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ACC

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CRITICISM OF  
PROSECUTORS  
OCT. 1945

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CRITICISM OF MINISTER OF JUSTICE'S CIRCULAR TO CROWN  
PROSECUTORS  
OCT. 1945

FILE CLOSED 20 October 1945

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4/28/1

(4A) Mod 2

## Ministero di Grazia e Giustizia

Gabinetto di S. E. il Ministro

Roma, 20 ottobre 1945

Protocollo N. UC/656

OGGETTO Circolare del Ministro sulla Mezzadria.

Alla Commissione Alleata  
Sottocommissione Legale

R O M A

(3A)

Con riferimento al foglio AC/4128/1/L del 16.10.945 si comunica che il Ministro non ha diramato alcuna circolare alle Autorità Giudiziarie circa procedimenti in corso in materia di mezzadria, ma, con riferimento a due località (Perugia - Terni) nelle quali l'agitazione dei contadini dava luogo a fondati timori di profondi sviluppi, aveva invitato i Capi dei rispettivi Uffici Giudiziari a considerare l'opportunità di sospendere temporaneamente il loro intervento in attesa che la controversia fosse definita dagli organi competenti, allo scopo di ricondurre la calma ed evitare eventuali dannose ripercussioni nell'ordine pubblico.

LEG. SUB-COMMISSION

CLO

DCLO

Chief Counsel

CJO

Italian Clerk

CL-RKS

22 OCT 1945

L'UFFICIALE DI COLLEGAMENTO  
(Dr. Giorgio Bonelli)



(3A)

HEADQUARTERS ALLIED COMMISSION  
APO 394  
LEGAL SUB-COMMISSION

AC/4128/1/L.

/10.  
16 October 1945.

SUBJECT : The Minister of Justice's Circular to Crown Prosecutors  
TO : The Minister of Pardon and Justice.

I should be grateful if a copy of the Minister of Justice's Circular to officers of the Pubblico Ministero to suspend the issue of warrants of arrest for mezzadri denounced for misappropriation of property could be supplied to this Sub-Commission, and to be informed if this Circular was issued to officers of the P.M. in the territory under Allied Military Government.

MUSGRAVE THOMAS,  
Italian Branch,  
for Chief Legal Advisor.

4128/1

13 OCT 1945

HEADQUARTERS ALLIED COMMISSION  
APO 394  
Office of the Executive Commissioner

2A

Ref: 2604/EC

13 October 45

13 OCT. 1945

SUBJECT: Circular to Crown Prosecutors

TO : Civil Affairs Section

10 Legal 12 Oct.

1. Ref. Chief Commissioner's Memorandum to Executive Commissioner on above subject dated 11 October 45, copy to you and to Legal Subcommission.

2. Will you please ensure that paragraph 2 is followed up and report the situation in AMG territory to this office.

ECS *W. L. Ester*

f Chief Staff Officer  
To Executive Commissioner

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Clerk	
CJO	
Italian	
CL RKS	
16 OCT 1945	

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H851

4128/1

128 351  
 Please investigate  
 draft action  
 recommended  
 if any

(1A)

11 October 1945.

12 OCT 1945

MEMORANDUM TO: Executive Commissioner

Subject: Minister of Justice TOGLIATTI's circular to Crown Prosecutors.

1. There has been considerable comment in the Rome press for the past week on the circular sent by Minister of Justice Togliatti to Crown prosecutors to suspend the issue of warrants of arrest for *metayers* denounced for misappropriation of property. To their credit, the Rome District section of the National Association of Magistrates at its meeting on 7 October protested this action as being contrary to the functions of a Minister of Justice.

2. I think it is important that we investigate to see whether the Togliatti circular in question was sent to Crown prosecutors in AMG territory. If so, we should determine whether they are following these instructions, and if so, whether we should take action to instruct them to disregard it, in view of AMG responsibilities for good government.

Is/ Ellery W. Stone

ELLERY W. STONE  
 Rear Admiral, USNR  
 Chief Commissioner

Copy to: VP CA Section  
 Legal S/C

LEGAL SUB COMMISSION
CLO
DCLO
Chief Counsel
CIO
Head
CL R
12 OCT 1945

(488)



11 October 1945.

MEMORANDUM TO: Executive Commissioner

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/s/ Ellery W. Stone

ELLERY W. STONE  
Rear Admiral, USNR  
Chief Commissioner

Copy to: VP CA Section  
Legal S/G



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