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GENERAL ORDER, NO. 31
MAY-OCT. 1944

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

785016

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

785016

FILE CLOSED 6 October 1944

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
AIC 394

4A

ACG

1074/9/L.

See para 7

MJC/pa.
6 Oct 44.

SUBJECT : General Order No.26 (Revised) and General Order No.32.
TO : Economic Section (Attn. Mr. Antolini).

1. Reference yours 5 October 1944, ES/44.
2. General Order No.26 to which you refer is not involved. That Order was signed on 6 June 1944 and was subsequently published.
3. The two orders which are under discussion are General Order No.26 (Revised) and General Order No.32.
4. General Order No. 32 was drafted at the specific and urgent request of the Economic Section. In order to conform the terms of General Order No.26 thereto it was necessary to revise the same, and General Order No.26 (revised) was drafted accordingly. The responsibility of the Legal Sub-Commission ended when it delivered the foregoing General Orders to the Economic Section on 13 August 1944 along with the certificate of the Chief Legal Officer. As pointed out in our letter of transmittal both under date of 13 August 1944 ACG/1074/9/L. and ACG/1074/15/L, it was then the responsibility of the Economic Section to secure the execution thereof by the Executive Commission and to arrange with the R.G. & M.G. Section for printing and distribution. Your files alone would indicate what dispositions were subsequently made thereof. As a matter of interest however we have checked with the Civil Affairs Section and are advised by it that General Order No.26 (Revised) and General Order No.32 have not been received from the Economic Section.
5. In response to Para 1 of your letter, it is necessary to point out that the fact that legislation has been promulgated by the Italian Government is totally irrelevant to the subject. Italian legislation even when extended to Military Government Territory by implementation through the Gazette is not thereby extended into and over army areas. To accomplish the latter the mechanism of a General Order is used. It was for that purpose and that purpose only that General Order No.32 and General Order No.26 (Revised) were prepared at your request. The corresponding Italian legislation had already been implemented in Military Government Territory save only in army areas, and solely because it was the desire of the Economic Section to have such legislation extended into army areas as well, were General Order No.32 and 26 (Revised) prepared and forwarded to it. Why the Economic Section did not cause these orders to be executed and published, we of course have no means of knowing.

6. Brigadier Upjohn has requested that we now ascertain whether it is the intention of the Economic Section to activate General Order No 26 (Revised) and General Order No. 32. If not they should be cancelled from the records of both the Civil Affairs Section and the Legal Sub-Commission. May we be advised accordingly?

7. Brigadier Upjohn also desires advice as to whether it is the intention of the Economic Section that General Order No. 31, be published which was forwarded by us to the Agriculture Sub-Commission with our certificate on 20 July 1944. With respect to that order, also, the Civil Affairs Section has received no instructions for printing. Will you advise, please.

8. Returned herewith are the enclosures which accompanied your letter acknowledged herein.

IRVING J. GROSSMAN,
Lt. Colonel,
Chief Counsel,
for Chief Legal Advisor.

Copy to : Civil Affairs Section.

3A

24 July 1944

SUBJECT: Endorsement of Italian laws.

2A

1. Reference to your letter of July 20, 1944.
2. The Ministerial Decree 19 June 1944 (blocking 1944 cereals and legumes) endorsement by Brig. Iush was already published in the Gazzetta Ufficiale No.39 of July 8, 1944.
3. Also the endorsement of the R.D.I. No. 145 was already published in the Gazzetta Ufficiale No. 38 of July 5, 1944.
4. The E.D.I. without number of July 3, 1944 on control of threshing with circular No. 100 of May 17, 1944 and the E.D.I. No. 153 of July 4, 1944 were indorsed by Brig. Iush on July 14, 1944 and their endorsements will be published in the next Gazzetta Ufficiale.
5. Consequently no further action on our part on this matter.

26 July. Cong. / Hartman
I had a talk with
and I hope straightened
him out ~~ing~~

W. A. HARTMAN
Lt. Colonel
Director

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Does the paper there still has no second copies?

LEGISLATIVE SUB-COMMISSION	
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HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Subcommittee
AFO 394

2A
WJG/gmf

ACM/4074/14/L

20 Jul 44

SUBJECT: General Order 31.

TO : Agriculture Subcommittee. *Territory*

1. Enclosed is proposed General Order 31 under the provisions of which the Italian legislation therein referred to would be made effective in those parts of Military Government wherein it is published.

2. Also enclosed are the Italian and English versions of the Italian legislation which will appear side by side in the General Order following the Executive Commissioner's signature in the same manner as was done in connection with General Order No. 13.

3. It is an understanding that following the restoration to the Italian Government, which took place at 0001 hours 20 July 1944, the aforesaid decrees immediately became effective in the areas restored, to wit the Provinces of Avellino, Benevento, Campobasso, Foggia and Naples, with the exception of the Comune of Naples. The Comune of Naples still continues to be a part of Military Government Territory, and since these decrees have not been implemented therein by action of the Allied Military Government, they are not there effective.

4. It follows that as to Military Government Territory, these decrees can be made effective therein by either one of two procedures: (1) The posting of General Order 31 enclosed herewith or (2) the process of implementation through the Gazzetta Ufficiale with which you are familiar.

5. Attached to the General Order is the certificate of the Acting Chief Legal Officer, and if the Order meets with your approval you may present the same to the Executive Commissioner for his signature. The responsibility for the direction of the printing, distribution and posting thereof rests with the RC & MC Section with whom you no doubt will desire to confer, in order to communicate your wishes with respect thereto.

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MARG J. GROSSMAN
Lt. Col.
for Acting Chief Legal Officer.

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

GENERAL ORDER NO. 31

1A

I, MAURICE STANLEY LUSH, C.B.E., M.C., Brigadier, Executive Commissioner, Allied Control Commission, hereby order that: (1) Royal Decree Law of 3 June 1944, No. 145 on extension of agricultural contracts expiring on 31 December 1944, (2) Ministerial Decree of 19 June 1944 on control of blocking of cereals and legumes grown from seed crop 1944, (3) Legislative Decree of the Lieutenant General of the Kingdom, dated 3 July 1944 No. 152 on control of the operation and the encouraging of threshing and husking of cereals and legumes by machine or by other means and systems, with Circular No. 100 dated 17 May 1944 of the Ministry of Agriculture and Forestry on Rules for regulating the control of the operation of and for encouraging of threshing and husking of cereals and legumes by machine or by other means and systems - crop 1944, (4) Legislative Decree of the Lieutenant General of the Kingdom, dated 4 July 1944 No. 153 on Penal provisions relating to the control of consigning wheat and barley of the 1944 crop, set out below shall become operative and have the full force and effect of law in each province or part thereof within Military Government Territory on the date of the first publication of this order therein.

M. S. LUSH
Brigadier,
Executive Commissioner,
Allied Control Commission.

Dated:

1944.

The decrees above referred to

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See IC, ID, IC

1643

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

785016

1B

Final translations of decrees

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Royal Decree Law of 3 June 1944 No. 146.-
Extension of agricultural contracts expiring on 31
December 1944.

VICTOR EMMANUEL III
KING OF ITALY
by grace of God and will of the People

Having considered art.3 of R.D.L. No. 1746, of Oct.5, 1936.
" " art.13 of R.D.L. No.1387, of June 16, 1936.
converted into law No.486, of January 19, 1939.
law No.895, of May 22, 1939.
" " art.2 of R.D.L. No.953, of June 19, 1940, con-
verted into law No.1727, of November 28, 1940.
" " art.2 and 3 of R.D.L. No. 142, of March 12,
1941 amended by R.D.L. No.859, of June 12, 1942.
" " art.18 of Law No.129, of January 19, 1939.
" " R.D.L. No.2 B, of October 30, 1943.

WHEREAS a state of emergency is known to exist by reason
of war.

AFTER due consultation with the Cabinet.

ON THE PROPOSAL of the Ministry of Agriculture and Forestry,
and in agreement with the Ministers of the Interior, Justice,
Finance, and Industry, Commerce and Labor.

WE HEREBY DECREE

Art.1

All rental agreements involving farm estates as well as all
half-share tenancy and other share-tenancy agreements in force
as of the effective date of this decree and expiring on or
before December 31, 1944, are hereby extended as of right, upon
the same terms in force on said effective date, for a period of
one year from the date of expiration.

Such extension shall not be applicable in the event of
serious breach of contract.

Art. 2

Any farm tenant rightfully entitled to the extension described in the preceding article, has the right to waive such extension. Such waiver shall be legally valid only if put in writing.

Art. 3

No extension shall be authorized in cases involving small holdings rented or let on a half-share tenancy or other share-tenancy basis by reason of service in the Armed Forces on the part of the owner or other person rightfully entitled, if such person states that he wishes to operate such holdings personally.

Art. 4

All proceedings involving the surrender of real estate on the ground of the violation of current contracts and all eviction proceedings, in whatever stage they may be, as well as all final sentences not yet carried out, shall- on the strength of the extension mentioned in art.1- cease to be effective until the termination of said extension.

The above provision shall not, however, invalidate the legal effectiveness of proceedings instituted by reason of breach of contract, and of final sentences ordering the dissolution of contracts owing to non-compliance therewith.

Art. 5

Whenever a breach of contract is due to non-payment of rent, any tenant who within 30 days of the effective date of this decree shall pay all sums due, shall have the right to the above-mentioned extension provided the final sentence ordering the dissolution of the contract was not carried out.

Art. 6

Within 30 days from the effective date of this decree there shall be appointed a commission for farm contracts, consisting of not less than 7 and not more than 12 members, selected by the Prime Minister from among specially qualified persons representing all social classes and their respective interests.

This Commission, which shall be under the chairmanship of the Minister of Agriculture and Forestry shall study the question of farm contracts and relative problems, and shall remain in office as long as necessary, in order to furnish advice to the Minister concerning all questions relating to said contracts.

Art. 7

All provisions which in any way conflict with the preceding ones, are hereby abrogated.

Art. 8

This decree shall become effective as of the date of publication in the Official Gazette of the Kingdom- Special Series- and shall be applicable for current rental agreements.

It will be submitted to the Legislative Assemblies for conversion into law.

The Minister sponsoring this measure is hereby authorized to submit the relative bill.

We hereby order all persons concerned to comply with the provisions of this decree and to insure its observance as a law of the State.

(dated) Salerno 3 June 1944.

Ministerial Decree of 19 June 1944

Control of blocking of cereals and legumes grown from seed. - Crop 1944.

The Minister

Having considered Royal Decree Law No. 397 of 10th May 1943 containing provisions for the control of cereals and broad beans - crop 1943.

- " " Ministerial Decree 15 March 1943 on control of the collecting and supplying of dried seeds of legumes, minor cereals and other produce.
- " " Ministerial Decree 26 April 1943 on fixing the quantities of cereals and broad beans allowed to be retained from 1943 production.
- " " Ministerial Decree 15 June 1943 controlling the milling of cereals retained for home consumption.
- " " Orders Nos: 1- 13- 16 of the Commissario Generale per l'Alimentazione dated respectively 24 September 1943, 23 December 1943, 28 December 1943.
- " " Royal Decree Law No. 63 of 25 February 1944 establishing the transfer of the Commissariato Generale per l'Alimentazione to the Ministry of Agriculture and Forestry.
- " " Royal Decree Law No. 245 22 April 1943 regarding penalties for failing to deliver cereals in general.
- " " Ministerial Decree 2 May 1944 regarding the control of consigning wheat and barley of the 1944 crop.

Considering the vital necessity for making regulations for the control of blocking of other cereals, broad beans and dried seeds of legumes

Decrees :

Legislative Decree of the Lieutenant General of the Kingdom
of July 1946 no. 13

JUL 1946 no. 12

On the control of the operation and the execution of the
the and hunting of birds and animals by machine or other
means and systems.

GRUPPO DI LAVORO
PRINCIPALI DI PIEMONTE

by virtue of the authority delegated to us
having considered Royal Decree Law of April 1, 1900

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law 30 May 1940 No. 55? containing provisions
be encourages the practice of throwing of

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Employed under Law 22 April 1943 No. 245 co-ordinating penalties regarding the control of consumable goods.

U.S. ARMY, 1943.
"3000 Law of the Sullenest demand of dare
1944 1941.

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Royal Decree Law 30 October 1943 No. 2/3.

ROYAL CANADIAN MOUNTED POLICE - 1960-1961 MAY 29 1964 10.141.

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On the proposal of the Ministers, Agriculture and Forestry and for Indus-try, Commerce and Labour an agreement with the Ministers, Secretaries of State for Finance and for Education and Justice.

We have selected and we promulgate the following :-

APPENDIX 1

RDL No. 433-23 April 1942 shall be modified according to the following provisions:

QUALITY

The following are hereby announced :-

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(a) the general provincial and interprovincial ~~law~~ ~~violated and territorial associations~~ obligation for any person carrying on threatening and huckling by machine for 6 and parties.

(b) The relative perforation topology.

~~penicillinase - (antibiotic resistance factor) -~~
~~plasmid - small circular DNA molecule (c)~~

The contribution established by Art. 4 of the proposed RDL

the decision of the Council of Ministers.
On the proposal of the Ministers, Secretary of State, for
Agriculture and Forestry and for Industry, Commerce and Labour
in agreement with the Ministers, Secretary of State for Finance
and for Pardon and Justice.

We have sanctioned and we promulgate the following :-

ARTICLE 1

RDL No. 433 of April 1942 shall be modified according to the
following provisions:

ARTICLE 2

The following are hereby suppressed :-

(a) The consorzi provinciali and interprovinciali ~~per~~
~~vinciti~~ ~~and interprovinciali~~ ~~consorzi~~ ~~obbligatori~~ for any
person carrying on threshing and husking by machine for their
parties.

(b) The relative regulations Regionali.

(c) ~~Consorzi provinciali and consorzi provinciali~~
~~(interprovinciali consorzi e provinciali consorzi)~~ described
in arts. 5 and 7 of the above RDL.

The contribution established by art. 4 of the aforesaid RDL
is abolished.

The Minister for Industry Commerce and Labour together with
the Minister for Agriculture and Forestry shall fix the rules
for the liquidation and shall appoint when necessary a liqui-
dator or liquidators for all the consorzi and their relative
Federazioni suppressed by this Decree.

The property of the said bodies shall fall to the State and
shall be used by the Minister for Agriculture and Forestry in
the development of activities to profit agricultural classes,
and principally in the encouraging of threshing and husking
by motor machinery.

ARTICLE 3

The functions hitherto carried out by the consorzi provinciali
tori ~~(threshing boards)~~ and those relating to the control of
threshing and husking by machine of cereals and legumes shall
come into force now on within the scope of the Interprovincial Provin-
ciali della Agricoltura within the following limits:

- (a) issuing licenses to operate
- (b) receiving reports of amounts threshed and husked

(c) exercising supervision over threshing operations to ensure the exactness of these reports including the particulars relating to the size of the ground concerned.

To this effect the Ispettorati Provinciali dell'Agricoltura shall make use of the "Uffici Provinciali Statistiche-Economiche dell'Agricoltura (-Provincial-offices)" and of their local offices (communal offices) and may call on the agents of the judicial police for assistance.

ARTICLE 4

Those rules for controlling threshing and husking by machine and by any other means or system, of cereals and legumes shall remain as established by RDL No. 433 23/4/42 where not opposed to this decree and to provisions made by the Ministry for Agriculture and Forestry in its circular No. 100 dated 17 May 1944 which shall form an integral part of this RDL and will be published in the Official Gazette Special Series and thereby attain full force of law.

The Ministry for Agriculture and Forestry is authorized to coordinate in a consolidated text the rules concerning the control for the operation and encouragement of threshing and husking by machine or by other means and systems, of cereals and legumes.

ARTICLE 5

For the expenses involved in ascertaining the technical suitability of the threshing machine persons desiring a permit to carry on threshing or husking by machine must pay to the Treasury (Erario) a government concession tax of L. 200 for every threshing or husking machine of any kind whatsoever and irrespective of the length of the beater.

The aforesaid expenses shall be charged to the account of the Ministry for Agriculture and Forestry and the Ministry for Finance is authorized to allot by his own decrees the sum required within the maximum limits of the amount received from the government concession tax less twenty per cent for collection expenses.

ARTICLE 6

In agreement with the Comitato Provinciale dell'Agricoltura and the Ispettorato dell'Industria e del Lavoro-competent for the area the Provincial Agricultural Inspector may revoke any

ARTICLE 5

For the expenses involved in ascertaining the technical suitability of the threshing machine persons desiring a permit to carry on threshing or husking by machine must pay to the Treasury (Erario) a government concession tax of L.200 for every threshing or husking machine of any kind whatsoever and irrespective of the length of the beater.

The aforesaid expenses shall be charged to the account of the Ministry for Agriculture and Forestry and the Ministry for Finance is authorized to allot by his own decrees the sum required within the maximum limits of the amount received from the government concession tax less twenty per cent for collection expenses.

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ARTICLE 6

In agreement with the Comitato Provinciale dell'Agricoltura and the 'Aspettorato dell'Industria e del Lavoro-competent for the area-the Provincial Agricultural Inspector may revoke any license at any time where it appears that the machine or the operators are technically deficient or when the license holder does not extinguishing appliances, or when the license established by this observe the rules for threshing operations for Agriculture and Forestry or does not respect the tariff for threshing fixed by the Ministry for Agriculture and Forestry in agreement with the Ministry for Industry and Commerce and Labour. The 'Aspettorato dell'Industria e del Lavoro-competent for the area- shall be empowered to investigate cases of infringing the tariff.

ARTICLE 7

Violations of the provisions of this RDL and of those referred to by it and to those orders already given or which may be issued by the Ministry for Agriculture and Finance shall be punished in accordance with RDL No.245 22/4/43 without prejudicing the power of the 'Aspettorato Provinciale dell'Agricoltura to revoke any license for threshing or husking.

ARTICLE 8.

This decree shall be made into force on the day of its publication in the Official Gazette of the Kingdom-Special Series. We hereby order all persons concerned to observe this decree and to ensure its observance as a law of the State.

1653

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

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3

MINISTER OF AGRICULTURE AND FORESTRY

Salerno, 17 May 1944.

No. 1847 File
Date 3/1-0

Circular No. 100-2a

SUBJECT : Rules for regulating the control of the operation of and for encouraging threshing and husking of cereals and legumes by machine - only other means and systems - crop 1944.

R.D.L. No. 433 23/4/42 is being modified by a decree now in the course of publication.

By this decree the Consorzi Provinciali and Interprovinciali Obbligatorii for those engaged in threshing and husking by machine for third parties, including their relative Federazioni Nazionali, are suppressed.

And thereby the contribution established by Art. 4, RIL 433 23/4/42 is abolished.

On the basis of the rules contained in the decree soon to be issued for controlling threshing and husking for the current season, the following instructions are issued in the meantime,

(1) Any person desiring to thresh or husk cereals by machine powered by a motor must obtain a license issued by the Provincial Inspector of Agriculture.

The license is type A for threshing and husking only on property farmed by the holder or holders of the license and type B for threshing and husking for third parties or for oneself and third parties.

Associations and Societies, however, constituted among agriculturists with the aim of providing for threshing and husking on farms cultivated by themselves or by their associates must obtain license type A; if however, they intend to operate for third parties also, they must obtain license type B.

A license may not be issued unless for exceptional cases, for the operation of a threshing or husking machine that is not equipped with a suitable fire extinguisher or does not comply with the necessary technical requirements.

(2) Licenses are issued from 1st May of every year and within one month of the presentation of the relative demand, on the decision of the Provincial Inspector for Agriculture after consulting the Comitato Provinciale dell'Agricoltura and the Office of the Ministero dell'Industria e del Lavoro (ex is-

controlling threshing and husking for the current season; the instructions are issued in the meantime,

(1) Any person desiring to thresh or husk cereals by machine powered by a motor must obtain a license issued by the Provincial Inspector of Agriculture.

The license is type A for threshing and husking only on property farmed by the holder or holders of the license and type B for threshing and husking for third parties or for oneself and third parties.

Associations and Societies, however, constituted among agriculturists with the aim of providing for threshing and husking on farms cultivated by themselves or by their associates must obtain license type A; if however, they intend to operate for third parties also, they must obtain license type B.

A license may not be issued unless for exceptional cases, for the operation of a threshing or husking machine that is not equipped with a suitable fire extinguisher or does not comply with the necessary technical requirements.

(2) Licenses are issued from 1st May of every year and within one month of the presentation of the relative demand, on the decision of the Provincial Inspector for Agriculture after consulting the Comitato Provinciale dell'Agricoltura and the Chief of the Ispettorato dell'Industria e del Lavoro (ex Ispettorato Corporativo) competent for the area.

Licenses issued for the preceding year may be extended for this current season if granted with a new "visto" of the Ispettorato Agrario and always providing that the government concession tax, as in para 5 below for the new season, also has been paid.

(3) The license is valid only for the machines or machines, for the kind or kinds of produce, for the year and for the Provincial district for which it has been issued.

Any operator of a machine who intends to use it in other provinces must have his license stamped with the "visto" of authorization of the Ispettorato Provinciale dell'Agricoltura competent in those areas.

(4) The Comitato described in para. 2 is to be called on to give opinion also;

(a) On the maximum number of machines to be assigned in the provincial area for threshing for third parties in regard to the needs of production.

(b) On the technical suitability of machines assigned for threshing and husking cereals.

(c) On the advisability or not of making a plan of distribution for the employment of threshing machines in the provincial area.

(5) For the expenses involved in determining the technical suitability of threshing machines persons desiring licences for threshing and husking by machine must pay to the Treasury (Tesoro) a government concession tax of L. 200 for every kind of threshing or husking machine irrespective of the length of the beater.

Therefore, in applying for a licence the applicant must show that he has already made the above payment.

(6) In agreement with the Comitato Provinciale dell'Agricoltura, the Provincial Inspector for Agriculture may revoke at any time any licence where it appears that the machine or the operators are technically deficient, or when there is no adequate fire extinguishing appliances or where the licence holder does not observe in carrying on threshing the rules of the decree in course of preparation or does not respect the tariff for threshing fixed by the Minister for Agriculture and Forestry in accord with the Minister for Industry, Commerce and Labor, or by their respective provincial offices.

The Ispettorato del Lavoro competent for the area shall be empowered to investigate cases of infringing the tariff.

The following is a list of average tariffs for threshing by machine powered by motor and with fuel provided at the expense of the thresher agreed, as a basis, between the Ministries competent and which must serve as a basis for the determination by the Comitato Provinciale dell'Agricoltura of the charges to be fixed in their respective provinces for the coming grain harvest.

Threshing of any amount up to 50 q/li of produce: producer must pay a money sum to the thresher equal to L. 50 per q/li threshed.

Any amount from 50 q/li to 100 q/li of produce: producer must pay money sum to the thresher equal to L. 45 per q/li threshed.

Quantities over 100 q/li of produce: producer must pay a money sum to the thresher equal to L. 35 per q/li threshed.

By machines powered by an internal com-

1 6 5 7

course of preparation or does not respect the tariff for threshing fixed by the Minister for Agriculture and Forestry in accord with the Minister for Industry, Commerce and Labor, or by their respective provincial offices.

The Ispettorato del Lavoro competent for the area shall be empowered to investigate cases of infringing the tariff.

The following is a list of average tariffs for threshing by machine powered by motor and with fuel provided at the expense of the thrasher agreed, as a basis, between the Ministries competent and which must serve as a basis for the determination by the Comitato Provinciali dell'Agricoltura of the charges to be fixed in their respective provinces for the coming grain harvest.

Threshing of any amount up to 50 q/11 of produce; producer must pay a money sum to the thrasher equal to L. 50 per q/11 threshed.

Any amount from 50 q/11 to 100 q/11 of produce; Producer must pay 44 money sum to the thrasher equal to L. 45 per q/11 threshed.

Quantities over 100 q/11 of produce; Producer must pay a money sum to the thrasher equal to L. 35 per q/11 threshed.

Such charges refer to threshing by machine powered by an internal combustion engine.

When the thrasher also carries out the cutting and baling of the straw the producer must pay L. 12 per q/11 of straw baled or cut, the price of steel wire for baling is not included in this charge.

The thrasher must provide at his own expense during the threshing at least three skilled workers for operating the threshing machine and for feeding in the produce.

All other workers are at the producer's expense.

The Comitato Provinciali dell'Agricoltura are asked to keep to the charges for the threshing set out above, with regard to manual threshing machines with a 120 cm. beater powered by a motor driven by diesel oil (Nafte), paraffine (petrollo) or petrol (Benzina).

When the machine is driven by other means (coal (carbours) straw, dried

olive husks, etc.) or if other products are being dealt with, the said tariffs must be adjusted suitably--by the Comitato Provinciale with the capo dell'Ispezzione dell'Industria e del Lavoro presente--on the basis of the prices of the fuel employed--the work required and the place of the work.

7. With every cereal threshing machine in operation a register with detachable duplicate pages (bollettario a madre e figlia) must be kept in the care of the licensee holder furnished on payment by the Ispezzione Provinciale dell'Agricoltura, for entering the facts and information required thereon. Immediately after every weighing operation the particulars of each individual weighing must be recorded in ink or copying pencil on the back of the sheet retained (bolletta madre) in the aforesaid register of information.

Such registers must be the same as those issued for the 1932 season by the Istituto Generale di Statistica, for obligatory declaration of cereals and legumes so as to be able to use all remaining registers in the possession of the Ispezzione Agraria Provinciale, who will take steps as the need arises to reprint should they have none.

The obligation to keep the above register extends to every kind of threshing floor for threshing and husking by other means and systems different from machine powered by motor of any product whatsoever subject to control. In such a case moreover the Ispezzione Agraria must stamp on the front of every sheet the method of threshing used (threshing by hand, a mangle, etc.), but only in registers having such purpose.

On the three counterfoil sheets of the aforesaid register, the following entries and information must be made on the responsibility of the holder of the threshing licence and counter-signed by him.

- (a) Completing and delivering the first counter-foil sheet to the person who brings the cereals to the threshing machine who is bound to declare to the operator of the said machine the name of the farm and the extent of land sown from which were produced the product to be threshed, and to countersign and to keep that sheet.
- (b) Complete the second counterfoil sheet and send it, within one week from the end of the threshing to the Municipio of the Comune of production who will take note of any point of interest to the Ufficio Anonario and take steps to forward it to the Ufficio Centrale Statistica at the Ministry of Industry Commerce and Labor.
- (c) Complete the third counterfoil sheet and send it to the Comunale office of the Ufficio Statistico-Economico dell'Agricoltura (ex Ufficio Accertamenti Agricoli) in whose territory the produce was grown. The said Ufficio Statistico-Economico dell'Agricoltura will in turn send the third sheet to the competent Ispezzione Agraria Provinciale. On this last sheet there must be shown the quantity threshed, the particulars of the cultivator of the farm from which

machine powered by motor of any product whatsoever subject to control. In such a case moreover the Ispettorato Agrario must stamp on the front of every sheet the method of threshing used (threshing by hand, a mangle, etc.), but only in registers having such purpose.

On the three counterfoil sheets of the aforesaid register, the following entries and information must be made on the responsibility of the holder of the threshing licence and counter-signed by him.

- (a) Completing and delivering the first counterfoil sheet to the person who brings the cereals to the threshing machine who is bound to declare to the operator of the said machine the name of the farm and the extent of land sown from which were produced the product to be threshed, and to countersign and to keep that sheet.
- (b) Complete the second counterfoil sheet and send it, within one week from the end of the threshing to the Municipio of the Comune of production who will take note of any point of interest to the Ufficio Ammonario and take steps to forward it to the Ufficio Centrale Statistica at the Ministry of Industry Commerce and Labor.
- (c) Complete the third counterfoil sheet and send it to the Communal office of the Ufficio Statistico-Economico dell'Agricoltura (ex Ufficio Accertamenti Agricoli) in whose territory the produce was grown. The said Ufficio Statistico-Economico dell'Agricoltura will in turn send the third sheet to the competent Ispettorato Agrario Provinciale. On this last sheet there must be shown the quantity threshed, the particulars of the cultivator of the farm from which the cereal was produced and the Comune in which the holding is situated.

Delivery of the third sheet to the aforesaid Communal Office must be made daily in regard to quantities that take no more than one day's work, and immediately after the last threshing for quantities that need more than one day's work.

Within one week of the last day of threshing the stubs of the registers, even if used in part only, must be returned to the Ispettorato Provinciale dell'Agricoltura who issued them.

It is established that the first counterfoil sheet (see sub-para (a)) may also be used as the obligatory permit to accompany (bolletta obbligatoria di accompagnamento) for threshed products from the threshing, to the producer's store.

For this purpose on the back of the last two sheets to the right of the

register in question a special form (tracciato) will be printed so that there may be registered from time to time every departure of threshed produce from the threshing floor.

8. All persons threshing and husking by other means and systems must communicate previously to the Ispettorato Provinciale dell'Agricoltura and to the Communal Office of the Ufficio Statistico-Economico dell'Agricoltura, the day on which they will begin such operations and requesting the necessary authorization. So, furthermore, that the aforesaid Communal Office may grant them permission (loro concessione) all nulla osta) to transport the grain from the threshing floor to the store.

In order to be able to thresh and to use the threshing floor, persons possessing land threshers and tenants of threshing floors must make a request at least 5 days previously in respect of each threshing and even threshing floor to the Communal Office of the Ufficio Statistico-Economico who will proceed to send copies to the Ispettorato Provinciale dell'Agricoltura.

The request, written on plain paper must contain the following particulars:

- (a) Date of the start of the threshing, husking and beating of the cereal.
 - (b) Average quantity of cereal that can be threshed daily.
 - (c) Number of days considered necessary for the threshing by hand and number of threshing floors.
 - (d) Whether the thresher or the threshing floor is to be used for the cereal itself or for some third party or for both.
In the last two cases there must also be set out in the request the route of the hand thresher and the name of the producers who in order of time will use the hand thresher and the threshing floor.
 - (e) The exact location of the private hand threshers and the situation of threshing floors private and common.
Those threshing floors where the cereals of several producers are brought together are considered as common floors for threshing by treading, or beating with flails (verga) or rods (mazzuole).
- Those threshing floors to which the cereals of one producer only are brought are considered as private.

At the end of the threshing either the owner or the hirer of the hand threshers, and either the owner or the tenant of the threshing floor previously authorized to use it must declare on the proper form to the Ufficio Comunale Statistico-Economico the produce threshed.

9. For the supervision of the threshing operations and to verify the quantity of cereal declared including the relative area seen by the Ispettorato Provinciale

- (a) Date of the start of the threshing, husking and beating of the cereal.
- (b) Average quantity of cereal that can be threshed daily.
- (c) Number of days considered necessary for the threshing by hand and number of the sowing floors.
- (d) Whether the thresher of the threshing floor is to be used for the farm itself or for some third party or for both.
In the last two cases there must also be set out in the request the route of the hand thresher and the name of the producers who in order of time will use the hand thresher and the threshing floor.
- (e) The exact location of the private hand threshers and the situation of threshing floors private and common.

Those threshing floors where the cereals of several producers are brought together are considered as common floors for threshing by treading, or beating with flails (verghe) or rods (mezzuole).

Those threshing floors to which the cereals of one producer only are brought are considered as private.

At the end of the threshing either the owner or the hirer of the hand threshers, and either the owner or the tenant of the threshing floor previously authorized to use it must declare on the paper form to the Ufficio Comunale Statistico-Economico the produce threshed.

9. For the supervision of the threshing operations and to verify the quantity of the cereal declared including the relative area sown the Ispettorato Provinciale dell'Agricoltura may make use of the Uffici Provinciali Statistico-Economici dell'Agricoltura and call on the agent of the judicial police.

10. Violations of the provisions already issued and of those which will be issued from this Ministry are punishable in accordance with RDL 22/4/1943 No. 245 without prejudice to the revocation if necessary of any licence to thresh and to husk which will be decided by the Ispettorato Provinciale dell'Agricoltura.

All organizations addressed are asked to give the widest circulation to the rules contained herein communicating this to all dependent offices who may be interested.

Please acknowledge receipt of the above.

THE MINISTER

GULLO

Legislative Decree of the Lieutenant General of the Kingdom
1944 No. 152

PENAL PROVISIONS RELATING TO THE CONTROL OF COMINGING WHEAT
AND BARLEY OF THE 1944 CROP

UMBERTO DI SAVOIA

PRINCIPE DI PIEMONTE

Lieutenant General of the Kingdom

By virtue of the authority delegated to us

Having considered Decree of Minister of Agriculture and Forestry 2 May 1944 regarding the control of blocking of the harvest and delivery of wheat and barley of the 1944 crop

Having considered RIL No. 245 of 22 April 1943

" " Decree law of Lieutenant General of the Kingdom 25 June 1944

" " RIL No. 2/3 30 October 1943

" " RIL No. 241, 29 May 1944

" " the decision of Council of Ministers

In the proposal of the Minister of Pardon and Justice in agreement with the Ministers of Finance and of Agriculture and Forestry we have sanctioned and we promulgate the following:

Art. 1

Whoever shall fail to deliver wheat and barley of the 1944 crop in accordance with the provisions of the decree of the Minister for Agriculture and Forestry 2 May 1944 and its relative regulations, shall be punished, if the act does not constitute a more serious offense, with imprisonment (reclusionone) for a term of from six months to six years and with a fine equal to twenty times the lawful price of the quantity withheld and not less in any case than five thousand lire.

The same penalties shall be applied to any person who, before being ordered to make delivery or after receiving such order and before the termination of the time for so making delivery, hides, alienates or in any way whatsoever abstracts the products described in the preceding paragraph.

Art. 2

If before the opening of the hearing before a court of first instance the accused delivers or causes to be delivered in full to the competent organization the abstracted product the penalty shall be diminished by from one half to two thirds.

Art. 3

The provisions of Art. 6 RIL No. 245, 22 April 1943 shall not apply to

Art. 1

Whoever shall fail to deliver wheat and barley of the 1944 crop in accordance with the provisions of the decree of the Minister for Agriculture and Forestry 2 May 1944 and its relative regulations, shall be punished, if the act does not constitute a more serious offense, with imprisonment (reclusion) for a term of from six months to six years and with a fine equal to twenty times the lawful price of the quantity withheld and not less in any case than five thousand lire.

The same penalties shall be applied to any person who, before being ordered to make delivery or after receiving such order and before the termination of the time for so making delivery, hides, alienates or in any way whatsoever abstracts the products described in the preceding paragraph.

Art. 2

7 41

If before the opening of the hearing before a court of first instance the accused delivers or causes to be delivered in full to the competent organization the abstracted product the penalty shall be diminished by from one half to two thirds.

Art. 3

The provisions of Art. 6 MM. No. 245, 22 April 1943 shall not apply to offenses described in Art. 1 above.

Art. 4

As regards offenses described in Art. 1, a warrant of arrest is obligatory, provisional liberty cannot be granted to the accused and no conditional suspension of penalty is permitted.

Art. 5

With the sentence an order shall always be made confiscating the wheat and barley sequestered for non-delivery, and the accused shall be declared to have forfeited the right to retention for family consumption as described in Art. 3, sub-paragraphs (a) (b) (c) and (d) and Art. 4 of the decree of the Minister for Agriculture and Forestry 2 May 1944.

- 2 -

Art. 6

After the decision on appeal or after that of the Court of first instance if it is not appealed against, the amount of wheat and barley to which the sentenced person, members of his family living with him in his care and the dependants living with him are entitled shall be turned over to the collecting centre of the Commune in which the product is situated to be distributed in accordance with existing regulations.

The value of the surrendered product ~~on cost of delivery~~ shall be reimbursed to the person entitled if on appeal to cassation the accused shall be acquitted in accordance with the terms of Art. 479 of the Code of Penal Procedure. In the case of a conviction or acquittal in accordance with the terms of Art. 476 of the aforesaid code the value shall fall to the benefit of the State.

Art. 7

Whoever enjoys by whatever title the revenue from one or more farms estates (condamnation) and is convicted in accordance with Art. 1 of this decree shall forfeit his right to collect any payment in kind (estaglio), tithes (dimes), rent owed in any way for the current year, as regards all his estates even though the failure to deliver relates to one estate only. Any amount due in kind shall be turned over by the person owing it to the collecting centre of the commune in which each estate is situated and the value of delivery shall fall to the State; any amount due in money shall fall to the benefit of the State.

Art. 8

Any tenant, half-share tenant or farmer ^(colono) of one or more farm estate convicted in accordance with the provisions of Art. 1 of this decree shall forfeit in respect to all lands leased by him the right to any continuation of his agreement including the right to prolong established by RIL No. 146, 5 June 44.

In the case of several tenants, half share tenants or farmers cooperating among themselves in the cultivation of one estate the conviction of one shall result in forfeiture as in the paragraph above by all the others whenever the accused has acted as representing them also.

Art. 9

The penal sentence on appeal or of the court of first instance if not appealed against shall be sufficient authority for any person entitled to demand the release of the estate in accordance with the forfeiture established in Art. 8.

The rules for enforcing eviction shall apply.

(canon), rent owed in any way for the use of the land, even though the failure to deliver relates to one estate only. Any amount due in kind shall be turned over by the person owing it to the collecting centre of the commune in which such estate is situated and the value of delivery shall fall to the State; any amount due in money shall fall to the benefit of the State.

Art. 8

Any tenant, half-share tenant or farmer (colono) or more than one estate convicted in accordance with the provisions of Art. 1 of this decree shall forfeit in respect to all lands leased by him the right to any continuation of his agreement including the right to prolong established by RIL No. 116, 5 June 44.

In the case of several tenants, half share tenants or farmers cooperating among themselves in the cultivation of one estate the conviction of one shall result in forfeiture as in the paragraph above by all the others whenever the accused has acted as representing them also.

Art. 9

The penal sentence on appeal or of the court of first instance if not appealed against shall be sufficient authority for any person entitled to demand the release of the estate in accordance with the forfeiture established in Art. 8.

The rules for enforcing eviction shall apply.

The right to payment for growing crops, expenses of cultivation and for improvements in accordance with the civil law remain in force.

Art. 10

The report concerning any offence contemplated in this decree shall be sent to the judicial authority by the officials of the judicial police in accordance with the rules of the Code of Penal Procedure.

Whenever such circumstances as are described in Art. 502 of the Code of Penal Procedure occur giudice direttissimo (a speedy trial) shall always be followed.

Art. 11

Copies of the reports and sentences regarding offences described in this decree must be sent to the competent communal agricultural committee for the locality so that they can announce in all matters within their jurisdiction.

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Art. 12

Any provisions of RDL No. 245 22 April 1943 that are incompatible with this decree are hereby repealed.

Art. 13

This decree shall come into force on the day following its publication in the Official Gazette of the Kingdom- Special Series.

We hereby order all persons concerned to observe this decree and to ensure its observance as a law of the State.

Naples 4 July 1944.

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TRANSLATION : W.G. Bryoo.

PENAL PROVISIONS IN RESPECT TO THE DELIVERY OF GRAIN AND BARLEY OF THE 1944 HARVEST.

UMBERTO DI SAVOLA - PRINCIPE DI PIEMONTE.

Ref Decree of Minister of Agriculture and Forests 2 May 1944 regarding the provisions for freezing, harvesting and delivery of grain and barley of the 1944 harvest -

"RDL No. 245 of 22 April 1943

"Decree Law of Lieutenant General 25 June 1944.

"RDL No. 2/8 30 October 1943

"RDL No. 141 29 May 1944.

"Meeting of Council of Ministers

On the proposal of the Minister of Pardon and Justice together with the Ministers of Finance and Agriculture and Forests

Dec. 60.

Art. 1.

Whoever shall fail to deliver ^{grain} grain and barley of the 1944 harvest in accordance with the provisions of the decree of the Minister for Agriculture and Forests 2 May 1944 and its relative regulations, shall be punished, if the act does not constitute a more serious offence with imprisonment (reclusiones) for a term of from six months to six years and with a fine equal to twenty times the lawful price of the quantity withheld and not less in any case than five thousand lire.

The same penalties shall be applied to any person who, before being ordered to make delivery or after receiving such order and before the termination of time for so making delivery, hides, alienates or in any way whatsoever abstracts the products described in the preceding paragraph.

Art. 2.

If before the opening of the hearing before a court, first instance the accused delivers or causes to be delivered in full to the competent organization the abstracted product the penalty shall be diminished by from one half to two thirds.

Whoever shall fail to deliver grain and barley in accordance with the provisions of the decree of the Minister for Agriculture and Forestry 2 May 1944, and its relative regulations, shall be punished, if the act does not constitute a more serious offence with imprisonment (reclusion) for a term of from six months to six years and with a fine equal to twenty times the lawful price of the quantity withheld and not less in any case than five thousand lire.

The same penalties shall be applied to any person who, before being ordered to make delivery or after receiving such order and before the termination of time for so making delivery, hides, alienates or in any way whatsoever abstracts the products described in the preceding paragraph.

3 38

Art. 2.

If before the opening of the hearing before a court, first instance the accused delivers or causes to be delivered in full to the competent organization the abstracted product the penalty shall be diminished by from one half to two thirds.

Art. 3.

The provision of Art. 6 RIL No. 245 22 April 1943 shall not apply to offences described in Art. 1 above.

Art. 4.

As regards offences described in Art. 1, a warrant of arrest is obligatory. Provisional liberty cannot be granted to the accused and no conditional or of penalty is permitted.

Art. 5.

With the sentence an order shall always be made confiscating barley sequestered for non-delivery, and the accused shall be declared forfeited the right to retention for family consumption as described in sub-paragraphs (a) (b) and (d) and Art. 4 of the decree of the Minister for Agriculture and Forestry 2 May 1944.

Art. 6.

After the decision on appeal or after that of the Court of First Instance it is not appealed against, the amount of grain and barley to which the person, members of his family living with him in his care and the person with him are entitled shall be turned over to the collecting centre, in which the product is situated to be distributed in accordance with regulations.

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- 2 -

The cost of delivery shall be reimbursed to the person entitled if on appeal to cessation the accused shall be acquitted in accordance with the terms of Art. 479 of the Code of Penal Procedure. In the case of a conviction or acquittal in accordance with the terms of Art. 478 of the aforementioned code the cost shall fall to the State.

Art. 7.

Whoever enjoys by whatsoever title the revenues from one or more country estates (fondi rustici) and is convicted in accordance with Art. 1 of this decree shall forfeit his right to collect any payment in kind (estaglio), tithe (canone), rent owed in any way for the current year, as regards all his estates even though the failure to deliver relative to one estate only. Any amount due in kind shall be turned over by the person owing it to the collecting centre of the comune in which each estate is situated and the cost of delivery shall fall to the State; any amount due in money shall fall to the benefit of the State.

Art. 8.

Any tenant, half-share tenant or farmer of one or more country estate convicted in accordance with the provisions of Art. 1 of this decree shall forfeit in respect to all lands leased by him the right to any continuation of his agreement including the right to prolong established by R.D. No. 146, 3 June.

In the case of several tenants, half-share tenants or farmers co-operating among themselves in the cultivation of one farm the conviction of one shall result in forfeiture as in the paragraph above by all the others whenever the accused has acted as representing them alone.

Art. 9.

The penal sentence on appeal or of the court of first instance if not appealed against shall be sufficient authority for any person entitled to demand the release of the farm in accordance with the forfeiture established in Art. 8.

The rules for enforcing eviction shall apply.

The right to payment for growing crops, expenses of cultivation and for improvements in accordance with the civil law remain in force.

Art. 10.

The report concerning any offence contemplated in this decree shall be sent to the judicial authority by the officials of the judicial police in accordance with the rules of the Code of penal procedure.

In the case of several tenants, half-share tenants or farmers co-operating among themselves in the cultivation of one farm the conviction of one shall result in forfeiture as in the paragraph above by all the others whenever the accused has acted as representing them also.

Art. 9.

The penal sentence on appeal or of the court of first instance if not appealed against shall be sufficient authority for any person entitled to demand the release of the farm in accordance with the forfeiture established in Art. 8.

The rules for enforcing eviction shall apply.

The right to payment for growing crops, expenses of cultivation and ^{for} improvements in accordance with the civil law remain in force.

Art. 10.

The report concerning any offence contemplated in this decree shall be sent to the judicial authority by the officials of the judicial police in accordance with the rules of the Code of penal procedure.

Whenever such circumstances as are described in Art. 102 of the code of penal procedure occur ^{giudizio direttissimo} (speedy trial) shall always be followed.

Art. 11.

Copies of the reports and sentences regarding offences described in this decree must be sent to the competent communal agricultural committee for the locality so that they can ascertain all matters within their jurisdiction.

Art. 12.

Any provisions of R.D. No. 215 22 April 1913 that are compatible with this decree are hereby reposed.

Art. 13.

This decree shall come into force etc. etc.

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First translations of deuces

(I)

VICTOR EMMANUEL III

KING OF ITALY

Having considered } by grace of God and will of the People
~~By virtue of~~ art. 3 of R.L.D. N°1746, of Oct. 5, 1936.
~~By virtue of~~ art. 13 of R.L.D. N°1387, of June 16, 1936 converted
 " " into law N°486, of January 19, 1939.
~~By virtue of~~ law N° 895, of May 22, 1939.
~~By virtue of~~ art 2 of R.L.D. N°953, of June 19, 1940, converted
 " " into law N°1727, of November 28, 1940.
~~By virtue of~~ art. 2 and 3 of R.L.D. N°142, of March 12, 1941
 " " amended by R.L.D. N°859, of June 12, 1942.
~~By virtue of~~ art. 18 of law N°129, of January 19, 1939.
~~By virtue of~~ R.L.D. N°2 B, of October 30, 1943.

WHEREAS a state of emergency is known to exist by reason
 of war,

AFTER due consultation with the Cabinet,

UPON RECOMMENDATION of the Ministry of Agriculture and Fo-
 rests, and in agreement with the Ministers of the Interior,
 Justice, Finance, and Industry, Commerce and Labor,

WE HEREBY DECREE

Art. 1

3 35

All Rental agreements involving farm^{estates}~~lands~~, as well as all
 half-share tenancy and other share-tenancy agreements in force as
 of the effective date of this decree and expiring on or before De-
 cember 31, 1944, are hereby extended ^{as} of right, upon the same terms
 in force on said effective date, for a period of one year from the
 date of expiration.

Such extension shall not be applicable in the event of serious
 breach of contract.

Art. 2
~~XXXXXXXX~~

(2)

Art. 2

Any farm ^(tenant) ~~person~~ rightfully entitled to the extension described in the preceding article, has the right to waive such extension. Such waiver shall be legally valid only if put in writing.

Art. 3

let No extension shall be authorized in cases involving small holdings rented or ~~on~~ on a half-share tenancy or other share-tenancy basis by reason of service in the Armed Forces on the part of the owner or other ^{person} ~~rightful~~ ^{person} ~~entitled~~ ^{entitled}, if ~~the~~ ^{such person} states that he wishes to operate such holdings personally.

Art. 4

All proceedings involving the surrender of real estate ^{on the ground of} ~~owing to~~ the avoidance of current contracts and all eviction proceedings, ⁱⁿ ~~whatever~~ ^{stage they} ~~may be~~, as well as all final sentences not yet carried out, shall - on the strength of the extension mentioned in art. 1 - cease to be effective until the termination of said extension.

The above provision shall not, however, invalidate the legal effectiveness of proceedings instituted by reason of breach of contract, and of final sentences ordering the ~~termination~~ ^{dissolution} of contracts owing to non-compliance therewith.

Art. 5

Whenever a breach of contract is due to non-payment of rent, ^{any tenant} ~~the~~ ~~owners~~ who within 30 days of the effective date of this decree shall pay all sums due, ^{shall have the right to} ~~shall be eligible for~~ the above-mentioned extension provided the final sentence ordering the ~~termination~~ ^{dissolution} of the contract was not carried out.

XXXXXXXXXX

(3)

Art. 6

Within 30 days from the effective date of this decree there shall be appointed a commission for farm contracts, consisting of not less than 7 and not more than 12 members, selected by the Prime Minister from among specially qualified persons representing all social classes and their respective interests.

This Commission, which shall be under the chairmanship of the Minister of Agriculture and Forestry shall study the question of farm contracts and relative problems, and shall remain in office as long as necessary, in order to furnish advice to the Minister concerning all questions relating to said contracts.

Art. 7

All provisions which in any way conflict with the preceding ones, are hereby abrogated.

Art. 8

This decree shall become effective as of the date of publication in the Official Italian Gazette - Special Series - and shall be applicable ~~from the beginning of~~ ^{for} current ~~rental agreements.~~ ^{rental agreements.}

It will be ~~introduced~~ ^{submitted} into the Legislative Assemblies for conversion into law.

^{submit} The Minister sponsoring this measure is hereby authorized to ~~submit~~ ^{submit} the ~~corresponding~~ ^{relative} bill.

We hereby order all persons concerned to comply with the provisions of this decree and to insure its observance as a law of the State.

(dated) Salerno, .3. June. 1944

~~DECREES~~ DECREE FOR CONTROL OF THE 1944 HARVEST OF CEREALS AND
LEGUMINOUS VEGETABLES FOR SEED.

ART. 1

The following products by whomsoever held under any title whatever, shall be subject to control: maize, oats, rye, rice, dried seeds of broad beans, lentil, chick-peas, peas, kidney beans.

ART. 2

Any transfer under whatever title and for whatever reason shall be forbidden excepting the transfer set out in art. 5.

ART. 3

Each producer shall have the duty to register upon termination of harvest in the appropriate register at the Comitato Comunale dell'Agricoltura the total quantity produced and indicate the place in which it is stored under his care and personal responsibility.

ART. 4

When checking and registering the production as reported for registration the Comitato Comunale dell'Agricoltura shall fix the quantity which shall be destined for sale.

ART. 5

The controlled products shall be sold for prices, which shall be subsequently fixed, to such bodies (ente) and persons who shall be authorized by this Ministry.

ART. 6

The foregoing Article 5 shall apply also to such products as are described in art. 1 which the producers have already at the date of this decree transferred or have undertaken to transfer to any other person. As a

stored under his care and personal responsibility.

ART. 4.

When checking and registering the production as reported for registration the Comitato Comunale dell'Agricoltura shall fix the quantity which shall be destined for sale.

ART. 5.

The controlled products shall be sold for prices, which shall be subsequently fixed, to such bodies (ente) and persons who shall be authorized by this Ministry.

ART. 6.

32

The foregoing Article 5 shall apply also to such

products as are described in Art. 1 which the producers have already at the date of this decree transferred or have undertaken to transfer to any other person. As a consequence:

- a) The producers and every successive vendor is bound to declare to U.P.S.E.A. of the Comune in which he resides the particulars and the address of the purchaser including the nature, quantity and price of the produce sold.
- b) The purchaser is bound to declare to U.P.S.E.A. of the Comune in which he resides the particulars and the address of the vendor including the nature, quantity and price of the produce purchased.
- c) Any person having at the present moment possession by whatever title of any produce is bound to make to the U.P.S.E.A. of the Comune in which the produce is situated the same declaration as described in para (b) and to indicate the place in which he has deposited it under his own care and at his responsibility and to hold it at the disposition of the authorities for sale in accordance with the provision of Art. 5.
- d) The prices fixed for sales in accordance with the provision of Art. 5 shall apply also to sales

which have already taken place and the inter-vested parties shall have the right as between themselves to reimbursement of any difference which may result.

A R T . 7

Any of contrary provision is hereby repealed.

A R T . 8

Any violation of the provisions contained in this decree shall be punishable in accordance with R.D.L. 22 April 1943 No. 245.

The present decree becomes effective on the day of its publication in "Gazzetta Ufficiale" of the Kingdom - Special Series.

Salerno, 3 June 1943 .

DECRETO POR EL CUAL SE DETERMINA EL HARVEST DE CEREALES Y LEGUMINOSAS PARA EL AÑO 1963.

ART. 1.

The following products by whomsoever held under any title whatever, shall be subject to control: wheat, oats, rye, rice, dried seeds of broad beans, lentils, chick-peas, peas, kidney beans.

ART. 2.

Any transfer under whatever title and for whatever reason shall be forbidden excepting the transfer set out in Art. 5.

ART. 3.

Each producer shall have the duty to register upon termination of harvest in the appropriate register at the Comite Commune dell' Agricoltura the total quantity produced and indicate the place in which it is stored under his care and personal responsibility.

ART. 4.

When checking and registering the production as reported for registration the Comitato Commune dell' Agricoltura shall fix the quantity which shall be destined for sale.

ART. 5.

The controlled products shall be sold for prices, which shall be subsequently fixed, to such bodies (ente) and persons who shall be authorized by this Ministry.

ART. 6.

The foregoing Article 5 shall apply also to such products as are described in Art. 1 which the producers have already at the date of this decree transferred or have undertaken to transfer to any other person. As a consequence:

- a) The producer and every successive vendor is bound to declare to U.D.P.A. of the Comune

when checking and registering the production as reported for registration the Comitato Comunale dell'Agricoltura shall fix the quantity which shall be destined for sale.

ART. 4.

The controlled products shall be sold for prices, which shall be subsequently fixed, to such bodies (ente) and persons who shall be authorized by this Ministry.

ART. 5.

The foregoing Article 5 shall apply also to such

products as are described in Art. 1 which the producers have already at the date of this decree transferred or have undertaken to transfer to any other person, as a consequence:

- a) The producers and every successive vendor is bound to declare to U.P.G.M.A. of the Comune in which he resides the particulars and the address of the purchaser including the nature, quantity and price of the produce sold.
- b) The purchaser is bound to declare to U.P.G.M.A. of the Comune in which he resides the particulars and the address of the vendor including the nature, quantity and price of the produce purchased.
- c) Any person having at the present moment possession by whatever title of any produce is bound to make to the U.P.G.M.A. of the Comune in which the produce is situated the same declaration as described in para (b) and to indicate the place in which he has deposited it under his own care and at his responsibility and to hold it at the disposition of the authorities for sale in accordance with the provision of Art. 5.
- d) The prices fixed for sales in accordance with the provision of Art. 5 shall apply also to sales

which have already taken place and the inter-vested parties shall have the right as between themselves to reimbursement of any difference which may result.

A R T . 7

Any of contrary provision is hereby repealed.

A R T . 8

Any violation of the provisions contained in this decree shall be punishable in accordance with R.D.L. 22 April 1943 No. 245.

The present decree becomes effective on the day of its publication in "Gazzetta Ufficiale" of the Kingdom - Special Series.

Salerno, 3 June 1943.

3 July 1944 N.152

Legislative Decree of the Lieutenant General of the Kingdom
 regarding the control of the ~~current~~ ^{operation} and the encouraging
 of threshing and husking by machine or by other means and
 systems of grains and vegetables.

Cereals Vegetables

Umberto di Savoia

Lieutenant General of the Kingdom

By order of the authority

Have considered
 RDL n.433 23 April 1942 controlling the threshing and husking
 of grains and vegetables by machinery.

Law No.652 30 May 1940 containing provisions to encourage the practice
 of threshing by machinery.

RDL 245 22 April 1943 regarding penalties for violations of
 existing provisions controlling national agricultural activities.

Decree of Lieutenant General - June 1944.

RDL 2/B 30 October 1943

Meeting of the Council of Ministers.

On the proposal of the Ministers Secretaries for State for Agri-
 culture and Forestry and for Industry Commerce and Labour, in
 accordance with the Ministers Secretaries for State for Finance
 and for Pardon and Justice.-

ARTICLE 1

RDL No.433 23 April 1942 shall be modified according to the fol-
 lowing provisions:

ARTICLE 2

The following are hereby suppressed:-

- (a) The Consorzi provinciali and Interprovinciali (Pro-
 vincial and Interprovincial Associations) ^{are} Obligated for any
 person carrying on threshing and husking ^{by machine} for third parties.
- (b) The relative Federazione Nazionale.
- (c) Comitati Ministeriali and Commissioni Provinciali
 (Ministerial Committees and Provincial Commissions). described
 in Arts 5 and 7 of the above RDL.

The contribution established by Art 4 of the aforesaid

RDL is abolished.

The Minister for Industry Commerce and Labour together
 with the Minister for Agriculture and Forestry shall fix the
 contribution when necessary.

1 6 8 2

culture and Forestry and for Industry Commerce and Justice in accordance with the Ministers Secretaries for State for Finance and for Pardon and Justice.-

ARTICLE 1

RDL No.433 23 April 1942 shall be modified according to the following provisions:

ARTICLE 2

The following are hereby suppressed:-

- (a) The Consorzi Provinciali and Interprovinciali (Provincial and Interprovincial Associations) ^{or} Obligated for any person carrying on threshing and husking for third parties.
- (b) The relative Federazione Nazionale. 28
- (c) Comitati Ministeriali and Commissioni Provinciali (Ministerial Committees and Provincial Commissions). described in Arts 5 and 7 of the above RDL.

The contribution established by Art 4 of the aforesaid RDL is abolished.

The Minister for Industry Commerce and Labour together with the Minister for Agriculture and Forestry shall fix the rules for the liquidation and shall appoint when necessary a liquidator or liquidators for all the Consorzi and their relative Federazione suppressed by this decree.

The property of the said Bodies shall fall to the State and shall be used by the Minister for Agriculture and Forestry in the development of ~~the~~ activities ~~and~~ benefit ~~the~~ agricultural classes, and principally in the encouraging of threshing and husking by motor machinery.

ARTICLE 3

The functions hitherto carried out by the Consorzi Trebbiatori (threshing Boards) and those relating to the control of threshing and husking by machinery ^{of threshing} and ^{husking} shall come from now on within the scope of the Ispettorati Provinciali dell'Agricoltura within the following limits:

- (a) issuing licences to operate
- (b) receiving reports of amounts threshed and husked
- (c) exercising supervision over threshing operations to ensure the exactness of these reports including the particulars relating to the size of the ground concerned.

To this effect the Ispettorati Provinciali dell'Agricoltura shall make use of the "Uffici Provinciali Statistici-Economici dell'Agricoltura (Provincial offices) and of their local offices

1683

(communal offices) and may call on the agents of the judicial police for assistance.

A. R. T. 4

Those rules for controlling threshing and husking by machines and by any other means or system, of ~~machines~~ *engines* and ~~engines~~ *legumes* shall remain as established by R.D.L. No. 433 of 23/4/42 where not opposed to this decree and to provisions made by the Ministry for Agriculture and Forestry in its circular No. 100 dated 7 May 1944 which shall form an integral part of this R.D.L. and will be published in the Official Gazette and thereby attain full force of law.

Special Since The Ministry for Agriculture and Forestry is authorized to coordinate in a consolidated text the rules concerning the control ~~of~~ *the* encouragement of threshing and husking by machines or by other means and systems, of ~~engines~~ *engines* and ~~engines~~ *legumes*

A. R. T. 5

For the expenses involved in ascertaining the technical suitability of the threshing machine persons receiving a permit to carry on threshing or husking by machines must pay to the Treasury (Cassa) a government concession tax of L. 200 for every threshing or husking machine of any kind whatsoever and irrespective of the length of the beater.

The aforesaid expenses shall be charged to the account of the Ministry for Agriculture and Forestry and the Minister of Finance is authorized to allot by his own decrees the sum required within the maximum limits of the amount received from the government concession tax ~~155~~ twenty per cent for collection expenses.

A. R. T. 6

In agreement with the Comitato Provinciale dell'Agricoltura and the Ispettorato dell'Industria e del Lavoro-competent for the area-the Provincial Agricultural Inspector may revoke any license at any time where it appears that the machine or the operators are technically deficient or when there are ~~to~~ *for* distinguishing appliances, or when the license holder does not observe the rules for threshing operations established by this decree and those issued by the Minister for Agriculture and Forestry or does not respect the tariff for threshing fixed by the Minister for Agriculture and Forestry in agreement with the Minister for Industry and Commerce and ~~155~~ *155* ment with the Comitato dell'Industria e del Lavoro - competent

The Ispettorato dell'Industria e del Lavoro - competent for the area shall be empowered to investigate cases of infringing the tariff.

A. R. T. 7

of L.200 for every hectare of the length of the account
whatsoever and irrespective of the length of the account
The aforesaid expenses shall be charged to the account
of the Ministry for Agriculture and Forestry and the Minister
for Finance is authorized to allot of his own decrees the
sum required within the maximum limits of the amount received
from the Government concession tax 155 twenty per cent for
collection expenses.

A R T . 6

In agreement with the Comitato Provinciale dell'Agricoltura
and the Ispettorato dell'Industria e del Lavoro-compatent
for the area the Provincial Agricultural Inspector may revoke
any license at any time where it appears that the machine
or the operators are technically deficient or when there
are no distinguishing appliances, or when the license holder
does not observe the rules for threshing operations established
by this decree and those issued by the Minister for Agriculture
and Forestry or does not respect the tariff for threshing
fixed by the Minister for Agriculture and Commerce and Labor.
The Ispettorato dell'Industria e del Lavoro - competent
for the area shall be empowered to investigate cases of
infringing the tariff.

A R T . 7

Violations of the provisions of this R.D.L. and of those
referred to by it and to those orders already given or which
may be issued by the Minister for Agriculture and Finance
shall be punished in accordance with R.D.L. No. 245 22/4/43
without prejudicing the power of the Ispettorato Provinciale
dell'Agricoltura to revoke any license for threshing or
threshing.

A R T . 8

This decree shall come into force ~~on~~ on the day of its
publication in the Official Gazette of the Kingdom - Special Series -
Be hereby order all persons concerned to observe this decree
and to ensure its observance as a Law of the State.

[Handwritten signature]

No. 1847 file

Dwr 3/1-0

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Percentages

Salerno, 17 May 1944

Subject: Rules for regulating the control of the operation of and for encouraging threshing and husking ~~by~~ ^{for} machines, or by other means and systems ~~for cereals and legumes~~

1944 ~~Business to Crop~~ ✓

R.D.L. No. 433 2/4/42 is being notified by a decree now in the course of publication.

by this decree the "Consorzi Provinciali and Interprovinciali obbligatori for those engaged in ~~the~~ ^{hiring and} ~~hiring~~ ^{hiring} by machines for third parties", including their relative Federazione Nazionale, are suppressed.

And thereby the contribution established by Art. 4 R.D.L. 433
23/4/44 is abolished.

On the basis of the rules contained in the decree soon to be issued for controlling threshing and husking for the current season the following instructions are issued in the meantime:

(1) Any person desiring to thresh or husk ~~grain~~ ^{sawdust} by machinery ~~powered~~ by a motor must obtain a license issued by the Provincial Inspector of Agriculture.

The license is type A for threshing and husking only on property farmed by the holder or holders of the license and type B for threshing and husking for third parties or for ~~himself~~ and third parties.

Associations and societies, however constituted among agriculturists with the aim of providing for threshing and husking on farms cultivated by themselves or by their associates must obtain license type A; if however they intend to operate for third parties also they must obtain license type B.

A license may not be issued unless for exceptional cases, for the operation of a threshing or husking machine that is not equipped with a suitable fire extinguisher or does not comply with the necessary technical requirements.

(2) Licenses are issued from 1st May of every year and within one month of the presentation of the relative demand, on the decision of the Provincial Inspector for Agriculture ~~in agreement~~ with the Comitato Provinciale dell'Agricoltura and the Chief of the Ispettorato dell'Industria e del Lavoro (ex Ispettorato Corporativo) competent for the area.

after consulting:

licenses issued for the preceding year may be extended for the preceding year may be extended for the area.

On the basis of the following instructions are issued in the meantime: by machine the following instructions are issued to thresh or husk ~~grain~~ ^{grain} by the Provincial (1) any person desiring to obtain a license issued by the Provincial

powered by a motor must obtain a license issued only on property Inspector of Agriculture. A for threshing and husking only on property

The license is type A for threshing and husking and type B for

furnished by the holder or holders of the license and type B for

threshing and husking for third parties or for ~~any other~~ ^{any other} and third parties.

associations and societies however constituted among agricul- turists with the aim of providing for threshing and husking on

farms cultivated by themselves or by their associates must obtain

license type A; if however they intend to operate for third parties

also they must obtain license type B. A license may not be issued unless for exceptional cases, for

the operation of a threshing or husking machine or does not comply with

equipped with a suitable fire extinguisher or does not comply with

the necessary technical requirements. 3. on the relative demand, on the

(2) Licenses are issued from 1st May of every year and within

one month of the presentation of the request for Agriculture and the Chief of

decision of the Provincial Inspector for Agriculture and the Chief of

the Comitato Provinciale dell'Industria e del Lavoro (ex Ispettorato Cor-

porativo) competent for the preceding year may be extended for

licenses issued if granted with a new "visto" of the government concession

this current season always providing that the government concession

rate Agrario and always providing that the government concession

tax as in para 5 below for the new season also has been paid.

(3) The license is valid only for the year and for the Provincial

the kind or kinds of produce, for the year and for the Provincial

district for which it has been issued. Any operator of a machine who intends to use it in other

Any operator of a machine who intends to use it in other

provinces must have his license stamped with the "visto" of autho-

rization of the Ispettorato Provinciale dell'Agricoltura competent

in those areas. (4) The Comitato described in para 2 is to be called on to

give opinion also :-

(a) On the maximum number of machines to be assigned in the pro-

vincial area for threshing for third parties in regard to the

needs of production. (b) On the technical suitability of machines assigned for thresh-

ing and husking ~~grain~~ ^{cereals} of distribution

(c) On the advisability or not of making a plan of distribution

for the employment of threshing machines in the provincial area.

after consulting

(5) For the expenses involved in determining the technical suitability of threshing machines persons desiring licenses for threshing and husking by machine must pay to the Treasury (Estrio) a Government concession tax of L.200 for every kind of threshing or husking machine irrespective of the length of the beater.

Therefore in applying for a license the applicant must show that he has already made the above payment.

(6) In agreement with the Comitato Provinciale dell'Agricoltura, the Provincial Inspector for Agriculture may revoke at any time any license where it appears that the machine or the operators are technically deficient, or when there are no adequate fire extinguishing appliances or where the license holder does not observe in carrying on threshing the rules of the decree in course of preparation or does not respect the tariff for threshing fixed by the Minister for Agriculture and Forestry in accord with the Minister for Industry, Commerce and Labour, or by their respective provincial offices.

The Istituto del Lavoro competent for the area shall be empowered to investigate cases of infringing the tariff.

The following is a list of average tariffs for threshing by machine powered by motor and with fuel provided at the expense of the thresher agreed, as a basis, between the Ministries competent and which must serve as a basis for the determination by the Comitato Provinciale dell'Agricoltura of the charges to be fixed in their respective provinces for the coming grain harvest.

- Threshing of any amount up to 50 q/li of produce: Producer must pay a money sum to the thresher equal to L.50 per q/li threshed.

- Any amount from 50 q/li to 100 q/li of produce: Producer must pay a money sum to the thresher equal to L.45 per q/li threshed

- Quantities over 100 q/li of produce: Producer must pay a money sum to the thresher equal to L.35 per q/li threshed.

Such charges refer to threshing by machines powered by an internal combustion engine.

When the thresher also carries out the cutting and baling of straw the producer must pay L.12 per q/le of straw baled or cut, the straw the producer must pay L.12 per q/le of straw baled or cut, the price of steel wire for baling is not included in this charge.

The thresher must provide at his own expense during the threshing at least three skilled workers for operating the threshing machine and for feeding in the produce.

All other workers are at the producer's expense. All other workers are at the producer's expense. All other workers are at the producer's expense. All other workers are at the producer's expense.

- Threshing of any amount up to 50 q/li of produce : producer must pay a money sum to the threshers equal to L.50 per q/li threshed.

- Any amount from 50 q/li to 100 q/li of produce: Producer must pay a money sum to the thresher equal to L.45 per q/li threshed

- quantities over 100 cwt of produce : Producer must pay £/cwt equal to L.55 per cwt threshed.

such charges refer to threshing by machinery powered by an internal combustion engine.

internal combustion engine. When the thrasher also carries out the cutting and baling of straw, the producer must pay L.12 per $\sqrt{1}$ le of straw baled or cut, the straw the producer must pay L.12 per $\sqrt{1}$ le of straw baled or cut, the price of steel wire for baling is not included in this charge. the price of steel wire for baling is not included in this charge.

The price of steel wire for baling is not increased during the threshing season. The thrasher must provide at his own expense for operating the thrasher. The thrasher must have at least ~~three~~ four skilled workers to produce. The cost of seedling in the produce.

ing machine and for feeding in the produce. The producer's expenses.

All other workers are at the producer's expense. All other workers are at the producer's expense. All other workers are at the producer's expense.

The Comitati Provinciali dell'Agricoltura are asked to normalise the charges for threshing set out above, with regard to normal threshing machines with a 120 cm. beater powered by a motor driven by diesel oil (Nafta), paraffine (Petrolio) or petrol (Benzina) or by other means (coal (carbone) or electricity).

When the machine is driven by other means (coal (carbone) or petrol (petrolio) or diesel oil (Nafta), paraffine (Paraffina) or by the straw, dried olive husks etc.) or if other products are being dealt with, the said tariffs must be adjusted suitably - by the Comitato Provinciale with the Capo dell'Ispettorato dell'Industria e del Lavoro present - on the basis of the prices of the fuel employed - the work required and the place of the work.

General

7. With every ~~threshing~~ threshing machine in operation a register with detachable duplicate pages (bollettario a madre e figlia) must be kept in the care of the licence holder furnished on payment by the Ispettorato Provinciale dell'Agricoltura, for entering the facts and information required thereon. Immediately after every weighing operation the particulars of each individual weighing must be recorded in ink or copying pencil on the back of the sheet retained (bolletta madre) in the aforesaid register of information.

Such registers must be the same as those issued for the 1942 season by the Istituto Generale di Statistica for obligatory declaration of ~~grain~~ ^{grain and vegetables} so as to be able to use all remaining registers in the possession of the Ispettorati Agrari Provinciali, who will take steps as the need arises to re-print ~~when they are not sufficient~~ ^{should they have none}.

The obligation to keep the above register extends to every kind of threshing floor for threshing and husking by other means and systems different from machinery powered by motor of any product whatsoever subject to control. In such a case moreover the Ispettorati Agrari must stamp on the front of every sheet the method of threshing used (threshing by hand, a sanguie etc.), but only in registers having such purpose.

On the three counterfoil sheets of the aforesaid register the following entries and information must be made on the responsibility of the holder of the threshing licence and counter-signed by him.

- (a) Completing and delivering the first counterfoil sheet to the person who brings the ~~grain~~ to the threshing machine who is bound to declare to the operator of the said machine the name of the farm and the extent of land sown from which were produced the product to be threshed, and to countersign and to keep that sheet.
- (b) Complete the second counterfoil sheet and send it, within one week from the end of the threshing to the Municipio of the Com-

the front of every sheet the method of threshing used (threshing by hand, a sanguie etc.), but only in registers having such purpose.

On the three counterfoil sheets of the aforesaid register the following entries and information must be made on the responsibility of the holder of the threshing licence and counter-signed by him.

- (a) Completing and delivering the first counterfoil sheet to the person who brings the ~~grain~~ to the threshing machine who is bound to declare to the operator of the said machine the name of the farm and the extent of land sown from which were produced the product to be threshed, and to countersign and to keep that sheet.
- (b) Complete the second counterfoil sheet and send it, within one week from the end of the threshing to the Municipio of the Comune of production who will take note of any point of interest to the Ufficio Annuario and take steps to forward it to the Ufficio Centrale Statistica at the Ministry of Industry Commerce and Labour.
- (c) Complete the third counterfoil sheet and send it to the Communal office of the Ufficio Statistico-Economico dell'Agricoltura (ex Ufficio Accertamenti Agricoli) in whose territory the produce was grown. The said Ufficio Statistico-Economico dell'Agricoltura will in turn send the third sheet to the competent Ispettorato Agrario Provinciale. On this last sheet there must be shown the quantity threshed, the particulars

of the cultivator of the farm from which the ~~grain~~ was produced and the Commune in which ^{the} holding is situated.

Delivery of the third sheet to the aforesaid Communal Office must be made daily in regard to quantities that take no more than one day's work, and immediately after the last threshing for quantities that need more than one day's work.

Within one week of the last day of threshing the stubs of the registers, even if used in part only, must be returned to the Ispettorato Provinciale dell'Agricoltura who issued them.

It is established that the first counterfoil sheet (see subpara (a)) may also be used as the obligatory permit to accompany (bolletta obbligatoria di accompagnamento) for threshed products from the threshing, to the producer's store.

For this purpose on the back of the last two sheets to the right of the register in question a special form (tracciato) will be printed so that there may be registered from time to time every departure of threshed produce from the threshing floor.

8. All persons threshing and husking by other means and systems must communicate previously to the Ispettorato Provinciale dell'Agricoltura and to the Communal Office of the Ufficio Statistico-Economico dell'Agricoltura, the day on which they will begin operations and requesting the necessary authorization, so, furthermore, that the aforesaid Communal Office may grant them permission (loro concessione...il nulla osta) to transport the grain from the threshing floor to the store.

In order to be able to ^{use} and to use the threshing floor, persons possessing hand threshers and tenants of threshing floors must make a request at least 5 days previously in respect of each threshing and each threshing floor to the Communal Office of the Ufficio Statistico-Economico who will proceed to send copies to the Ispettorato Provinciale dell'Agricoltura.

The request, written on plain paper must contain the following particulars:

(a) Date of the start of the threshing, husking

threshing floor.

8. All persons threshing and husking by other means and systems must communicate previously to the Ispettorato Provinciale dell'Agricoltura and to the Communal Office of the Ufficio Statistico-Economico dell'Agricoltura, the day on which they will begin operations and requesting the necessary authorization, so, furthermore, that the aforesaid Communal Office may grant them permission (loro concessione) if nulla osta) to transport the grain from the threshing floor to the store.

In order to be able to ^{thresh} and to use the threshing floor, persons possessing hand threshers and tenants of threshing floors must make a request at least 5 days previously in respect of each threshing and each threshing floor to the Communal Office of the Ufficio Statistico-Economico who will proceed to send copies to the Ispettorato Provinciale dell'Agricoltura. } 23

The request, written on plain paper must contain the following particulars:

- (a) Date of the start of the threshing, husking and beating of the ~~grain~~ ^{grain} ^{Cereal} that can be threshed
- (b) Average quantity of ~~grain~~ ^{grain} that can be threshed daily.
- (c) Number of days considered necessary for the threshing and number of threshing floors.
- (d) Whether the thresher or the threshing floor is to be used for the farm itself or for some third party or for both.

by hand

In the last two cases there must also be set out in the request the route of the hand thresher and the name of the producers who in order of time will use the hand thresher and the threshing floor.

(e) The exact location of the private hand threshers and the situation of threshing floors private and common.

Those threshing floors where the ^{grain} grain of several producers are brought together are considered as common floors for threshing by treading, or beating with flails (verghe) or rods (mazzuole)

Those threshing floors to which the ^{grain} grain of one producer only is brought are considered as private.

At the end of the threshing either the owner or the hirer of the hand threshes; and either the owner or the tenant of the threshing floor previously authorized to use it must declare on the proper form to the Ufficio Comunale Statistico-Economico the produce threshed.

9. For the supervision of the threshing operations and to verify the quantity of the ~~grain~~ ^{grain} threshed including the relative area sown the Ispettorato Provinciale dell'Agricoltura may make use of the Uffici Provinciali Statistico-Economici dell'Agricoltura and call on the agent of the judicial police.

10. Violations of the provisions already issued and of those which will be issued from this Ministry are punishable in accordance with RDL 22/4/1943 No.245 without prejudice to the revocation if necessary of any license to thresh and to husk which will be decided by the Ispettorato Provinciale dell'Agricoltura.

All Organizations addressed are asked to give the widest circulation to the rules contained herein communicating this to all dependant offices who may be interested.

These acknowledge receipts of the above.

THE MINISTER

GULLO

22

1 6 9 4

holder of the hand threshing, and either the
of the threshing floor previously authorized to use it must
declare on the proper form to the Ufficio Comunale Statistico-
Economico the produce threshed.

9. For the supervision of the threshing operations and to
verify the quantity of the ~~grain~~ ^{threshed} including the rela-
tive area sown the Ispettorato Provinciale dell'Agricoltura may
make use of the Uffici Provinciali Statistico-Economici del-
l'Agricoltura and call on the agent of the judicial police.

10. Violations of the provisions already issued and of
those which will be issued from this Ministry are punishable
in accordance with RDL 22/4/1943 No. 245 without prejudice to
the revocation if necessary of any license to thresh and to
husk which will be decided by the Ispettorato Provinciale del-
l'Agricoltura.

All Organizations addressed are asked to give the
widest circulation to the rules contained herein communicating
this to all dependant offices who may be interested.

Please acknowledge receipt of the above.

THE MINISTER

GULLO 22

TRANSMISSION: ~~URGENT~~ *URGENT*
Legislative Decree of the King and Senate of the Kingdom of July 1944 No. 103
PENAL PROVISIONS ~~RELATIVE TO THE PENALTY~~ *concerning* ~~CRIMINAL WHEAT~~
AND BARLEY OF THE 1944 ~~HARVEST~~ *crop*

UMBERTO DI SAVOIA - PRINCIPE DI PIEMONTE.
Lieutenant Governor of the Kingdom
By virtue of the authority delegated to us

Having considered the Decree of Minister of Agriculture and Forestry 2 May 1944 regarding the ~~provisions for the~~ *harvesting and delivery of wheat and barley of the* 1944 ~~harvest~~ *crop*

- "RDL No. 245 of 22 April 1943 *of the Kingdom*
- "Decree Law of Lieutenant General 25 June 1944
- "RDL No. 2/B 30 October 1943
- "RDL No. 141 29 May 1944
- "~~Meeting~~ *of Council of Ministers*

On the proposal of the Minister of Pardon and Justice *in agreement* with the Ministers of Finance and Agriculture and Forestry *together*
We have sanctioned and is promulgated the following
Decree

Art. 1.

Whoever shall fail to deliver ~~what~~ *crop* and barley of the 1944 ~~harvest~~ *crop* in accordance with the provisions of the decree of the Minister for Agriculture and Forestry 2 May 1944 and its relative regulations, shall be punished, if the act does not constitute a more serious offence, with imprisonment (reclusione) for a term of from six months to six years and with a fine equal to twenty times the lawful price of the quantity withheld and not less in any case than five thousand lire.

The same penalties shall be applied to any person who, before being ordered to make delivery or after receiving such order and before the termination of the time for so making delivery, hides, alienates or in any way whatsoever abstracts the products described in the preceding paragraph.

Art. 2.

If before the opening of the hearing before a court ^{or} first instance the accused delivers or causes to be delivered in full to the competent organization the abstracted product the penalty shall be diminished by from one half to two thirds.

Art. 3.

The provisions of Art. 6 RDL No. 245 22 April 1943 shall not apply to offences described in Art. 1 above.

Whoever shall fail to deliver ~~grain~~ and barley of the 1944 ~~harvest~~ in accordance with the provisions of the decree of the Minister for Agriculture and Forestry 2 May 1944 and its relative regulations, shall be punished, if the act does not constitute a more serious offence, with imprisonment (reclusion) for a term of from six months to six years and with a fine equal to twenty times the lawful price of the quantity withheld and not less in any case than five thousand lire.

The same penalties shall be applied to any person who, before being ordered to make delivery or after receiving such order and before the termination of the time for so making delivery, hides, alienates or in any way whatsoever abstracts the products described in the preceding paragraph.

Art. 2.

If before the opening of the hearing before a court ^{of} first instance the accused delivers or causes to be delivered in full to the competent organization the abstracted product the penalty shall be diminished by from one half to two thirds.

Art. 3.

The provisions of Art. 6 RDL No. 245 22 April 1943 shall not apply to offences described in Art. 1 above.

Art. 4.

As regards offences described in Art. 1, a warrant of arrest is obligatory, provisional liberty cannot be granted to the accused and no conditional suspension of penalty is permitted.

Art. 5.

With the sentence an order shall always be made confiscating the ~~grain~~ ^{wheat} and barley requested for non-delivery, and the accused shall be declared to have forfeited the right to retention for family consumption as described in Art. 3, sub-paragraphs (a) (b) and (d) and Art. 4 of the decree of the Minister for Agriculture and Forestry 2 May 1944.

Art. 6.

After the decision on appeal or after that of the Court of first instance if it is not appealed against, the amount of ~~grain~~ ^{wheat} and barley to which the sentenced person, members of his family living with him in his care and the dependants living with him are entitled shall be turned over to the collecting centre of the Commune in which the product is situated to be distributed in accordance with existing regulations.

The cost of delivery shall be reimbursed to the person entitled if on appeal to cassation the accused shall be acquitted in accordance with the terms of Art. 479 of the Code of Penal Procedure. In the case of a conviction or acquittal in accordance with the terms of Art. 478 of the aforesaid code the cost shall fall to the State.

*farm
agricultural*
Art. 7.

Whoever enjoys by whatsoever title the revenue from one or more estates (fondi rustici) and is convicted in accordance with Art. 1 of this decree shall forfeit his right to collect any payment in kind (estaglio), tithe (canone), rent owed in any way for the current year, as regards all his estates even though the failure to deliver relates to one estate only. Any amount due in kind shall be turned over by the person owing it to the collecting centre of the commune in which each estate is situated and the cost of delivery shall fall to the State; any amount due in money shall fall to the benefit of the State.

*farm
agricultural*
Art. 8.

Any tenant, half-share tenant or farmer of one or more ~~country~~ estates convicted in accordance with the provisions of Art. 1 of this decree shall forfeit in respect to all lands leased by him the right to any continuation of his agreement including the right to prolong established by RDL No. 146, 3 June. 1946.

In the case of several tenants, half-share tenants or farmers co-operating among themselves in the cultivation of one ~~farm~~ the conviction of one shall result in forfeiture as in the paragraph above by all the others whenever the accused has acted as representing them also.

Art. 9.

The penal sentence on appeal or of the court of first instance if not appealed against shall be sufficient authority for any person entitled to demand the release of the ~~farm~~ in accordance with the forfeiture established in Art. 8.

The rules for enforcing eviction shall apply.

The right to payment for growing crops, expenses of cultivation and for improvements in accordance with the civil law remain in force.

Art. 10.

The report concerning any offence contemplated in this decree shall be sent to the judicial authority by the officials of the judicial police in accordance with the rules of the Code of penal procedure.

Whenever such circumstances as are described in Art. 502 of the code of penal procedure (circostanze di reato) (speedy trial) shall always be followed.

Any tenant, half-share tenant or farmer of one or more ~~country~~ estate convicted in accordance with the provisions of Art. 1 of this decree shall forfeit in respect to all lands leased by him the right to any continuation of his agreement including the right to prolong established by RDL No. 146, 3 June. 1944.

In the case of several tenants, half-share tenants or farmers co-operating among themselves in the cultivation of one ~~farm~~ the conviction of one shall result in forfeiture as in the paragraph above by all the others whenever the accused has acted as representing them also.

Art. 9.

The penal sentence on appeal or of the court of first instance if not appealed against shall be sufficient authority for any person entitled to demand the release of the ~~farm~~ in accordance with the forfeiture established in Art. 8.

The rules for enforcing eviction shall apply.

The right to payment for growing crops, expenses of cultivation and for improvements in accordance with the civil law remain in force.

Art. 10.

The report concerning any offence contemplated in this decree shall be sent to the judicial authority by the officials of the judicial police in accordance with the rules of the Code of penal procedure.

Whenever such circumstances as are described in Art. 502 of the code of penal procedure occur *giudizio direttissimo* (speedy trial) shall always be followed.

Art. 11.

Copies of the reports and sentences regarding offences described in this decree must be sent to the competent communal agricultural committee for the locality so that they can ascertain all matters within their jurisdiction.

Art. 12.

Any provisions of RDL No. 245 22 April 1943 that are compatible with this decree are hereby repealed.

Art. 13.

This decree shall come into force ~~effective~~ ^{on the day following its publication} in the official gazette of the Kingdom - Special Series -
We hereby order all persons concerned to observe this decree and to ensure its observance as a law of the State

Naples 4 July 1944

TRANSMISSION + V.C. Bago

MINISTER OF AGRICULTURE AND FORESTS
AND MINISTERS OF FINANCE AND JUSTICE
TO THE PRESIDENT

Wheat

MINISTERS OF AGRICULTURE AND FORESTS

Ref Decree of Minister of Agriculture and Forests 2 May 1944 regarding the provisions for seedling, harvesting and delivery of grain and barley of the 1944 harvest -

- Art. No. 245 of 22 April 1943
- Decree Law of Lieutenant General 25 June 1944
- Art. No. 243 of 10 October 1943
- Art. No. 414 of 29 May 1944
- Meeting of Council of Ministers

On the proposal of the Minister of Finance and Justice together with the Ministers of Finance and Agriculture and Forestry

etc. etc.

Article 1 is wheat

Moreover shall still to deliver grain and barley of the 1944 harvest in accordance with the provision of the decree of the Minister for Agriculture and Forestry 2 May 1944 and the relative regulations, shall be purchased, if the act does not constitute a more serious offense with imprisonment (rehabilitation) for a term of from six months to six years and with a fine equal to twenty times the lawful price of the quantity withheld and not less in any case than five thousand lire.

The same penalties shall be applied to any person who, before being ordered to the delivery or after receiving such order and before the termination of the time for so making delivery, hides, alienates or in any way whatsoever obstructs the provisions described in the preceding paragraph.

Art. 2.

If before the opening of the hearing before a court ^{first instance} the accused delivery or causes to be delivered in full to the competent organization the abstracted quantity the penalty shall be diminished by from one half to two thirds.

Art. 3.

1 18

The provision of Art. 6 of the No. 245 of 22 April 1943 shall not apply to offenses committed in Art. 1 above.

accordance with the provisions of the decree of the Minister for Agriculture and Forestry 2 May 1944 and the relative regulations, shall be punished, as the not does not constitute a more serious offence with imprisonment (reclusion) for a term of from six months to one year and with a fine equal to twenty times the lawful price of the quantity withheld and not less in any case than five thousand lire.

The same penalties shall be applied to any person who, before being ordered to take delivery or after receiving such order and before the termination of the time for so taking delivery, hides, alienates or in any way whatsoever abstracts the products described in the preceding paragraph.

Art. 2.

If before the opening of the hearing before a court, first instance the accused delivers or causes to be delivered in full to the competent organization the abstracted product the penalty shall be diminished by from one half to two thirds.

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Art. 3.

The provision of Art. 6 of the No. 245 of 22 April 1943 shall not apply to offences described in Art. 1 above.

Art. 4.

As regards offences described in Art. 1, a warrant of arrest is obligatory. Provisional liberty cannot be granted to the accused and no conditional suspension of penalty is permitted.

Art. 5.

With the sentence an order shall always be made confiscating the ^{which} grain and barley seized for non-delivery, and the accused shall be declared to have forfeited the right to reputation for family connection as described in Art. 7, sub-paragraph (a) (b) and (c) and Art. 4 of the decree of the Minister for Agriculture and Forestry 2 May 1944.

Art. 6.

After the decision on appeal or after that of the Court of first instance if it is not appealed against, the warrant of ~~grain~~ and barley to which the sentenced person, members of his family living with him in his care and the dependent living with him are entitled shall be turned over to the collecting centre of the Comune in which the product is situated to be distributed in accordance with existing regulations.

1.

- 2 -

The cost of delivery shall be reimbursed to the person entitled if on appeal to conviction the accused shall be acquitted in accordance with the terms of Art. 479 of the Code of Penal Procedure. In the case of a conviction or acquittal in accordance with the terms of Art. 473 of the aforesaid code the cost shall fall to the State.

Art. 7.

Whoever enjoys by whatever title the revenue from one or more country estates (finca rustica) and is convicted in accordance with Art. 4 of this decree shall forfeit his right to collect any payment in kind (estagado), tithes (censos), rent owed in any way for the current year, as regards all his estates even though the failure to deliver relates to one estate only. Any amount due in kind shall be turned over by the person owing it to the collecting centre of the commune in which such estate is situated and the cost of delivery shall fall to the State; any amount due in money shall fall to the benefit of the State.

Art. 8.

Any tenant, half-share tenant or farmer of one or more country estates convicted in accordance with the provisions of Art. 4 of this decree shall forfeit in respect to all lands leased by him the right to any continuation of his agreement including the right to grazing established by Dec. No. 1146, 3 June.

In the case of several tenants, half-share tenants or farmers co-owning among themselves in the cultivation of one farm the conviction of one shall result in forfeiture as in the paragraph above by all the others whenever the accused has acted as representing them also.

Art. 9.

The penal sentence on appeal or of the court of first instance if not appealed against shall be sufficient authority for any person entitled to demand the release of the farm in accordance with the forfeitures established in Art. 6.

The rules for enforcing eviction shall apply.

The right to payment for growing crops, expenses of cultivation and for improvements in accordance with the civil law remain in force.

Art. 10.

The report concerning any offense contemplated in this decree shall be sent to the judicial authority by the officials of the judicial police in accordance with the rules of the Code of penal procedure.

Whenever such circumstances as are described in Art. 502 of the code of penal procedure (suicide, attempted suicide, etc.) shall always be followed.

In the case of seizure of any thing or of any animal or of any other thing, the seizure shall be made by all the officers designated in the law.

Art. 2.

The penal sentence on appeal or of the court of appeal shall be appealed against shall be executed immediately for any person entitled to demand the release of the item in accordance with the forfeiture established in Art. 6.

The rules for enforcing eviction shall apply.

The rules for enforcing eviction shall apply.

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Art. 10.

The report concerning any offense contemplated in this decree shall be sent to the judicial authority by the officials of the judicial police in accordance with the rules of the Code of penal procedure.

Wherever such circumstances as are described in Art. 502 of the code of penal procedure occur (judicial investigation) shall always be followed.

Art. 11.

Copies of the reports and sentences regarding offenses described in this decree must be sent to the competent criminal agricultural jurisdiction.

so that they can ascertain all matters within their jurisdiction.

Art. 12.

Any provisions of the No. 25 of April 1913 that are incompatible with this decree are hereby repealed.

Art. 13.

This decree shall come into force etc. etc.

1703

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

785016

(ID)

Italian of clerics

1704

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

785016

Call 1879 Salem for
any further information.

Legal Sub-Com.

Note - Penney's name - delete

Clause 12 in Station Text f
In clause 10 words article in a

1705

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

785016

Italian list has been
substituted by device
= device in English list.

VITTORIO EMANUELE III

PER GRAZIA DI DIO E PER VOLONTA' DELLA NAZIONE

RE D'ITALIA

VISTO l'art. 3 del R.D.L. 5/10/1936 n. 1746;
 VISTO l'art. 13 del R.D.L. 16/6/1936, n. 1387, convertito
 nella legge 19/1/1939, n. 486;
 VISTA la legge 22/5/1939, n. 895;
 VISTO l'art. 2 del R.D.L. 19/6/1940, n. 953, convertito nella
 legge 28/11/1940, n. 1727;
 VISTO gli art. 2 e 3 del R.D.L. 12/3/1941, n. 142, modifica-
 to con R.D.L. 12/6/1942, n. 859;
 VISTO l'art. 18 della legge 19/1/1939, n. 129;
 VISTO il R.D.L. 30/10/1943, n. 2/B;
 Ritenuto che si versa in istato di necessità per causa
 di guerra;
 SENTITO il Consiglio dei Ministri;
 Sulla proposta del Ministero dell'Agricoltura e delle
 Foreste, di intesa coi Ministri dell'Interno, di Grazia
 e Giustizia, delle Finanze e dell'Industria, Commercio
 e Lavoro;

ABBIAMO DECRETATO E DECRETIAMO:

ART. 1

I contratti agrari di affitto dei fondi rustici, di
 mezzadria e di colonia parziaria, in corso alla data di
 entrata in vigore del presente decreto, e che abbiano
 scadenza entro il 31 dicembre 1944, sono prorogati di di-
 ritto, alle stesse condizioni vigenti alla data medesima,
 per il periodo di un anno dalla scadenza.

La proroga non è dovuta nei casi di grave inademp-
 mento contrattuale.

ART. 2

Alla proroga di cui all'articolo che precede, il
 conduttore avente diritto, può rinunciare,

La rinuncia, a pena di nullità, deve risultare da
 atto scritto.

ART. 1

I contratti agrari di affitto dei fondi rustici, di mezzadria e di colonia parziaria, in corso alla data di entrata in vigore del presente decreto, e che abbiano scadenza entro il 31 dicembre 1944, sono prorogati di diritto, alle stesse condizioni vigenti alla data medesima, per il periodo di un anno dalla scadenza.

La proroga non è dovuta nei casi di grave inadempimento contrattuale.

ART. 2

Alla proroga di cui all'articolo che precede, il conduttore avente diritto, può rinunciare, ^o deve risultare da la rinuncia, a pena di nullità, deve risultare da atto scritto.

ART. 3

La proroga non ha luogo quando si tratti di piccolo fondo fittato o dato a mezzadria o colonia parziaria per ragioni di servizio militare del proprietario o di altro avente diritto, e questo dichiarare di volerlo coltivare direttamente.

ART. 4

I procedimenti di rilascio di immobili per risoluzione dei contratti in corso ed i procedimenti di sfratto, qualunque sia lo stato di essi, come anche le sentenze

./.

definitive non ancora eseguite, cessano di avere efficacia in dipendenza della proroga di cui all'art. 1 sino alla cessazione della proroga stessa.

Sono eccettuati dalla dichiarazione di inefficacia, di che al precedente comma, i procedimenti promossi per inadempimento contrattuale e le sentenze definitive che per detto inadempimento abbiano pronunziato la risoluzione del contratto.

ART. 5

Ove l'inadempimento consista nel mancato pagamento del canone, il conduttore che paghi le somme dovute entro trenta giorni dalla data di entrata in vigore del presente decreto, ha diritto al beneficio della proroga, tranne che la sentenza definitiva che ha pronunziato la risoluzione del contratto abbia avuto esecuzione.

ART. 6

Entro trenta giorni dell'entrata in vigore del presente decreto sarà nominata una commissione per i contratti agrari, composta di non meno di 7 e non più di 12 membri, scelti dal Presidente del Consiglio fra persone specialmente competenti, rappresentanti tutte le categorie e gli interessi relativi.

Tale Commissione, presieduta dal Ministro dell'Agricoltura e delle Foreste, avrà il compito di studiare i contratti agrari e i problemi inerenti e rimarrà in funzione finchè sarà necessario per dare al Ministro il suo parere su tutte le questioni riflettenti tali contratti.

ART. 7

Ogni disposizione non compatibile con le presenti norme è abrogata.

ART. 8

Il presente decreto entra in vigore il giorno della sua pubblicazione nella Gazzetta Ufficiale del Regno - Serie Speciale - ed ha effetto dalla annata locatizia in corso.

Esso sarà presentato all'Assemblee legislative per la conversione in Legge.

Il ministro proponente è autorizzato a presentare il relativo disegno di legge.

sono specialmente competenti, rappresentando tutte le categorie e gli interessi relativi.

Tale Commissione, presieduta dal Ministro dell'Agricoltura e delle Foreste, avrà il compito di studiare i contratti agrari e i problemi inerenti e rimarrà in funzione finchè sarà necessario per dare al Ministro il suo parere su tutte le questioni riflettenti tali contratti.

ART. 7 Ogni disposizione non compatibile con le presenti norme è abrogata.

ART. 8 Il presente decreto entra in vigore il giorno della sua pubblicazione nella Gazzetta Ufficiale del Regno - Serie Speciale - ed ha effetto dalla annata locatizia in corso

Esso sarà presentato all'Assemblee legislative per la conversione in Legge.

Il ministro proponente è autorizzato a presentare il relativo disegno di legge.

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Ordiniamo, a chiunque spetti, di osservare il presente decreto e di farlo osservare come legge dello Stato.

SALEFNO, 11. 3- giugno 944.

SCHEMA DI DECRETO MINISTERIALE PER LA
DISCIPLINA DI VINCOLO DI CEREALI E LEGUMINOSE
DA SEME DEL RACCOLTO 1944.

IL MINISTRO DELL'AGRICOLTURA E PER LE FORESTE

VISTO il R.D.L. 10/5/1943 n°227, recante disposizioni per la disciplina del raccolto cerealicolo 1943 e delle fave secche.

VISTO il D.M. 15/3/1943 sulla disciplina della raccolta e dell'approvvigionamento dei semi secchi di leguminose, cereali minori ed altri prodotti.

VISTO il D.M. 26/4/1943 sulla determinazione delle tratte tenute dei cereali e delle fave consentite sulla produzione del 1943.

VISTO il D.M. 15/6/1943 che disciplina la macinazione dei cereali trattenuti per consumo familiare ed aziendale.

VISTE le ordinanze n.1 - 13 - 15 del Commissario Generale per l'alimentazione rispettivamente in data 24/9/43 - 23/12/43 - 28/12/43.

VISTO il R.D.L. 25/2/1944 n.63 che stabilisce il passaggio alle dipendenze del Ministero dell'Agricoltura e Foreste e del Commissariato Generale per l'Alimentazione.

VISTO il R.D.L. 22/4/1943 n.245 relativo all'emilità per il mercato conferimento dei cereali in genere.

VISTO il D.M. 2/5/1944 per la disciplina di ammasso del grano e dell'orzo del raccolto 1944.

RITENUTO indispensabile disporre per la disciplina di vincolo di altri cereali, delle fave secche e dei semi secchi di leguminose.

ART. 1

Sono sottoposti alla disciplina di vincolo i seguenti prodotti da chiunque e per qualsiasi titolo determinati: granturco, avena, segale, riso, e semi secchi

D E C R E T O 14

dei cereali (Raccomandi per l'Alimentazione)
dale.
VISTE le ordinanze n. 1 - 13 - 15 del Commissario Gene-
rale per l'Alimentazione rispettivamente in data 24/9/43 -
29/12/43 - 28/12/43,
VISTO il R.D.L. 25/2/1944 n. 65 che stabilisce il passag-
gio alle dipendenze del Ministero dell'Agricoltura e
Foreste e del Commissariato Generale per l'Alimentazio-
ne,
VISTO il R.D.L. 22/4/1943 n. 245 relativo all'epidemiologia
per il mancato conferimento dei cereali in genere.
VISTO il D.M. 2/5/1944 per la disciplina di ammasso del
grano e dell'orzo del raccolto 1944,
RITENUTO indispensabile disporre per la disciplina di
vincolo di altri cereali, delle fave secche e dei semi
secchi di leguminose.

D E C R E T O 1 14

ART. 1

Sono sottoposti alla disciplina di vincolo i
seguenti prodotti da chiunque e per qualsiasi titolo
detenuti: granturco, avena, segale, riso, e semi secchi
di fave, lenticchie, ceci, piselli, fagioli.

ART. 2

E' vietato qualsiasi trasferimento dei suddetti
prodotti sotto qualsiasi titolo e per qualsiasi motivo,
eccezion fatta per quanto detto nell'articolo 5.

ART. 3

Ciascun produttore dovrà, ultimato il raccolto,
far registrare in un apposito registro presso il Comi-
tato Comunale dell'Agricoltura la quantità totale pro-
dotta e il luogo dove essa rimane custodita a sua cu-
ra e sotto la sua personale responsabilità.

o/o

ART. 4

Il Comitato Comunale dell'Agricoltura nell'ac-
certare e nel registrare la produzione denunziata,
stabilirà la quantità che dovrà essere lasciata al
produttore per i suoi bisogni e la quantità da de-
stinare alla vendita.

ART. 5

I prodotti vincolati dovranno essere venduti
ai prezzi, che saranno successivamente fissati, agli
Enti ed alle persone che saranno a ciò autorizzati
da questo Ministero.

ART. 6

Ogni altra contraria disposizione in materia
è abrogata.

ART. 7

Le infrazioni alle disposizioni contenute nel
presente Decreto sono punibili ai sensi del R.D.L.
22/4/43 n.245.

Il presente decreto entra in vigore il gior-
no della sua pubblicazione nella Gazzetta Ufficia-
le del Regno - Serie speciale. -

I L M I N I S T R O

THRESHING
DEGREE

DECRETO LEGISLATIVO LUOGOTENENZIALE

.....E..... CONCERNENTE LA
DISCIPLINA DELL'ESERCIZIO E DELL'INCORAGGIAMENTO DELLA
TRAMBIATURA E DELLA SEMINATURA A MACCHINA O CON ALTRI
MEZZI E SISTEMI DEI CEREALI E DELLE LEGUMINOSE.

UMBERTO DI SAVOIA PRINCIPE DI PIEMONTE
LUOGOTENENTE GENERALE DEL REGNO

In vista dell'autorità a Noi delegata;

VISTO il R.D.L. 23 aprile 1942 n. 433 che disciplina l'occor-
renza della trebbiatura e sgranatura a macchina dei cereali e
delle leguminose;

VISTA la legge 30 maggio 1940 n. 652 contenente incoraggi-
menti per la diffusione della trebbiatura a macchina;

VISTO il R.D.L. 22 aprile 1943 n. 145, relativo alle penali
per le infrazioni alle discipline estese all'attività agri-
cola nazionale;

Visto il Decreto legge Luogotenenziale 2 giugno 1944, n. 1;
~~che in data 24 settembre 1944 per effetto di una
voto di R.D.L. 30 ottobre 1943, n. 18;
VISTA la deliberazione del Consiglio dei Ministri;~~

SULLA proposta dei Ministri Segretari di Stato dell'Agricol-
tura e Foreste e dell'Industria, Commercio e Lavoro, di concer-
to con i Ministri Segretari di Stato per le Finanze e per la
Giustizia e Giustizia;

ABBILATO MANICATO E PRODUZIONE QUANTO BASTA

Art. 1

Il R.D.L. 23 aprile 1942 n. 433 è modificato come risulta
dalla disposizioni seguenti.

Art. 2

Sono soppressi: a) i Concorsi Provinciali ed Interprovincia-
li obbligatori tra gli esercenti la trebbiatura e la sgranatura
a macchina per conto terzi; b) la relativa Federazione Nazione-
le; c) i Comitati Provinciali e Commissioni Provinciali, previ
sti dagli art. 5 e 7 del R.D.L. suddetto.

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SULLA proposta dei Ministri Segretari di Stato dell'Agricoltura e Foreste e dell'Industria, Commercio e Lavoro, di concerto con i Ministri Segretari di Stato per le Finanze e per la Grazia e Giustizia;

ABBIAMO SANCIONATO E PROMULGATO QUANTO SEGUE.

Art. 1

Il R.D.L. 22 aprile 1942 n. 413 è modificato come risulta dalle disposizioni seguenti.

Art. 2

Sono soppressi: a) i Consorzi Provinciali ed Interprovinciali obbligatori tra gli esercenti la trebbiatura e la sgranatura a macchina per conto terzi; b) la relativa Federazione Nazionale; c) i Comitati Ministeriali e Commissioni Provinciali, previsti dagli artt. 5 e 7 del R.D.L. suddetto.

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È abolito il contributo di cui all'art. 4 dello stesso R. Decreto legge.

Il Ministero dell'Agricoltura, del Commercio e del Lavoro, di intesa col Ministro dell'Agricoltura e Foreste, stabilirà le norme della liquidazione e nominerà, ove sia necessario, il liquidatore o i liquidatori, di tutti i Consorzi e relativa Federazione, soppressi col presente decreto.

Il patrimonio di detti Enti sarà devoluto allo Stato e potrà essere destinato al Ministero dell'Agricoltura e Foreste per lo svolgimento di attività a beneficio delle categorie agricole, col preciso scopo di incoraggiare la trebbiatura e la sgranatura con macchine azionate a motore.

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Art. 3

Le funzioni finora svolte dai Consorzi Trebbiatori e quelle relative alla disciplina dell'esercizio della trebbiatura e agrinatura a macchina dei cereali e delle leguminose verranno d'ora innanzi affidate agli Ispettorati Provinciali dell'Agricoltura nei limiti seguenti:

- a) rilasciare le licenze di esercizio;
- b) ricevere le denunce dei quantitativi trebbiati e sarnati;
- c) sorvegliare la sorveglianza sulla operazione di trebbiatura per l'accertamento della esattezza delle denunce stesse, nonché dei dati relativi alla investita superflua, cioè.

Al riguardo gli Ispettorati Provinciali dell'Agricoltura si avvalgono degli Uffici Provinciali Statistico-economici dell'Agricoltura e della loro organizzazione periferica (Uffici Centrali) e potranno anche richiedere la assistenza degli agenti di Polizia Giudiziarla.

Art. 4

Le norme per la disciplina dell'esercizio della trebbiatura e agrinatura a macchina, e con altri mezzi e sistemi, dei cereali e delle leguminose, rimangono quelle previste dal R.D. 2.23/4/1942 n. 433, non in contrasto con il presente decreto e con le disposizioni emanate dal Ministero dell'Agricoltura e Foreste con sua apposita circolare n. 100, in data 17 maggio 1944, che forma parte integrante del presente R. Decreto legge, sarà pubblicata nella Gazzetta Ufficiale e come tale avrà valore di legge.

Il Ministero dell'Agricoltura e Foreste è autorizzato a coordinare in tutto unico le norme relative alla disciplina per l'esercizio e l'incorporamento della trebbiatura e della agrinatura a macchina, e con altri mezzi e sistemi, dei cereali e delle leguminose.

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dell'Agricoltura e della loro organizzazione periferica (Uffici Centrali) e potranno anche richiedere la assistenza degli agenti di Polizia Giudiziaria.

Art. 1.

Le norme per la disciplina dell'esercizio della trebbatura e sgranatura a macchina, e con altri mezzi e sistemi, dei cereali e delle leguminose, rimangono quelle previste dal R.D. 1.23/4/1942 n.433, non in contrasto con il presente decreto e con le disposizioni emanate dal Ministero dell'Agricoltura e Foreste con sua apposita circolare n.100, in data 17 maggio 1944, che forma parte integrante del presente R.Decreto Legge, sarà pubblicata nella Gazzetta Ufficiale e come tale avrà valore di legge.

Il Ministero dell'Agricoltura e Foreste è autorizzato a coordinare in tutto unico le norme relative alla disciplina per l'esercizio e l'incorporamento della trebbatura e della sgranatura a macchina, e con altri mezzi e sistemi, dei cereali e delle leguminose.

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Art. 2.

Per le spese relative agli accertamenti sulla idoneità tecnica delle macchine trebbiatrici gli aspiranti alla licenza per l'esercizio della trebbatura e della sgranatura a macchina sono tenuti a versare all'Irario una tassa di concessione governativa di L.200 per ogni trebbiatrice e sgranatrice di qualunque tipo e qualunque sia la lunghezza del battitore.

Le spese suddette faranno carico al bilancio del Ministero dell'Agricoltura e delle Foreste, ed il Ministero per le Finanze è autorizzato a immettere con propri decreti le assegnazioni occorrenti entro il limite massimo del provento delle tasse di concessione governativa, depurato del ventennio per spese di riscossione.

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Art. 6

Su conforme parere del Comitato Provinciale dell'Agricoltura e dell'Ispettorato dell'Industria e del Lavoro - territorialmente competente - l'Ispettore Provinciale dell'Agricoltura può revocare in qualunque momento la licenza qualora venga accertata la deficienza tecnica delle macchine e del personale addetti, o la mancanza dell'attento da incendio, o quando il titolare della licenza non osservi, nell'esercizio della trebbiatura, le norme di cui al presente decreto e quelle emanate dal Ministero dell'Agricoltura ^{Forestale} o non rispetti le tariffe di trebbiatura fissate dal Ministero dell'Agricoltura ^{Forestale} o verene di concerto col Ministero dell'Industria, Commercio e Lavoro.

L'accertamento delle infrazioni alle tariffe, è demandato all'Ispettorato dell'Industria e del Lavoro competente per territorio.

Art. 7

Le violazioni alle disposizioni del presente R.D.L. ² a quelle richiamate da esso ed a quelle impartite e che potranno essere emanate dal Ministero dell'Agricoltura e ~~della~~ Foresta, sono punite a norma del R.D.L. 22/4/1943 n. 245 senza pregiudizio dell'eventuale revoca della licenza di trebbiatura o di altra natura da disporre dall'Ispettorato Provinciale dell'Agricoltura.

Art. 8

Il presente decreto entrerà in vigore il giorno della sua pubblicazione nella Gazzetta Ufficiale del Regno - Serie Speciale ~~Legge - e sarà pubblicato nella Gazzetta Ufficiale per la stampa~~ ~~stampa in lingua~~.

~~Il Ministero per l'Agricoltura e Foresta e per l'Industria, Commercio e Lavoro sono autorizzati alla promulgazione della presente legge di legge.~~

Ordiniamo che il presente decreto, munito del sigillo dello Stato sia inserito nella Raccolta Ufficiale delle leggi.

Le violazioni alle disposizioni del presente art. 8, a quelle richieste da esso ed a quelle impartite e che potranno essere emanate dal Ministero dell'Agricoltura e delle Foreste, sono punite a norma del R.D.L. 23/4/1943 n. 245 senza pregiudizio dell'avventuale revoca della licenza di coltivazione o di altra natura da disporre dall'Ispettorato Provinciale dell'Agricoltura.

Art. 8.

Il presente decreto entrerà in vigore il giorno della sua pubblicazione nella Gazzetta Ufficiale del Regno - Serie Speciale.

~~Il Ministro per l'Agricoltura e le Foreste e per l'Industria, Commercio e Lavoro sono autorizzati alla promulgazione della presente legge.~~
~~Orniamo che il presente decreto, munito del sigillo dello Stato, sia iscritto nella raccolta Ufficiale delle leggi e dei Decreti del Regno d'Italia, affinché a chiunque spetti di osservarlo o di farlo osservare.~~

Orniamo, a chiunque spetti, di osservare il presente decreto e di farlo osservare come legge dello Stato.
Dato a Palermo...

MINISTERO DELL'AGRICOLTURA E DELLE FORESTE

N.1847 di prot.

Div.3/I-O

Circolare n.100-La.

Salerno, 17 maggio 1944

OGGETTO: Norme per la regolamentazione della disciplina per l'esercizio e l'incoraggiamento della trebbiatura e sgranatura e macchinari, o con altri mezzi e sistemi, dei cereali e delle leguminose - Raccolto 1944.-

~~AL MINISTERO DELL'INDUSTRIA COMMERCIO E LAVORO
AL MINISTERO DELLE FINANZE
AL MINISTERO PER LA GRAZIA E GIUSTIZIA
AL MINISTERO DELL'INTERNO
AL COMMISSARIATO GENERALE DELL'ALIMENTAZIONE
A S.E. L'ALTO COMMISSARIO PER LA SICILIA
A S.E. L'ALTO COMMISSARIO PER LA SARDEGNA
ALLE LL.EE. I PREFETTI DEL REGNO
ALL'UFFICIO NAZIONALE STATISTICO ECONOMICO DELL'AGRICOLT.
ALLA FEDERAZIONE ITALIANA DEI CONSORZI AGRARI
AGLI ISPETTORATI AGRARI COMPARTIMENTALI
AGLI ISPETTORI PROVINCIALI DELL'AGRICOLTURA
Presidenti dei Comitati Provinciali dell'Agricoltura~~

~~L-O-R-O S-E-D-I~~

modificato

Con Decreto in corso di pubblicazione viene ~~abrogato~~ ^{modificato} il R.D.
L.23/4/1942 n.433.

Pertanto sono soppressi i Consorzi Provinciali ed Interprovinciali Obbligatori tra gli esercenti la trebbiatura e la sgranatura a macchina per conto terzi, nonchè la relativa Federazione Nazionale.

E' perciò pure abolito il contributo di cui all'art.4 del R.

D.L. 23/4/1942 n.433.

Emesso nel decreto di imminente emanazione

AL MINISTERO DELLE FINANZE
 AL MINISTERO PER LA GRAZIA E GIUSTIZIA
 AL MINISTERO DELL'INTERNO
 AL COMMISSARIATO GENERALE DELL'ALIMENTAZIONE
 A S.E. L'ALTO COMMISSARIO PER LA SICILIA
 A S.E. L'ALTO COMMISSARIO PER LA SARDEGNA
 ALLE LL.EE. I PREFETTI DEL REGNO
 ALL'UFFICIO NAZIONALE STATISTICO ECONOMICO DELL'AGRICOLT.
 ALLA FEDERAZIONE ITALIANA DEI CONSORZI AGRARI
 AGLI ISPETTORATI AGRARI COMPARTIMENTALI
 AGLI ISPETTORI PROVINCIALI DELL'AGRICOLTURA
 Presidenti dei Comitati Provinciali dell'Agricoltura

~~FORO SEDE~~

modificato

Con Decreto in corso di pubblicazione viene ~~abrogato~~ ^{modificato} il R.D. L.23/4/1942 n.433.

Pertanto sono soppressi i Consorzi Provinciali ed Interprovinciali Obbligatori tra gli esercenti la trebbiatura e la sgranatura a macchina per conto terzi, nonché la relativa Federazione Nazionale.

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E' perciò pure abolito il contributo di cui all'art.4 del R. D.L. 23/4/1942 n.433.

Sulla base delle norme contenute nel decreto di imminente emanazione che disciplinerà l'esercizio della trebbiatura e della sgranatura per la corrente campagna, si impartiscono frattanto al riguardo le seguenti istruzioni:

1) Chiunque intenda esercitare la trebbiatura e sgranatura dei cereali con macchine azionate a motore deve munirsi di licenza, da rilasciarsi dall'Ispettorato Provinciale dell'Agricoltura.

La licenza è del tipo A, per l'esercizio della trebbiatura e sgranatura sui soli fondi condotti dal titolare o dai titolari della licenza, e del tipo B per l'esercizio della trebbiatura e sgra-

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natura per conto di terzi, oppure per conto proprio e di terzi.

Le associazioni e le società comunque costituite fra gli agricoltori allo scopo di provvedere alla trebbiatura e sgranatura sui fondi condotti da esse o dai loro associati debbono munirsi della licenza di tipo A; se però intendono esercitare dette operazioni anche per conto di terzi, debbono munirsi della licenza di tipo B.

Non può essere rilasciata - salvo caso eccezionale - licenza per l'esercizio di macchine trebbiatrici o sgranatrici non munite di apposito estintore o non aventi la necessaria idoneità tecnica.

2) Le licenze sono rilasciate, a partire dal 1° maggio di ogni anno ed entro un mese dalla presentazione delle relative domande, su decisione dell'Ispettore Provinciale dell'Agricoltura, sentito il Comitato Provinciale dell'Agricoltura ed il Capo dell'Ispettorato dell'Industria e del Lavoro (ex Ispettorato Corporativo) competente per territorio.

Per la corrente campagna sono prorogabili le licenze rilasciate nell'annata precedente, purchè munite di nuovo visto da parte dell'Ispettorato Agrario e sempre che sia stato provveduto al pagamento - anche per la corrente campagna - della tassa di concessione governativa di cui al seguente punto 5°.

3) La licenza ha valore soltanto per la macchina o per le macchine, per le specie o per la specie di prodotto, per l'annata e nell'ambito della provincia, per le quali è stata rilasciata.

L'esercente di macchine che intende impiegare le stesse in altre provincie deve sottoporre la licenza al visto di autorizzazione degli Ispettorati Provinciali dell'Agricoltura competenti per territorio.

4) Il Comitato di cui al paragrafo 2° è chiamato a dare parere anche:

a) sul numero massimo di macchine da adibire, nell'ambito del territorio della provincia, alla trebbiatura per conto di terzi in relazione alle esigenze della produzione; 8

b) sulla idoneità tecnica delle macchine adibite alla trebbiatura e sgranatura dei cereali;

... di distribuire

1. Ispettorato dell'Industria e del Lavoro (ex Ispettorato corporativo) competente per territorio.

Per la corrente campagna sono prorogabili le licenze rilasciate nell'annata precedente, purchè munite di nuovo visto da parte dell'Ispettorato Agrario e sempre che sia stato provveduto al pagamento - anche per la corrente campagna - della tassa di concessione governativa di cui al seguente punto 5°.

3) La licenza ha valore soltanto per la macchina o per le macchine, per le specie o per la specie di prodotto, per l'annata e nell'ambito della provincia, per le quali è stata rilasciata.

L'esercente di macchine che intende impiegare le stesse in altre provincie deve sottoporre la licenza al visto di autorizzazione degli Ispettorati Provinciali dell'Agricoltura competenti per territorio.

4) Il Comitato di cui al paragrafo 2° è chiamato a dare parere anche:

a) sul numero massimo di macchine da adibire, nell'ambito del territorio della provincia, alla trebbiatura per conto di terzi in relazione alle esigenze della produzione; 8

b) sulla idoneità tecnica delle macchine adibite alla trebbiatura e sgranatura dei cereali;

c) sull'opportunità o meno di predisporre un piano di distribuzione per l'impiego delle macchine trebbiatrici nell'ambito della provincia.

5) Per le spese relative agli accertamenti sulla idoneità tecnica delle macchine trebbiatrici gli aspiranti alla licenza per l'esercizio della trebbiatura e della sgranatura a macchina sono tenuti a versare all'Erario una tassa di concessione governativa di L.200 per ogni tipo di trebbiatrice e sgranatrice, qualunque sia la lunghezza del battitore.

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Pertanto nel richiedere la licenza gli interessati dovranno dimostrare di aver già effettuato il versamento di cui sopra.

6) Su conforme parere del Comitato Provinciale dell'Agricoltura l'Ispettore Provinciale dell'Agricoltura può revocare in qualunque momento la licenza qualora venga accertata la deficienza tecnica delle macchine, del personale addetti, o la mancanza dell'estintore da incendio, o quando il titolare della licenza non osservi, nell'esercizio della trebbiatura, le norme di cui al precitato decreto o non rispetti le tariffe di trebbiatura fissate dal Ministero dell'Agricoltura e Foreste di concerto col Ministero dell'Industria, Commercio e Lavoro, o dai rispettivi organi provinciali.

L'accertamento delle infrazioni alle tariffe, è demandato all'Ispettorato del Lavoro competente per territorio.

Si trascrivono qui di seguito le tariffe medie di trebbiatura, con macchine azionate a motore e con carburante immesso a spese dal trebbiatore, concordate, a titolo di orientamento, tra i competenti Dicasteri e che dovranno servire di base nella determinazione, da parte dei Comitati Provinciali dell'Agricoltura, delle tariffe da fissare nella rispettiva provincia per il veniente raccolto granario:

- trebbiatura per partita fino a q/li 50 di prodotto: il produttore è tenuto a corrispondere al trebbiatore un compenso in denaro pari a L.50 per q/le trebbiato;
- per partita da q/li 50 fino a q/li 100 di prodotto: il produttore dovrà corrispondere al trebbiatore un compenso in denaro pari a L.45 per q/le trebbiato;
- per partita oltre q/li 100 di prodotto: il produttore dovrà corrispondere al trebbiatore un compenso in denaro pari a L.35 per q/le trebbiato.

Tali tariffe si riferiscono alla trebbiatura del frumento con macchine azionate a motore a scoppio.

Nel caso che il trebbiatore proceda anche alla trinciatura e alla pressatura meccanica della relativa paglia, il produttore sarà tenuto a corrispondere L.12 per q/le di paglia pressata o trinciata, non compreso in tale compenso il prezzo del filo di fer

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l'Ispettorato del Lavoro competente per territorio.

Si trascrivono qui di seguito le tariffe medie di trebbiatura, con macchine azionate a motore e con carburante immesso a spese dal trebbiatore, concordate, a titolo di orientamento, tra i competenti Dicasteri e che dovranno servire di base nella determinazione, da parte dei Comitati Provinciali dell'Agricoltura, delle tariffe da fissare nella rispettiva provincia per il veniente raccolto granario:

- trebbiatura per partita fino a q/li 50 di prodotto: il produttore è tenuto a corrispondere al trebbiatore un compenso in denaro pari a L.50 per q/le trebbiato;
- per partita da q/li 50 fino a q/li 100 di prodotto: il produttore dovrà corrispondere al trebbiatore un compenso in denaro pari a L.45 per q/le trebbiato;
- per partita oltre q/li 100 di prodotto: il produttore dovrà corrispondere al trebbiatore un compenso in denaro pari a L.35 per q/le trebbiato.

Tali tariffe si riferiscono alla trebbiatura del frumento con macchine azionate a motore a scoppio.

Nel caso che il trebbiatore proceda anche alla trinciatura e alla pressatura meccanica della relativa paglia, il produttore sarà tenuto a corrispondere L.12 per q/le di paglia pressata o trinciata, non compreso in tale compenso il prezzo del filo di ferro nel caso della pressatura.

Il trebbiatore è tenuto a fornire appropriate spese - durante le operazioni di trebbiatura - almeno tre operai specializzati per il funzionamento della trebbiatrice e per l'imboccatura del prodotto.

Tutti gli altri lavoratori saranno a spese del produttore.

I Comitati Provinciali dell'Agricoltura sono pregati di tenere presente che le tariffe medie di trebbiatura sopra riportate, si riferiscono a trebbiatrici normali, con battitore di cm.120, azionate con motori alimentati a nafta, o petrolio o benzina.

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Nel caso che l'azionamento delle trebbie sia fatto con altri mezzi (carbone, paglia, sanse esauste, ecc.) o si tratti di altri prodotti, le tariffe stesse dovranno essere opportunamente adeguata - in sede di Comitato Provinciale, presente il Capo dell'Ispettorato dell'Industria e del Lavoro - in base ai prezzi dei combustibili impiegati, al lavoro richiesto e alle Zone di impiego.

7) Presso ogni macchina trebbiatrice di cereali in funzione, deve essere tenuto, a cura del titolare della licenza, un unico bollettario a madre e figlie fornito, dietro pagamento, dall'Ispettorato Provinciale dell'Agricoltura, per la registrazione dei dati e delle denunce di cui appresso. Subito dopo ogni operazione di pesatura i dati delle singole pesate debbono essere trascritti, a penna o a lapis copiativo, a tergo della bolletta madre del predetto bollettario di denuncia.

Tale bollettario dovrà essere uguale a quello fornito per la campagna 1942 dall'Istituto Generale di Statistica per la denuncia obbligatoria dei cereali e delle leguminose, in modo da poter utilizzare tutti i bollettari residuati, in possesso degli Ispettorati Agrari Provinciali i quali provvederanno eventualmente a ristamparli qualora ne fossero sprovvisti.

L'obbligo del suindicato bollettario è pure esteso ad ogni tipo di aia, per la trebbiatura e sgranatura con altri mezzi e sistemi - diversi da quelli con macchine azionate a motore, - di qualsiasi prodotto sottoposto a particolare disciplina. In questo caso, però, gli Ispettorati Agrari avranno cura di stampigliare sul recto di ogni singola scheda il metodo di trebbiatura usato (trebbia a mano, a sangue, ecc.), limitatamente ai bollettari aventi tale destinazione.

Sulle tre schede figlie di detto bollettario, dovranno essere eseguite - a cura del titolare della licenza di trebbia - le seguenti registrazioni e denunce, controfirmate dallo stesso:

a) compilazione e rilascio della prima scheda figlia a colui che porta i cereali alla macchina trebbiatrice, il quale è tenuto a dichiarare, al conducente della macchina stessa, la denominazione del fondo e l'estensione del terreno seminato dal quale provengono i prodotti da trebbiare, controfirmando e ritirando detta scheda;

La prima scheda figlia è consegnata alla persona della stessa

ale bollettario dovrà essere uguale a quello fornito per la campagna 1942 dall'Istituto Generale di Statistica per la denuncia obbligatoria dei cereali e delle leguminose, in modo da poter utilizzare tutti i bollettari residuati, in possesso degli Ispettorati Agrari Provinciali i quali provvederanno eventualmente a ristamparli qualora ne fossero sprovvisti.

L'obbligo del suindicato bollettario è pure esteso ad ogni tipo di aia, per la trebbiatura e sgranatura con altri mezzi e sistemi - diversi da quelli con macchine azionate a motore, - di qualsiasi prodotto sottoposto a particolare disciplina. In questo caso, però, gli Ispettorati Agrari avranno cura di stampigliare sul recto di ogni singola scheda il metodo di trebbiatura usato (trebbia a mano, a sangue, ecc.), limitatamente ai bollettari aventi tale destinazione.

Sulle tre schede figlie di detto bollettario, dovranno essere eseguite - a cura del titolare della licenza di trebbia - le seguenti registrazioni e denunce, controfirmate dallo stesso:

- a) compilazione e rilascio della prima scheda figlia a colui che porta i cereali alla macchina trebbiatrice, il quale è tenuto a dichiarare, al conducente della macchina stessa, la denominazione del fondo e l'estensione del terreno seminato dal quale provengono i prodotti da trebbiare, controfirmando e ritirando detta scheda;
- b) compilazione della seconda scheda figlia⁶ e consegna della stessa, entro una settimana dalla fine della trebbiatura, al Municipio del Comune di produzione, il quale - desunti i dati che gli possono interessare per l'Ufficio Annonario - provvederà per il suo inoltro all'Ufficio Centrale di Statistica presso il Ministero dell'Industria, Commercio e Lavoro.
- c) compilazione della terza scheda figlia da consegnare al recapito comunale dell'Ufficio Statistico Economico dell'Agricoltura (ex Ufficio Accertamenti Agricoli) nel cui territorio il prodotto è stato ottenuto. A sua volta, detto Ufficio Statistico Economico dell'Agricoltura, rimetterà la terza scheda al compe

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tente Ispettorato Agrario Provinciale. In quest'ultima bolletta devono risultare, la quantità trebbiata, le generalità del conduttore del fondo da cui i cereali provengono ed il Comune in cui il tenimento si trova.

La consegna della terza scheda al predetto recapito comunale dovrà essere eseguita giornalmente per le partite che richiedono un lavoro non superiore ad un giorno; e subito dopo ultimata la trebbiatura per quelle partite che richiedono più di una giornata lavorativa.

Entro una settimana dall'ultimo giorno di trebbiatura i tronconi dei bollettari, anche se soltanto in parte utilizzati, debbono essere riconsegnati all'Ispettorato Provinciale dell'Agricoltura che li ha rilasciati.

Si precisa che la prima scheda figlia - di cui al punto a) - potrà essere utilizzata anche come bolletta obbligatoria di accompagnamento per il trasporto del prodotto trebbiato, dall'aia al magazzino del produttore.

A tale uopo, a tergo delle due ultime bollette a destra del bollettario in questione, sarà stampato apposito tracciato, allo scopo di potere registrare, di volta in volta, ogni uscita dall'aia del prodotto trebbiato.

8) A tutti coloro che operano la trebbiatura e sgranatura con altri mezzi e sistemi, è fatto obbligo di comunicare preventivamente, all'Ispettorato Provinciale dell'Agricoltura e al Recapito Comunale dell'Ufficio Provinciale Statistico Economico dell'Agricoltura, il giorno in cui avranno inizio tali operazioni e chiedere la relativa autorizzazione anche perchè possa essere loro concesso, dal predetto recapito comunale, il nulla osta per il trasporto dei cereali, dall'aia ai magazzini di deposito.

In particolare i possessori di trebbie a mano ed i conduttori di aie, per poter esercitare la trebbiatura e per poter destinare le aie all'uso dovranno farne domanda almeno 5 giorni prima, per ciascuna trebbia e per ciascuna aia, al recapito comunale dell'Ufficio Statistico Economico che provvederà a trasmetterne copia all'Ispettorato Provinciale dell'Agricoltura.

La domanda, che va redatta in carta semplice, deve contenere le seguenti indicazioni:

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si precisa che la prima scheda figlia - di cui al punto a) - potrà essere utilizzata anche come bolletta obbligatoria di accompagnamento per il trasporto del prodotto trebbiato, dall'aia al magazzino del produttore.

A tale uopo, a tergo delle due ultime bollette a destra del bollettario in questione, sarà stampato apposito tracciato, allo scopo di potere registrare, di volta in volta, ogni uscita dall'aia del prodotto trebbiato.

8) A tutti coloro che operano la trebbiatura e sgranatura con altri mezzi e sistemi, è fatto obbligo di comunicare preventivamente, all'Ispettorato Provinciale dell'Agricoltura e al Recapito Comunale dell'Ufficio Provinciale Statistico Economico dell'Agricoltura, il giorno in cui avranno inizio tali operazioni e chiedere la relativa autorizzazione anche perchè possa essere loro concesso, dal predetto recapito comunale, il nulla osta per il trasporto dei cereali, dall'aia ai magazzini di deposito.

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La domanda, che va redatta in carta semplice, deve contenere le seguenti indicazioni:

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- a) data d'inizio della trebbia, sgranatura e sbattitura del cereale;
 - b) quantità media giornaliera di cereale che potrà essere trebbiata;
 - c) numero delle giornate previste per il funzionamento delle trebbie a mano e delle aie;
 - d) se la trebbia o l'aia vengono utilizzate per conto della propria azienda o per conto terzi ovvero promiscuamente.
- In questi ultimi casi, nella domanda dev'essere previsto anche l'itinerario di lavorazione delle trebbie a mano e il nome dei

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produttori che, in ordine di tempo, usufruiranno della trebbia a mano e dell'aia;
e) la precisa dislocazione delle trebbie a mano private e la ubicazione delle aie comuni e delle aie private.

Sono considerate aie comuni di calpestio, di battitura con verghe o con mazzuole quelle aie nelle quali convergono i cereali di diversi produttori.

Sono considerate aie private quelle aie nelle quali convergono no cereali di un solo produttore.

A trebbiatura ultimata, sia il proprietario o il conduttore della trebbia a mano; sia il proprietario o il conduttore dell'aia, preventivamente autorizzate all'uso dovranno denunciare, con apposite bollette, all'Ufficio Comunale Statistico Economico, il prodotto trebbiato.

9) Per la sorveglianza sulle operazioni di trebbiatura e per l'accertamento delle quantità di cereali denunziati, nonché della relativa superficie seminata, l'Ispettorato Provinciale dell'Agricoltura, può avvalersi degli Uffici Provinciali Statistico Economici dell'Agricoltura e richiedere anche l'opera degli agenti di polizia giudiziaria.

10) Le violazioni alle disposizioni impartite ed a quelle che saranno emanate da questo Ministero, sono punite a norma del R.D.L. 22/4/1943 n.245, senza pregiudizio dell'eventuale revoca della licenza di trebbiatura e di sgranatura da disporsi dallo Ispettorato Provinciale dell'Agricoltura.

Si pregano pertanto tutti gli Enti in indirizzo a volere dare la massima diffusione alle norme in oggetto, comunicandole a tutti gli Uffici dipendenti ai quali possono interessare.

Si gradirà un cortese cenno di ricevuta.

IL MINISTRO

PEANALTY
DECREE

SCHEMA DI DECRETO LEGISLATIVO LUOGOTENENZIALE.

NORME PENALI RELATIVE ALLA DISCIPLINA DEL CONFERIMENTO
DEL GRANO E DELL'ORZO DEL RACCOLTO 1944

UMBERTO DI SAVOIA - PRINCIPE DI PIEMONTE
Luogotenente Generale del Regno

IN VIRTU' dell'autorità e Noi delegata;

VISTO il Decreto 2 maggio 1944 del Ministro per l'Agricoltura e le Foreste per la disciplina del blocco, della raccolta e del conferimento del grano e dell'orzo del raccolto 1944;

VISTO il R.D.L. 22 aprile 1943 n.245;

VISTO il Decreto Legge Luogotenenziale 25 giugno 1944 n. ;

VISTO il R.D.L. 30 ottobre 1943, n.2/B;

VISTO il R.D.L. 29 maggio 1944, n.141;

VISTA la deliberazione del Consiglio dei Ministri;

Su proposta del Ministro di Grazia e Giustizia, d'intesa con i Ministri per le Finanze e per l'Agricoltura e le Foreste;

ABBIAMO SANZIONATO E PROMULGHIAMO QUANTO SEGUE:

Art. 1

3

Chiunque omette di consegnare, come prescritto dal decreto 2 maggio 1944 del Ministro dell'Agricoltura e le Foreste e dai regolamenti relativi, il grano e l'orzo del raccolto 1944, è punito, se il fatto non costituisce delitto più grave, con la reclusione da sei mesi a sei anni e con multa pa-

per c.c. di. *[Signature]*
X. E. 1944.
Min. di Agricoltura e Foreste

colto 1944;

VISTO il R.D.L. 22 aprile 1943 n.245;

VISTO il Decreto Legge Luogotenenziale 25 giugno 1944 n.;

VISTO il R.D.L. 30 ottobre 1943, n.2/B;

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Le stesse pene si applicano a chiunque, prima che ne sia ordinata la consegna oppure dopo che essa sia stata ordinata e prima della scadenza del termine per eseguirla, occulta, aliena ed in qualsiasi modo sottrae i prodotti indicati nel comma precedente.

Art. 2

Se prima dell'apertura del dibattimento di primo grado il colpevole consegna o fa consegnare integralmente agli organi competenti il prodotto sottratto, le pene sono diminuite dalla metà ai due terzi.

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*per c.c. di. Roma
alle ed. Fin. Giust. e Agricoltura
il ministro di Agricoltura e Foreste
R. F. 1944.*

colto 1944;

VISTO il R.D.L. 22 aprile 1943 n.245;

VISTO il Decreto Legge Luogotenenziale 25 giugno 1944 n. ;

VISTO il R.D.L. 30 ottobre 1943, n.2/B;

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VISTA la deliberazione del Consiglio dei Ministri;

Su proposta del Ministro di Grazia e Giustizia, d'intesa con i Ministri per le Finanze e per l'Agricoltura e le Foreste;

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per c.c. *Dr. R. F. 1944*
Allo stesso fine
Al Ministero di Grazia e Giustizia

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Art. 3

Ai delitti di cui all'art.1 non si applica la disposizione dell'art.6 del R.D.L. 22 aprile 1943, n.245.

Art. 4

Per i delitti di cui all'art.1 è obbligatorio il mandato di cattura, non può essere concessa all'imputato la libertà provvisoria e non è consentita la sospensione condizionale della pena.

Art. 5

Con la sentenza di condanna è sempre ordinata la confisca del grano e dell'orzo sequestrati perchè sottratti al conferimento, ed è sempre dichiarata a carico del colpevole la perdita del diritto alle trattenute per consumo familiare di cui all'art.3 lett. A, b, c, d, ed all'art.4 del decreto 2 maggio 1944 del Ministro per l'Agricoltura e le Foreste.

Art. 6

Dopo la sentenza di appello, (e) dopo quella di primo grado se non impugnata, le quantità di grano e di orzo spettanti al condannato, alle persone di famiglia con lui conviventi a carico ed ai dipendenti conviventi sono versate al centro di raccolta del comune in cui si trova il prodotto, per essere distribuite a norma delle vigenti disposizioni.

Il prezzo di conferimento è rimborsato all'avente diritto se, in seguito a ricorso per cassazione, l'imputato sia prosciolto ai sensi dell'art.479 del codice di procedura penale. In caso di condanna o di proscioglimento ai sensi dell'art. 478 dello stesso codice, il prezzo è devoluto allo Stato.

Art. 7

Chiunque goda e qualsiasi titolo il reddito di uno o più

Art. 6

(e)
Dopo la sentenza di appello, dopo quella di primo grado se non impugnata, le quantità di grano e di orzo spettanti al condannato, alle persone di famiglia con lui conviventi a carico ed ai dipendenti conviventi sono versate al centro di raccolta del comune in cui si trova il prodotto, per essere distribuite a norma delle vigenti disposizioni.

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Art. 7

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Chiunque goda a qualsiasi titolo il reddito di uno o più fondi rustici e sia condannato in base all'art. 1 del presente decreto, perde il diritto di percepire l'estaglio, il canone, la rendita comunque dovutagli per l'annata in corso, e per tutti i suoi fondi, anche se la mancata consegna si riferisce ad un fondo solo. Quanto gli sia dovuto in natura deve essere versato dal debitore al centro di raccolta del comune ove è sito ciascun fondo ed il prezzo di conferimento è devoluto allo Stato; quanto gli sia dovuto in danaro è devoluto a beneficio dello Stato.

Art. 8

L'affittuario, il mezzadro, il colono di uno o più fondi rustici condannato in base all'art. 1 del presente decreto

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decade per tutti i fondi da lui condotti dal diritto alla continuazione del contratto, nonchè dal diritto alla prorga stabilita dal R.D.L. 3 giugno 1944 n.146.

Nel caso di più affittuari, mezzadri o coloni associati tra loro per la coltivazione di un fondo, la condanna di uno di essi determina la decadenza di cui al primo comma anche per tutti gli altri, quando il condannato abbia agito altresì in loro rappresentanza.

Art. 9

La sentenza penale di appello o di primo grado se non impugnata costituisce titolo sufficiente per l'avente diritto a domandare il rilascio del fondo in forza della decadenza stabilita nell'art.8.

Sono applicabili le norme del procedimento per convalida di sfratto.

Sono salvi i diritti al pagamento dei frutti pendenti, delle spese di coltivazione e dei miglioramenti a norma delle leggi civili.

Art.10

Il verbale di denuncia per i delitti preveduti dal presente decreto è trasmesso dagli ufficiali di polizia giudiziaria all'autorità giudiziaria secondo le norme del codice di procedura penale.

Quando ricorrano le circostanze indicate nell'art.502 del codice di procedura penale, si procede sempre a giudizio di rettificazione.

Art.11

I verbali di denuncia e le sentenze di condanna per i delitti preveduti dal presente decreto debbono essere trasmesse in copia ai Comitati agricoli Comunali competenti per territorio, affinché provvedano agli accertamenti di loro competenza.

da di sfratto.

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Art.12

Sono abrogate le disposizioni del R.D.L. 22 aprile 1943 n.245 in quanto incompatibili con quelle del presente decreto.

Art.13

Il presente decreto entra in vigore il giorno successivo a quello della pubblicazione nella Gazzetta Ufficiale del Regno - Serie Speciale.

Ordiniamo, a chiunque spetti, di osservare il presente decreto e di farlo osservare come legge dello Stato.

Dato a Salerno, lì

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