesso amministrativo del popolo. L'ordinanza esecutiva della cronaca in forma politica libertà e l'onestà dominante che sanzionò la pratica degli istituti parlati, controllo, e che per eccitamento preteso alla libertà di stampata dalla storia stata anche davanti a una superiore giustizia Stato che si difende in morale che sordegli onesti, la mo-

rafe che fu viva sino al 27 ottobre 1922. Il moltiplo deve essere restituito e «Stella Liberata» che levò la sua voce a favore di questa causa di onestà politica sarà ben lieta di collaborare con la Commissione perchè i «ladri» restituiscano la refurtiva. E lieti di collaborare saranno: cittadini che hanno non solo il diritto ma il dovere di partecipare a questa opera di bonifica morale. La restituzione del moltiplo dimostrerà agli accumulatori di ricchezze illecite che la democrazia e la libertà non sono parole: sono principi di onestà e di buon governo della cosa pubblica.

### IL TARE ALLEATO di Palermo

...che con la semplice servizi demandati provinciali dell'Ente della Zootecnia in Siracusa da macello, viene in funzione della Compartmentale aperti, con sede in Palermo, 27 settembre 1943.

provvedere alla nomina di un reggente dell'Ispettorato Agrario Provinciale al fine di assicurare il regolare funzionamento dell'Ufficio;  
Visto l'art. 19 della legge Comunale e Provinciale ed in virtù dei poteri conferiti;  
**ORDINA:**  
Il dott. Giovanni Chironi, Ispettore Agrario, è nominato Reggente dell'Ispettorato Agrario Provinciale di Palermo.  
Palermo, 27 settembre 1943.  
**FRANCESCO MUSOTTO**  
Prefetto della Provincia di Palermo

## LA RUBRICA DEL LETTORE

### PER IL RIPRISTINO DELL'AUTOBUS N. 7

I borghigiani e gli sfollati delle borgate Passo di Rigano e Santo Isidoro pregano «Sicilia Liberata» di rendersi interprete verso le competenti Autorità Alleanze, per il ripristino della linea automobilistica N. 7 (Piazza Giuseppe Verdi - Passo di Rigano - S. Isidoro), anche con un numero di corse limitate nelle ore mattutine e nel pomeriggio. Ciò sarebbe di sollievo specie con l'approssimarsi dell'inverno, per potere arrivare senza ritardo negli uffici e nelle officine, onde acudirsi ai propri lavori.

Fanno noto che qualora l'autobus intralciasse in zona di Piazza Giuseppe Verdi, potrebbe partire dal Corso Camillo Finocchiaro Aprile, angolo Corso Alberto Amedeo.

Un gruppo di sfollati

Istituto

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### Dott. FILIPPO DI BELLA

Specialista Radiologo e Tisiologo  
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RADIUM - ONDE CORTE  
Via V. Errante, 78 (Policlinico)  
Malattie Orecchio, Naso, Gola

**Dott. GIUSEPPE CANDELA**  
perfezionato a Parigi  
Malattie Veneree, Sifilitiche, Pelle  
Via Villareale 54 (Clinica Candela),  
ai 4 Canti di Campagna  
Ore 8-13 e 18-19.

### DENTISTA

**Dott. E. TAORMINA**  
Via Roma 199 (4 Canti Via Roma)  
riceve ore 9-12 e 14-17

### Dott. M. GALIOTO

Ass. Clinica Dermosifilopatica R.  
Università, Malattie veneree, sifilitiche, pelle. Via Roma 171 (rimp. Cinema Finocchiaro) ore 8-10, 12-14

**Dott. Comm. C. Di Gregorio**  
Specialista malattie Veneree, Sifilitiche Pelle  
PALERMO: Via Roma 325 (di fronte Palazzo Poste) Orario 8-12

### Dott. Prof. VITA

Libero docente Radiologia R. U.  
Raggi X. Radium - Apparecchio trasportabile  
trasferito temporaneamente in Via Sampolo 119 A (Accanto Don Bosco)

### Prof. A. CROSTI

Direttore Clinica Dermosifilopatica R. Università  
Consultazioni private in Clinica 10-12 Policlinico Finocchiaro

### Dott. VITO DI BELLA

Direttore Dispensario  
Antivenereo del Porto Specialista Malattie Veneree Sifilitiche - Pelle  
Palermo Via XX Settembre 65 ore 11-13  
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L'Avv. Franco Berna  
ricevono in clientela tutti i giorni allo Studio: Via Libertà 14 ore 8-13

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ed accurate di porte, persiane ed infissi in genere. Preventivi gratis a richiesta. Rivolgersi a:  
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Via Pignatelli Aragona, 94

### Avv. Comm. Franc. Cracolici

Affari penali - Via Dante, 79

### Avv. VINCENZO PETRIGNI

Affari Penali

dell'indiziato ed il fermo dei beni.  
**Art. 4.** - Le sedute della Commissione saranno segrete. L'accusato di illecito arricchimento potrà presentare memoriali e documenti a disculpa, solo a sua firma, ed avrà diritto, però, ad essere udito anche con l'assistenza di un avvocato di fiducia.

**Art. 5.** - La Commissione sarà composta di un rappresentante del Prefetto della Provincia, di tre magistrati di grado non inferiore a Giudice di Tribunale e di un ufficiale superiore dei Carabinieri.

**Art. 6.** - Il giudicato della Commissione sarà affisso nell'albo Pretorio; ed ove la Commissione lo ritenga opportuno, reso noto al pubblico con manifesti nelle pubbliche vie sarà ordinata la pubblicazione sul quotidiani della Sicilia a carico e spese del condannato.

**Art. 7.** - Il giudicato, anche quando sia fatto reclamo, alla Commissione Suprema, sarà subito eseguito, se è necessario con l'aiuto della forza pubblica.

**Art. 8.** - Contro il giudicato della Commissione, il condannato potrà entro i tre giorni dalla affissione della ordinanza nell'albo Pretorio presentare reclamo alla Commissione Suprema per la confisca dei beni provenienti dagli illeciti arricchimenti.

**Art. 9.** - La Commissione Suprema è composta dell'Ufficiale Superiore addetto agli Affari Civili del Governo Alleato, o da un suo rappresentante, dal Prefetto o da un suo rappresentante da due magistrati di grado non inferiore a Consigliere di Corte di Appello e dal Generale Comandante la Legione dei Carabinieri.

**Art. 10.** - Le sentenze della Commissione Suprema saranno pubblicate con le forme di cui all'art. 6.

**Art. 11.** - Il presente ordine entra subito in vigore.

Palermo 28 Settembre 1943.

**CHARLES POLETTI**

Tenente Colonnello  
Ufficiale Superiore Addetto  
agli Affari Civili

Il Prefetto: **MUSOTTO**

L'ordinanza del Governo Militare Alleato sugli illeciti arricchimenti non va guardata solo dal lato finanziario ma principalmente da quello squisitamente morale. Che ritorni al popolo ciò che allo Stato ed al popolo fu tolto è in verità una norma di giustizia che solo il regime fascista ha potuto in vent'anni far decadere. Ma è il monito quello che interessa: a nessuno è concesso di approfittare dei poteri che il popolo loro affida, a nessun amministratore è con-

cesso di cessare la funzione della Commissione Compartmentale Controllo Esperti, con sede in Palermo; Visto l'art. 19 della legge Comunale e Provinciale ed in virtù dei poteri conferiti;

**ORDINA:**

1.) La Commissione Compartmentale Controllo Esperti di Palermo viene sciolta.

2.) Il dott. Luigi Minafra è incaricato della liquidazione della predetta Commissione Compartmentale.

3.) I mobili e tutte le suppellettili, di pertinenza dell'Ufficio che viene sciolto passeranno in carico allo Ispettorato Agrario Compartmentale di Palermo.

\*

Visto che il Capo dell'Ispettorato Agrario Compartmentale di Palermo, prof. Giuseppe Dondi, è assente dalla Sicilia fin dal giugno u. s.;

Considerata la necessità di provvedere alla nomina di altro Capo dell'Ispettorato Agrario Compartmentale in sostituzione del suddetto prof. Dondi, al fine di assicurare il regolare funzionamento del massimo organo agrario per la Sicilia;

Visto l'art. 19 della legge Comunale e Provinciale ed in virtù dei poteri conferiti;

**ORDINA:**

Il dott. Luigi Minafra, attuale Capo dell'Ispettorato Agrario Provinciale di Palermo è nominato Capo dell'Ispettorato Agrario Compartmentale per la Sicilia con sede in Palermo.

Palermo, 27 settembre 1943.

**CHARLES POLETTI**

Tenente Colonnello  
Ufficiale Superiore Addetto  
agli Affari Civili

**Prefettura**

**Provincia di Palermo**

Visto che il Capo dell'Ispettorato Agrario Provinciale di Palermo, dott. Luigi Minafra, con ordinanza del 27 settembre 1943, è stato nominato Capo dell'Ispettorato Agrario Compartmentale; Considerata la necessità di

**Grande A berro PATRIA**

Palermo, Via Alloro, 104  
Posteggio Automobile. - Riapertura  
1° Ottobre Propr. Giov. e  
Vinc. Corfaro

Il dott. Giovanni Corfaro, Ispettore Agrario, è nominato Reggente dell'Ispettorato Agrario Provinciale di Palermo.

Palermo, 27 settembre 1943.

**FRANCESCO MUSOTTO**

Prefetto della Provincia  
di Palermo

Visto:

**CHARLES POLETTI**

Tenente Colonnello  
Ufficiale Superiore Addetto  
agli Affari Civili

**Una circolare del Prefetto  
ai Sindaci della Provincia**

Il Prefetto, on. Musotto, ha diramato la seguente circolare ai Sindaci della Provincia:

« Nel richiamare all'attenzione delle SS. LL. le norme emanate dal Governo Militare Alleato sulla abrogazione delle leggi che fanno distinzione di razza, colore o fede, e, in particolare, quella di cui all'art. 1 del proclama N. 7, dispongo che negli atti di ufficio e, fra essi, in quelli dello stato civile e nei registri di popolazione, sia omissa ogni riferimento ad una tale distinzione. I moduli e registri attualmente esistenti saranno mantenuti in uso, provvedendosi alle opportune cancellazioni; nei nuovi si ometteranno le parole riferenti alle abolite distinzioni. Attendo cenno di assicurazione.

**FRANCESCO MUSOTTO**

Prefetto della Provincia  
di Palermo

Visto:

**CHARLES POLETTI**

Tenente Colonnello  
Ufficiale Superiore Addetto  
agli Affari Civili

**REVISIONE AUTOVEICOLI**

a Castelbuono, Jollesano e Gerda

Si ricorda che la revisione degli autoveicoli del Comune di Castelbuono avrà luogo mercoledì 29, alle ore 10, presso il locale Comando di stazione RR. CC. e che lo stesso giorno, alle ore 14.30, avrà luogo presso il Comando di stazione di Collesano la revisione degli autoveicoli del Comune di Collesano e Isneto.

Il giorno 30 corrente, alle ore 10, avrà luogo invece, a Gerda, presso il locale Comando di stazione RR. CC. la revisione degli autoveicoli di Gerda, Solafoni e Caltavuturo.

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**Dott. FILIPPO DI BEL**  
Specialista Radiologo e Tisiologo  
**RAGGI X FISSI E PORTATI**  
**RADIUM - ONDE CORTI**  
Via Vinc. Errante, 78 (Polclit)

Malattie Orecchio, Naso, Gola  
**Il Prof. PUSATERI**  
Direttore servizi Palermo,  
ripreso le visite Via Milano.

**CLINICA ORESTANO**  
Chirurgia generale Cura turca  
Via D'Asaro 48. ore 8-11 e 15-17

**Dott. Vincenzo Giamban**  
Ostetrico Ginecologo  
Piazza N. Turrisi (già P. Marmitta)  
ore 9-11 e 15-17

**Cav. Dr. Nicastro Arturo**  
Malattie della pelle, sifilite  
e venereo  
Via Principe Granatelli 66 ore 8-12

**Dr. Cav. G. Di Chiara Rom**  
Medico Analista degli Ospedali  
Analisi di Sangue, Urine etc.  
Ore 8-12 Via Bandiera 11 T. 1

**Il Prof. NICOLO' CANDE**  
ha ripreso visite ed operazioni  
Via Villavalle 54

**Prof. Dott. Cav. F. P. Lo**  
Lib. Docente R. Università di Palermo  
Malattie Orecchio, Naso, Gola  
Via Napoli 70

**DENTISTA**  
**Dr. DI CARLO.** Ha ripreso le  
sullazioni. Orario 8-12 Via B.  
(ang. Discesa Giudici)

**Prof. LUIGI ZANCL**  
Lib. Doc. Ostetrica e Ginecologia  
San. Noto. Via Dante 310 ore 8-12  
pom. Mondello Via III Compagnia  
n. 35

**CINEMA TEATRO**  
**Mercoledì 29**  
**Un nuovo documentario**  
**Gli Alleati**  
**e PASSEGGIO**  
**Un'attesa prima**  
**FELICITA'**  
**CON MARY CARD**

Gli spettacoli hanno inizio  
mercoledì alle ore 13.30 ed al  
La vendita dei biglietti

re in funzione della  
 Compartimentale  
 Esperti, con sede in  
 art. 19 della legge  
 e Provinciale ed in  
 conferiti;  
**ORDINA:**  
 Commissione Comparti-  
 controllo Esperti di Po-  
 sciolta.  
 Luigi Minafra è in  
 alla liquidazione della  
 Commissione Comparti-  
 bili e tutte le suppli-  
 pertinenza dell'Ufficio  
 sciolto passeranno in  
 Ispettorato Agrario  
 mentale di Palermo.

Il Capo dell'Ispetto-  
 rio Compartimentale di  
 prof. Giuseppe Dondi,  
 nella Sicilia fin dal giu-  
 rata la necessità di  
 e alla nomina di altro  
 l'Ispettorato Agrario  
 mentale in sostituzione  
 to prof. Dondi, al fine  
 rare il regolare funzio-  
 del massimo organo a-  
 la Sicilia;

art. 19 della legge Co-  
 Provinciale ed in virtù  
 conferiti;

**ORDINA:**  
 Luigi Minafra, attuale  
 dell'Ispettorato Agrario  
 di Palermo è nomi-  
 o dell'Ispettorato Agra-  
 rimentale per la Sicil-  
 iede in Palermo.  
 o, 27 settembre 1943.

**CHARLES POLETTI**  
 Tenente Colonnello  
 Ufficiale Superiore Addetto  
 agli Affari Civili

**prefettura**  
**Provincia di Palermo**  
 che il Capo dell'Ispetto-  
 rario Provinciale di Pa-  
 lermo, Luigi Minafra, con  
 la del 27 settembre 1943,  
 nominato Capo dell'Ispet-  
 torato Agrario Compartimentale;  
 erata la necessità di

**de A berro PATRIA**  
 Palermo, Via Alario, 104  
 no Automobile. - Ripar-  
 Ottobre Progr. Gov. e  
 V. V. Coriano

tole Agrario, è nominato Reg-  
 gente dell'Ispettorato Agrario  
 Provinciale di Palermo,  
 Palermo, 27 settembre 1943.

**FRANCESCO MUSOTTO**  
 Profeta della Provincia  
 di Palermo

Vice:  
**CHARLES POLETTI**  
 Tenente Colonnello  
 Ufficiale Superiore Addetto  
 agli Affari Civili

**Una circolare del Prefetto  
 ai Sindaci della Provincia**

Il Prefetto, prof. Musotto, ha di-  
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 stato civile e nei registri di po-  
 polazione, sia messo ogni rife-  
 rimento ad una tale distinzione.

I moduli e registri attualmente  
 esistenti debbono mantenuti  
 in uso, provvedendosi alle op-  
 portune cancellazioni; nei nuovi  
 ad emetterli senza parole riferen-  
 tisi alle aboli distinzioni.

Atteno nemici assicurazione.

**FRANCESCO MUSOTTO**  
 Profeta della Provincia  
 di Palermo

Vice:  
**CHARLES POLETTI**  
 Tenente Colonnello  
 Ufficiale Superiore Addetto  
 agli Affari Civili

**REVISIONE AUTOVEICOLI**  
 a Castelbuono, Jalesano e Cerda

Si ricorda che la revisione degli  
 autoveicoli del Comune di  
 Castelbuono avrà luogo merco-  
 ledì 29, alle ore 10, presso il lo-  
 cale Comando di stazione RR.  
 CC. e che lo stesso giorno, alle  
 ore 14.30, avrà luogo presso il  
 Comando di stazione di Colle-  
 sanza la revisione degli autovei-  
 coli del Comune di Collesano e  
 Cerda.

Il giorno mercoledì, alle ore  
 10, avrà luogo invece, a Cerda,  
 presso il locale Comando di sta-  
 zione RR. CC. la revisione degli  
 autoveicoli di Cerda, S. Maria e  
 Caltavuturo.

**Dott. FILIPPO DI BELLA**  
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**RAGGI X FISSI E PORTATILI**  
**RADIUM - ONDE CORTE**  
 Via Vinc. Eriante, 78 (Pollicinico)

Malattie Orecchio, Naso, Gola  
**Il Prof. PUSATERI**  
 Direttore servizi Palermo, ha  
 ripreso le visite Via Milano, 15

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 Chirurgia generale Cura tumor.  
 Via D'Asaro 48, ore 8-11 e 15-18

**Dott. Vincenzo Giambanco**  
 Ostetrico Ginecologo  
 Piazza N. Turrisi (Via F. Marra) 30  
 ore 9-11 e 15-17

**Cav. Dr. Nicastro Arturo**  
 Malattie della pelle, sifilitiche  
 e veneree  
 Via Principe Granatelli 56 ore 11-13

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 Medico Analista degli Ospedali  
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 Ore 8-12 Via Bandiera 11 T. 18806

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 ha ripreso visite ed operazioni  
 Via Villavalle 54

**Prof. Dott. Cav. F. P. Longo**  
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 Malattie Orecchio, Naso, Gola  
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 sultazioni. Orario 8-12 Via Roma  
 (ang. Discesa Gaudeli)

**Prof. LUIGI ZANCLA**  
 Lib. Doc. Ostetrica e Ginecologia  
 Sui. Notò. Via Dante 310 ore 9-12  
 pom. Mondello Via III Compagnia,  
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 Via Tignatelli Aragona, 84

**Avv. Comm. Franc. Cracolici**  
 Affari penali - Via Dante, 79

**Avv. VINCENZO PETRIGNI**  
 Affari Penali  
 Piazza Via Etiole, 221 ore 9-12

**Avv. Prof. NINO MARRONE**  
 Piazza G. Verdi, 6 - Tel. 13085  
 Ore 12-14

**Avv. FILIPPO SANFILIPPO**  
 Affari Penali  
 Via Giovanni Mellè, 39

**Avv. FRANCESCO SOMMA**  
 Via Nicola Garzilli, 24

**Avv. G. Romano Battaglia**  
 Via Libertà 31 - Ore 8-14

**Dott. FRANZ FERRO**  
 Medicina interna - Malattie di petto  
 Raggi X fissi e portatili  
 Via Marquetti, 334. Telef. 17193  
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 Fernandez Via Di Marco, 26.

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 Mercoledì 29 Settembre - Ore 15,45  
 Documentario:  
**All'americare su Tokio**  
 Film: **Pazzo d'amore**  
 Per le inserzioni pubblicitarie rivol-  
 gersi in Viale Cerda  
 Tipografia - Via Stabile

**CINEMA TEATRO SAVOIA**  
**Mercoledì 29 Settembre 1943**  
 Ore 15,45

Un nuovo documentario:  
**Gli Alleati in Sicilia**  
 e **PASSEGGIATA LAMBETH**

Un'attesa prima visione:  
**FEBBRE**  
 con **MARY CARILLO** e **ANDREA CHECCHI**

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 menica alle ore 13,30 ed alle ore 15,45.  
 La vendita dei biglietti ha inizio tutti i giorni dalle ore 10 in poi.

# SICILIA LIBERA

N. 54

QUOTIDIANO DI INFORMAZIONI

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Direzione - Redazione - Amministrazione: Palermo: Via Sta

## Un cuneo formato dalla V Armata nello schieramento avversario fra il settore tirrenico e quello adriatico

**Ulteriori progressi alleati sul fronte di Napoli - Regolare marcia in direzione di Avellino - L'VIII Armata occupa l'aeroporto di Foggia**

LONDRA, 29.

Le Forze Alleate della V Armata, avanzando verso il nord, hanno formato un cuneo nello schieramento avversario tra il settore tirrenico e quello centrale, cuneo che potrà avere conseguenze disastrose per le forze germaniche. Attraverso difficoltà varie e spezzando la resistenza avversaria ora la marcia si svolge regolarmente in direzione di Avellino.

Anche sul fronte di Napoli, la resistenza avversaria non ha impedito alle Forze Alleate di conseguire ulteriori progressi.

Sulla costa adriatica, la VIII Armata ha occupato Foggia conquistando anche il grande aeroporto e gli altri 12 campi di aviazione minori che esistono nella pianura foggiana e che presto riattivati serviranno all'aviazione alleata per martellare ancora più

tri contro le folle di dimostranti che chiedono di essere sfamati, i tedeschi sparano sui cittadini inermi.

Il governo fascista si accontenta adesso, con l'aiuto delle baionette tedesche a fare azioni di rappresaglia contro gli antifascisti.

Le autorità tedesche in Italia hanno ordinato che tutte le macchine in possesso di privati debbano immediatamente essere consegnate e anche gli autisti si debbono presentare per essere adibiti ai trasporti germanici.

Gli operai italiani che lavorano in Germania nelle regioni vicine alla frontiera svizzera sono stati inviati nell'interno del Reich.

In seguito alla consegna della flotta italiana agli Alleati, fra gli equipaggi tedeschi comincia a serpeggiare vivo malcontento per le sorti della guerra. Il comando della

marina germanica ha l'intenzione di inviare alcune unità germaniche nell'Atlantico il che ha determinato atti di sabotaggio da parte degli equipaggi a bordo della nave da guerra «Scharnhorst» e di altri incrociatori.

Altre gravi perdite sono state inflitte ai tedeschi in Corsica dove è stata occupata St. Florent, mentre un aeroporto presso Bastia è stato evacuato dai germanici.

Le truppe tedesche cercano continuamente di lasciare l'isola ma sono ostacolate dai reiterati bombardamenti su Bastia. Anche sottomarini alleati incrociano al largo dell'isola e attaccano continuamente le navi germaniche che cercano di lasciare la Corsica. Così dieci navi tedesche cariche di truppe sono state silurate e affondate; una petroliera di grosso tonnellaggio colpita da siluro ha do-

vuto incagliarsi e altre cinque navi sono state danneggiate con siluro e colpi di cannone.

Nei Balcani, i patrioti jugoslavi collaborano sempre attivamente con le truppe italiane negli aspri combattimenti per tenere in saldo possesso la costa dalmata.

Nella zona di Spalato l'iniziativa è passata in mano dei patrioti che respingono sempre più indietro i tedeschi e ora fanno pressione su Kin occupata dai tedeschi.

Nel Montenegro i patrioti avanzano verso Nicief e su Nikisik.

L'aviazione alleata ha bombardato ieri l'aeroporto di Castelli Pedriada nell'isola di Creta. Apparecchi Wellington hanno attaccato il porto di Suos. Attacchi aerei germanici sulle isole di Leros e di

# LA LIBERATA

BIANCO DI INFORMAZIONI

Mercoledì 29 settembre 1943

Amministrazione - Amministrazione: Palermo: Via Stabile Una Lira

## Libero dalla V Armata Liberamento avversario Jugoslavo e quello adriatico

## NEWS IN ENGLISH

### Libero sul fronte di Napoli - Regolare marcia in III Armata occupa l'aeroporto di Foggia

#### ITALY

The important German air base at FOGGIA, center for thirteen airfields, was occupied by forces of the Eighth Army yesterday.

With these fields in our hands, Allied bombers will be in easy range of central and northern Italy, also some of the Balkans.

In the drive on NAPLES, the Fifth Army was fighting through steep mountains which must be crossed on foot. Several villages were taken in the heights overlooking NAPLES. Reporters said even mules could not ascend some of the slopes, which were well defended by German machinegun nests in the crags.

From the air, Allied bombers continued to rain bombs on German supply lines and such bases as VITERBO.

#### RUSSIA

Red Army forces continued their three-pronged thrusts toward White Russia, striking toward VITEBSK, MOGILEV and GOMEL, the last named an important center.

Reports from MOSCOW said the bridgehead across the Dnieper between DNEPROPETROVSK and KREMENCHUG is being rapidly enlarged. Fighting is reported in the streets of DNEPROPETROVSK.

Indicating that the German evacuation of the KUBAN is now complete, the Russians announced that they had taken TAMONSK, last remaining port on the Black Sea.

In the battles West of SMOLLENSK, the Russians said 4,000 Germans were killed yesterday.

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eschi spara-  
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grande aeroporto e gli altri 12 campi di aviazione minori che esistono nella pianura foggiana e che presto riattivati serviranno all'aviazione alleata per martellare ancora più duramente gli obiettivi militari tedeschi del settentrione e degli altri territori a oriente della penisola.

L'avanzata lungo il Tirreno e l'Adriatico è protetta dalle navi da guerra anglo americane che rovesciano tonnellate di esplosivo sulle linee tedesche e sugli obiettivi bellici delle retrovie germaniche. Tutta la zona di operazioni, inoltre, di Napoli, di Salerno e nel foggiano è stata attaccata dall'aviazione alleata che ha bombardato autocolonne, concentramenti di truppe, linee ferrate e di comunicazioni e altri obiettivi militari.

Inoltre l'idroscalo del lago di Bracciano e stabilimenti industriali presso Viterbo sono stati attaccati e bombardati.

L'appello di Mussolini per il richiamo alle armi nella M. V.S.N. degli italiani che vogliono combattere a fianco dei tedeschi è caduto nel vuoto e ha testimoniato una volta di più la volontà dei cittadini della penisola di non accontentarsi a false idealità che hanno dovuto subire per un ventennio.

Infatti soltanto l'uno per dieci si è presentato e a Domodossola hanno chiesto di essere arruolati nella milizia fascista soltanto 13 individui. Gli italiani invece preferiscono unirsi alle truppe e fare la guerriglia contro i tedeschi.

Centinaia di italiani fuggono verso le linee alleate. Alcuni di essi hanno raccontato come i germanici saccheggiano tutte le città italiane da loro occupate. In molti cen-

In seguito alla consegna della flotta italiana agli Alleati, fra gli equipaggi tedeschi comincia a serpeggiare vivo malcontento per le sorti della guerra. Il comando della

cercano di lasciare la Corsica. Così dieci navi tedesche cariche di truppe sono state silurate e affondate; una petroliera di grosso tonnellaggio colpita da siluro ha do-

Castelli Pedriada nei pressi di Crotone. Apparecchi Westinghouse hanno attaccato il porto di Suos. Attacchi aerei germanici sulle isole di Leros e di Cos hanno arrecato danni.

# Tamonsk occupata dai sovietici

## Colonne russe puntano su Vitebsk e Gomel

MOSCA, 29

L'ultimo porto della costa settentrionale del Mar d'Azov, Tamonsk, è stato occupato in seguito ad un audace attacco delle forze russe.

I tedeschi hanno subito nel combattimento di difesa di Tamonsk forti perdite e hanno dovuto abbandonare un grande bottino di guerra dato che non hanno avuto il tempo di salvare quasi tutto il materiale bellico accumulato in quella zona data la rapidità della manovra delle truppe sovietiche.

Presso il Dnieper la battaglia infuria furiosamente in tutto il settore. A Dnepropetrovsk si combatte alla periferia. La lotta si svolge per le strade che sono conquistate una per una dai soldati russi che infliggono dure perdite ai difensori. Anche qui il bottino è di grande entità.

A nord ovest di Kremenchuk, i sovietici hanno consolidato e allargato la testa di ponte sul Dnieper e avanzano verso quel centro. La resistenza tedesca è anche in questa zona disperata. Moltissimi prigionieri sono caduti nelle mani delle colonne avanzanti.

Gomel è minacciata da vicino, dato che le avanguardie distano una ventina di chilometri dalla città. È stata occupata lungo questa direttrice la città di Ceminovka.

Le colonne che puntano su Vitebsk hanno compiuto un ulteriore balzo in avanti liberando 25.000 civili russi che erano de-

stinati a essere trasportati in Germania e adibiti ai lavori forzati.

Nel settore di Smolensk, Moilev e altri 350 villaggi abitati sono stati liberati. I tedeschi nel corso di aspri combattimenti hanno avuto 4000 morti e hanno lasciato nelle mani dei russi molti prigionieri e materiale bellico.

## Poderosa incursione della RAF su Hannover e Braunschweig

LONDRA, 29

L'offensiva aerea alleata contro la Germania e i territori occupati è stata condotta anche ieri e ieri notte impavida.

Poderosi contingenti della RAF hanno compiuto una violenta incursione notturna su Hannover centrandone numerosi obiettivi bellici, dai quali si sono sviluppati vasti incendi.

Anche Braunschweig è stata attaccata ieri notte da forze aeree britanniche che hanno provocato danni a stabilimenti industriali.

Su Emden è stata compiuta un'altra incursione e le bombe hanno arrecato rove devastazioni a quell'importante base tedesca di sommergibili.

Incursioni sono state compiute su Aurich, sull'aeroporto di Rouen e su obiettivi bellici di Conche e di Abeville, mentre unità leggere germaniche sono state affondate alla foce della Selda.

Violenti duelli aerei si sono verificati nel corso di tali incursioni fra gli aerei attaccanti e la caccia germanica: 58 velivoli tedeschi risultano abbattuti; 8 bombardieri alleati e 8 caccia non hanno fatto ritorno alle basi.

Sul primo bombardamento di Emden si apprende che le «Fortezze volanti» hanno sganciato sulla base di sommergibili di quella città circa mille tonnellate di bombe.

Fotografie eseguite dalla ricognizione dopo gli ultimi tremendi bombardamenti su Berlino mostrano gli immensi danni arrecati a molti stabilimenti ed edifici. La grande fabbrica di motori Siemens risulta distrutta in più parti. I due grandi gazeometri della capitale del Reich e quello della Società elettrica centrali in pieno sono saltati in aria. Anche la fabbrica Osram e molti altri stabilimenti nel Charlottenburg hanno riportato gravissimi danni.

Davanti alle coste della Gran Bretagna, unità leggere inglesi hanno attaccato di sorpresa unità tedesche, affondandone una e danneggiandone varie altre.

Un sommergibile tedesco è stato colato a picco da aviatori sud africani nell'Oceano Indiano.

Notizie dalla Norvegia informano che negli equipaggi delle unità da guerra tedesche colte di sbalzo, comincia a serpeggiare del malcontento e che numerosi atti di sabotaggio si sono verificati sulle navi stesse.

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BALKANS.  
LONDON announced King Peter  
of Yugoslavia has gone from Bri-  
tain to the Middle East with his  
staff. BERLIN announced that Ge-  
stapo Chief Heinrich Himmler is  
making an inspection tour of the  
Balkan area.  
CORSIKA.  
Ten troop-laden German trans-  
ports, evacuating men from the  
Corsican port of BASTIA, have  
been sunk by Allied naval action,  
the British announced yesterday.  
Five other ships were damaged.  
Fighting continues around the port,  
which the Germans are trying to  
protect for evacuation operations.  
WESTERN FRONT.  
A heavy force of Lancasters and  
Wellingtons struck at HANOVER,  
BRAUNSCHWEIG and EMDEN.  
Thirty-eight planes failed to return  
from the heavy raids. The RAF  
announced that despite seemingly  
heavy losses in raids in August, the  
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the preceding twelve months.  
EMDEN had not yet recovered  
from a daylight raid when hit  
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PACIFIC.  
The Japanese base of FINSCHA-  
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La base di Finschiafen  
accerchiata dagli americani  
NEW YORK, 29  
L'importante base nipponica  
di Finschiafen, nella Nuova Gui-  
nea, è stata completamente ac-  
cerchiata dalle colonne alleate, e  
tutte le vie di comunicazione con  
l'esterno sono state completamen-  
te sbarrate.

Nella cittadella i nipponici con-  
tinuano a opporre resistenza,  
ma non resta loro altra alterna-  
tiva che di cedere le armi o farsi  
massacrare.



0506