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REF
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ACC

REPORTS ON ADMINISTRATION IN ROME
JUN., JULY 1944

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

785016

FILE CLOSED 31 July 1944

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HEAD QUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

31 Jul 44

ACC/4154/1.

SUBJECT : Tribunale di Velletri.

TO : H.E. The Minister of Pardon and Justice.

1. The enclosed report from the inspector of the Ministry is forwarded for Your Excellency's information and necessary action.

2. The RLO (Region IV) complains that he has not received the expected collaboration from the officials of the above mentioned ~~Court~~ ^{Procuratore} who decided not to open their Courts on 29 July as previously arranged.

3. He further points out that their attitude compares unfavourably with that of the President and members of the Cassino Tribunale, which has been reopened ~~in~~ temporary premises at Sora and has been functioning since ~~the~~ 6 July.

21

G.G. HANNAFORD,
Lt. Colonel,
Officer i/c Italian Branch,
for Acting Chief Legal Officer.

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

(7A)

GCH/P.
31/7/44

AOC/4154/L.

SUBJECT : Velletri Tribunale.

TO : RLO (thru RO) Region IV.

Ref. R4/LE/RE/C/03, dated 28 July 1944.

1. The attitude of the officials of this Court has been duly reported to the Minister of Justice, together with the report of the inspector you requested this HQ to forward.

2. The matter will again be pressed at the next meeting with the Minister and it is hoped that steps will be taken by him shortly to remedy the present situation.

G.C. HANNAFORD,
Lt. Colonel,
Officer i/c Italian Branch,
for Acting Chief Legal Officer.

20

HEADQUARTERS REGION IV
Allied Control Commission
APO 394

28 July 1944

TO : Chief Legal Officer, Legal Sub-Commission, A.C.C.
(Attn. Officer i/c Italian Courts)

SUBJECT: Velletri Tribunale.

FILE NO: RA/LE/RP/8/03.

1. I am informed by the P.D.C., Roma Province, that the inaugural ceremony of the Velletri Tribunale, which was due to take place tomorrow, has been indefinitely postponed, because the Presidente and the Procuratore del Regno have decided that the Court is not yet ready to operate.

2. I have also received from the P.D.C., Roma Province, the attached report made by an "Inspector" of the Ministry of Justice, for transmission to the Ministry. An English translation is attached for your own records. Before forwarding on the original report I invite your own attention to this document.

3. I take an extremely poor view of the slowness, and the obvious reluctance, of the officials of this Tribunale to re-open their court in their own proper Tribunale centre. Their dilatoriness compares very unfavourably with the energy and drive which has been displayed by the officials of the Cassino Tribunale, where the court has been open and functioning (in temporary premises at Sora) since 6 July. The difficulties at Velletri are no greater--on the contrary I think they are less--than those at Cassino.

4. I do not feel, however, that there is anything more that I can do about it. I believe it lies now with the Ministry of Justice to instill some greater energy and sense of emergency into officials of this Tribunale. I therefore venture to suggest that, when forwarding attached report to the Ministry, you take the opportunity to express the disappointment of the Allied Control Commission that after all this time so little has been done towards reopening this Tribunale, and to invite them to do their part in instilling into the officials concerned a somewhat greater degree of energy and activity.

5. Pending receipt of your views on this subject I will defer taking the matter up myself with the Primo Presidente of the Rome Court of Appeals--but I am ready to do so if you think it desirable.

H.C. Withner
Regional Legal Officer, Region IV

File
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Translation

To: His Excellency
The Inspector-General of the Ministry of Justice
Rome.

War necessities caused the destruction of 4/5 of the buildings which formed the agricultural town of Velletri, but its abundance of forests and its large territory full of vine, where the war damages are only limited, guarantee its resurrection, and already and every day many inhabitants sheltered in Rome and other places, are returning to their fields.

The general conditions of life of the town are nearly negative at present. Shops selling foodstuff, restaurants, hotels are not functioning yet: only some bakers' shops are open which distribute daily rations of 100 gr. per person.

Judicial buildings

On 13 July, according to the order of the Ministry, I went to Velletri together with Maj. Mac Padyan of the British Command at the "Prefettura" of Rome, with the President of the Tribunal Trocini and with the Procuratore del Re Spera, in order to get knowledge of the present conditions of the rooms where the judicial offices were located. I report as follows:

The Palace of Justice in "Piazza del Comune" opposite to the destroyed communal palace, has been hit in several points during the frequent air bombardments and the artillery fighting which lasted several days and covered the area from the plane of Littoria and Cisterna to mount Artenisio near the town, the occupation of which on the part of British and American troops ended the fighting as the Germans withdrew rapidly persuaded by 5th Army.

In several points of the palace there are holes which go from the 3rd floor to the ground-floor. There, where the Pretura offices were, is now only a great heap of rubbish. Only that side to the east which is between the street and the "Piazza del Comune" has remained intact, and there are the audience room, two rooms for the archives, and the lawyers room. The furniture has been destroyed.

The central part of the palace has suffered most damage: the first floor where the council room, the Gabinetto of the President and the clerks rooms for the civil and the penal side were, does no more exist; the same is to be said with reference to the correspondent 2nd floor where the offices of the Procura del Re were. Furniture and archives are among the rubbish.

For the time being it is impossible to locate there the Tribunal and the Pretura; first the rubbish must be brought away, then the palace must be rebuilt, work which will take much time and will cost much money.

Pretura

The second pretore Tartaglione who lives at Velletri, indicated as rooms suitable for the pretura, those of the palace Maggiorelli in Via del Comune. The building is intact, there are good rooms, and there the

- 2 -

pretura offices could function without any difficulty.

Tribunal

The question of transferring the seat of the Tribunal to another commune of its district, is to be set aside. This is also the decision of Maj. Mac Fadyan.

The only building which is available, and in good conditions, is that in the centre of Via Menotti Garibaldi next to palace Ginnetti, still the seat of the "circolo professionisti & artisti", which has been duly examined. The 1st floor contains 6 rooms, one of which large (the ball room of the club) which can be transformed into an audience room; the other 5 rooms can be destined to the President, chief clerk, council, lawyers, clerks office; other two rooms can contain the archives which can be located also on the ground-floor which is in very good conditions as the building is only about 30 six years old.

The second floor can be destined to the offices of the Procura.

Only at the western corner of the building where it has been hit by a bomb, some little repair is needed.

Therefore, all this building can be the new seat of the Tribunal.

Court of Assizes

Its seat was in Via Paolina on the 1st floor of the antique "Monte Prumentario", the rooms of which had been transformed into those for the offices of the court. All this large building has been destroyed by bombardments and shelling; there are only heaps of rubbish.

The court of Assizes must function, when it is necessary for it to sit, in the rooms of the Tribunal which, during the short period of its sitting, either will suspend its own sittings, or the court must fix its trial dates considering also those of the Tribunal.

Jail

The building has been badly damaged in its part higher part, that is all the cells which open to the court-yard, specially the eastern part of the terrace on the level of the street has broken down.

That part of the building which has its entrance at the Piazza del Comune, can be used still after the opportune works of repair have been done.

We could not enter the building as we found it closed; the guards were not on the spot; while, upto yesterday, they brought away the furniture.

The adjacent little house Coraetti which was used as a jail, too, has been hit by bombs and shells in several points and may break down from one moment to the other.

Conclusion

In order to get judicial life refuction in a town which war has destroyed, there are necessary the rooms for the offices, the jail which detains the prisoners, the carabinieri who maintain public order

- 3 -

and execute penal sentences; besides, a minimum of means of communication between the judicial centre and its jurisdiction district, and the guarantee of civil life as for foodstuff and flats. All this cannot be obtained but step by step with the gradual return of the life of the town. The commune of Velletri through its sindaco has engaged itself to find out not only the rooms for the offices, but also flats, eventually near the town, for magistrates, clerks and secretaries. Therefore, it is necessary to give the commune a certain autonomy of powers which, to-day, are in the hands of the military authorities of Allied Forces.

The large amnesty already conceded for political and common offences in Southern Italy and now extended also to the Province of Rome, will enable the Tribunal of Velletri to continue to function still for some months in Rome. In the meantime the commune will be able to get ready both the office rooms and the flats for the personnel. When all will be ready and there will be a greater movement in the life of the town, activities which are now insignificant for lack of communications, then, the Tribunal can resume there fully its functions. When the isolation which creates difficulties in the relations of jurisdiction essential to the functioning of public services, with serious consequences specially to the function of justice which is co-ordination of powers, will be surmounted, from the economic efficiency, from the communications, and from public order ~~with the advantage~~ Justice will take advantage because it does not live isolated, but sustained by all its auxiliary organs.

The Inspector

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C O P Y
R I T

(5A)

CONFIDENTIAL

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100 MAIN INFO HOME AREA COMMAND

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CONFIDENTIAL

REF YOUR MESSAGE DATED 20 JUNE REGARDING INTERNEES CONTINUED TO ROME. MESSAGE NOT PROPERLY UNDERSTOOD AS VAPORILY CONCEPT. SPECIAL VIEW OF ROMA COULD BEING USED FOR CONFIDENTIAL ALL HEREAS AGREED BY ALLIED AUTHORITIES ON SECURITY OF INFO. GREAT MORTUITY ARE BEING DETAINED PENDING INVESTIGATION IN CONNECTION LARGE ESPIONAGE SAFORAGE ORGANIZATION LEFT BY ROME IN ROME. IN THESE CASES INVESTIGATIONS PROCEEDING AS RAPIDLY AS POSSIBLE TO DETERMINE WHETHER INDIVIDUALS ARE TO BE RELEASED INTERVIEWED OR TRIED. SMALL PROPORTION THOSE CONTINUED ARE FRONTIER FASCIST TYPE APPROPRIATE WITH VIEW INTERVIEW. DEBUTCH OF THESE TO 371 PM CASE IS IN PROGRESS. NO POLITICAL INTERNEES INVOLVED ALL ARE SECURITY CASES. ABOVE BELIEVED IS IN ACCORDANCE INTERNATIONAL LAW AND IS SIMILAR TO PROCEEDURE FOLLOWED THROUGHOUT

ITALIAN CAMPAIGN

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44154 file
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 INSTALLATION OF PRESIDENT OF THE SUPREME COURT OF CASSATION

IN ROME on 24 JUNE 1944

A short ceremony took place at the Palace of Justice at 1200 hours on Sat-

urday when H.E. the Minister of Justice, Umberto Tupini reinstated officially H. E. Ettore Casati to the First Presidency. The latter aged of 71 had crossed the German lines in Jan 1944 to join the Badoglio Government.

While the Germans were in occupation, the Supreme Court had been subjected to very strong pressure from the republican fascists who were anxious to obtain the consent of the Counsellors to the transfer of its seat to Brescia.

On the whole the Supreme Court resisted successfully. Many of its members went into hiding and sixty five were dismissed forthwith for refusing to join the Fascist Government in the North. All but a very few refused to take the republican oath and when three sections of the Supreme Court were opened in Brescia by the Fascists only two former Counsellors had made the journey from Rome.

During this period the Supreme Court dealt only with routine matters and refused to take any decision which could have prejudiced its position and the Italian Judicial Organization. By reinstating the First President and taking the necessary steps for an early start of the normal activities of the Supreme Court, the Allied authorities are putting an end to the judicial chaos which has been prevalent in Fascist Italy between the 8 September and the liberation of Rome by the Allies. This was pointed out by both the Minister and the First President, who asked that a special message of thanks be conveyed to Sir Harold Alexander from all the Magistracy of Italy.

It is expected that the first official sitting of the Supreme Court will take

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It is expected that the first official sitting of the Supreme Court will take place early in July. It will be the first of the great Italian institutions to resume its work in the capital and the national and even international importance of such an event cannot be over emphasized.

*Copy of the
1st July 1944
to the
Supreme Court
of Cassation
Rome*

4154
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 3A
 To Chief Legal Officer, Legal Sub-Commission, A.C.C.
 From R.I.O. Region IV.
 Subject Interim Report.
 Reference R4/LE/Reg/3/3.
 Date 18 June 1944.

1. Rome Province.

I have to report that Rome Province was transferred to Control of Region IV on 15 June 1944. Many parts of the province have been seriously devastated, and prior to the handing over it appears that little or no legal work had been done either in connection with A.M.G. Courts or in connection with the resuscitation of Italian Courts. Lieut. Morris, who had been sent forward as temporary Provincial Legal Officer, had in fact of necessity been employed as a Provincial Officer in one of the worst devastated localities, and had had no opportunity of discharging his legal duties. As from 15 June 1944 Major MacFadyen has taken over as Provincial Legal Officer and Lieut. Morris has now reported to the S.I.O., A.M.G., Rome Area. Up to-date I have no report from Major MacFadyen of the progress he has made. Copy of Report to me by S.I.O. 5th Army (Field) is attached hereto.

2. Littoria Province.

Excellent progress continues to be made. Records of cases tried in A.M.G. Courts have commenced to reach this H.Q. and appear to be well kept. With regard to Italian Courts, I attach hereto copies of reports rendered to the Provincial Legal Officer by the acting President of the Tribunale and the Pretore of Fondi, which give some idea of present conditions and prospects. The Provincial Legal Officer has written an official letter to the President of the Tribunale instructing him as to the conditions under which Italian Courts will be required to function. Since the date of the attached reports the Procuratore del Re and two of his secretaries have been found in Rome, and are being dispatched to Littoria to resume their duties. The return of the Procuratore del Re has been specially authorized by the Regional Commissioner. At the request of the Procuratore Generale the Procuratore del Re will also give some attention to the Courts in Frosinone and Cassino districts, both within the province of Frosinone. The Provincial Legal Officer of Littoria reports that the Preture Courts have already

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3. Frosinone Province.

Lt. Col. Purnell has just returned from spending four days with the Provincial Legal Officer, whom he has been assisting in the task of

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surveying the position with regard to Italian Courts and Judicial Officials within that province. He reports that within the Tribunale District of Frosinone pretori or vice-pretori are present and court-rooms are available at Paliano, Anagni, Ferentino, Veroli and Ceccano. These courts are expected to begin functioning straight away. Pretori of Frosinone and Alatri are expected to return within a week. Four of the six Judges of the Tribunale have been found at Alatri, but there is no suitable building in this town. The Vice-Procuratore has also been located. It has been ~~Provisionally~~ arranged that the Tribunale will function in Frosinone, where a building can be made available in about a week. There has been no opportunity as yet of surveying the situation in the Cassino Tribunale district at the Southern end of the Province. It is known that most of the towns in this area are very badly damaged. Information with regard to this district is being collected by the Provincial Offices.

4. Provinces under Army Control.

Provincial Legal Officers of Rieti and Terni are already with their provincial teams. Capt. Aulisi was sent forward yesterday to take over as Provincial Legal Officer of Viterbo. Capt Falk is going forward to-day to join the Perugia team.

H. G. Linnar

Col.

RIO. Region 4.

Copy

HEADQUARTERS AMG 5th Army (Field)
Legal Division
APO 464 U.S. ARMY

14 June 1944
2056A/15.

SUBJECT: Rome Province 5th Army
Legal Division Reports.

TO : R.L.G. Region IV (through R.O.)

1. Personnel. Lt. T.A. Morris who was assigned for duty as Provincial Legal Officer, was issued with 200 copies of each of the Proclamations and General Orders and with a supply of legal forms by this HQ. No reports have been received from him and it is believed that owing to shortage of personnel he has been acting as C.A.O. in the Valmonte area.

2. It was understood that Major Hendrickson would instruct either Major Elder or Major Macfadyen to report to the Provincial Commissioner for duty in the Province, but so far as is known neither has as yet done so. It may be that other arrangements are now contemplated.

2. Proclamations. Proclamations Nos 1 - 4, Notices and General Order No. 1 have been posted in all Communes with the possible exception of one or two in the Alban Hills, which were almost totally destroyed (e.g. Ariccia, Lariano). It is probable that these have since been covered.

3. A.M.G. Courts. No returns have been rendered of cases tried in the Province. South of Rome the population was dispersed in the hills and north of the city the Army moved too fast to provide any legal business for the Corps CAGs. (Moreover their chief customer, the C.R.F. was not active in this area).

4. Italian Courts.

(i) Velletri Tribunale - Conditions in this district are very bad and it is likely to be some time before the Courts can function effectively. The buildings at Velletri itself are either in ruins or seriously damaged, and the towns of Albano, Anzio and Genzano where there are Preture, are reported 80% destroyed. At Segni the Pretura building is undamaged but no judicial officials had returned at the date of the report.

(ii) Rome Tribunale: The Provincial Commissioner has had an interview with the Procuratore Generale, Comm. Gaetano Gasentino and apart from difficulties of transport and communications, there seems to be no reason for any interruption in the work of the Courts in the City. With regard to the Preture in the country districts, the following reports have been received :-

Presenti: Town ⁰ Old buildings badly damaged. Vice-Pretore Pizzino Agostino present.

Civitavecchia: Pretura and prison destroyed, but there are barracks available for the latter purpose. The Pretore, Dott. Giusto Manunta is acting as Sindaco and the Carcelliere, Selis Augustino is also present in the town.

Bracciano: Pretura in good condition and Court open under one Carnivale Marco (Pretore?)

Castelnuovo: Buildings undamaged. Di Simoni Emilio in charge.

5. Law and Order: Reports indicate that conditions to date are satisfactory. Difficulties are soon likely to arise over the question of arms as in many Communes GAOs have encountered Partisan groups well supplied with weapons of all kinds. Their attention has been firmly directed to the order requiring arms to be handed in.

6. Jurisdiction: Rome Province will pass from AMG 5th Army to the full jurisdiction of Region IV with effect from 1200 hours on 15. 6. 44.

H.M. Dickie, W/Cmdr. R.A.F.
S.E.C. AMG 5 Army.

Copy to: C.I.O. ACC HQ.
P.C. Rome Province.

CIVIL AND PENAL COURT OF LITTORIA

8 June 1944

HONORABLE COMMAND OF THE ALLIED CONTROL COMMISSION

L I T T O R I A

In my quality of ff. President of this Court and in regard of verbal ask of this Command I communicate as it follows:

Ull the date Sept. 8th. 1943 the legal offices of this Headplase of Province were composed as following:

1° Dott. Cav. Uff. Carlo Goli - Entitled President.

2° Dott. Cav. Carlo Pelliè - Judge, in charge of bankrupt proceedings, precedents of civil affairs, of the precedence of the most part of penal audiences, of voluntarily jurisdiction.

3° Dott. Cav. Quattrocchi Vincenzo - Penal Judge, civil instructor, of voluntarily jurisdiction.

4° Dott. Cav. Costa Alberto - Applied Court Pretor, functioning as Civil Instructor Judge, Judge of the Civil and Penal College, of voluntarily jurisdiction.

5° Dott. Cav. Pietrè Fortunato - Judge - as the precedent.

6° Dott. Cav. Capellè Giovanni - As the precedent.

7° Dott. Cav. Carlo Calvosa - As the precedent.

8° Dott. Cav. Mirtò Randazzo Pietro - As the precedent.

9° Dott. Tedesco Carlo - Judicial Auditor, without signature.

FUNCTIONERS OF CANCELLERIA

1° Cav. Rende Francesco - Chief Cancelliere

2° Cav. Tanza Domenico - 1° Cancelliere

3° Cav. Grippa Genaro - 1° Cancelliere

4° Cav. Vinciguerra Italo - 1° Cancelliere

5° Cav. Dott. Cav. Francesco Cavaliere - 1° Cancelliere

6° Cav. Paziò Vincenzo - Cancelliere

7° Cav. Irace Francesco - Aiutante di Cancelleria

8° Cav. Petrone - Cancelliere

REGIA PROCURA

1° Dott. Comm. Mario Bernabei - King's Procurator.

2° Dott. Cav. Mario Bòchiechiò - Substituter of the King's Procurator.

SECRETARIES

of voluntarily jurisdiction.

- 5° Dott. Cav. Pietro Fortunato - Judge - as the precedent.
- 6° Dott. Cav. Capello Giovanni - As the precedent.
- 7° Dott. Cav. Carlo Celvosa - As the precedent.
- 8° Dott. Cav. Miro Randazzo Pietro - As the precedent.
- 9° Dott. Tedesco Carlo - Judicial Auditor, without signature.

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- 2° Cav. Tanza Domenico - 1° Cancelliere
- 3° Cav. Grillo Gennaro - 1° Cancelliere
- 4° Cav. Vinciguerra Italo - 1° Cancelliere
- 5° Cav. Dott. Cav. Francesco Cavaliere - 1° Cancelliere
- 6° Cav. Fazio Vincenzo - Cancelliere
- 7° Cav. Irace Francesco - Aiutante di Cancelleria
- 8° Cav. Petrone - Cancelliere

REGIA PROCURA

- 1° Dott. Comm. Mario Bernabei - King's Procurator.
- 2° Dott. Cav. Mario Borchiochi - Substituter of the King's Procurator.

SECRETARIAS

- 1° Cav. Arena Pasquale - Chief Secretary
- 2° Cav. Balbi Mario - Secretary
- 3° Nuzzo Pierino - Secretary

REGIA PRETURA

- 1° Dott. Cav. D'ottavi Alfredo - Pretore dirigente
- 2° Dott. Cav. Pietro Eula - Pretore
- 3° Dott. Cav. Mauro Giuseppe - Pretore aggiunto

Functionners of Cancelleria

- 1) Dott. Cav. Acquarone Mario - Chief Cancelliere
- 2) Milla Leone - Cancelliere
- 3) Abenda Eugenio - Cancelliere
- 4) Engbresi Ulcerio - Cancelliere
- 5) Ciannetti - Cancelliere

UFFICIO DI CONCILIAZIONE

Dott. Cav. De Gasparis

UFFICIALE GIUDIZIARIO DI COURT

Cav. Sebastiano Barbalato

UFFICIALE GIUDIZIARIO DELLA PRETURA

Filippone Edoardo

USCIERE PRETURA

Marteddu Giuseppe

USCIERE (Functioning his wife because he was dead)

Albertina Veresani

USCIERE OF THE R. PROCURA

Natalizzi

Of all the above mentioned functioners are now here:

1° The Judge Carlo Pellicò, functioning as President since Aug. 1st. 1943, because Dott. Còli, first in vacation and then falling ill, after a few visits at Littoria, being too difficult and dangerous to travel, remained in Rome where he has and had his family.

2° The Pretore D'ottavi, enforced to evacuate; has his residence at Norma (Littoria).

3) The Pretore Aggiunto Mauro

4) The Cancelliere Fazio, enforced to evacuate and now living in a farm-house near Littoria.

5) The Cancelliere Midia

6) The Cancelliere Abende

The Dott. Còli is at Rome; the Judges Quattronechi, Costa, Fortunato, Capelli, Calvosa and the judicial auditor Tedesco are in Rome too, where some of them went after the Armed Forces of the allied Nations landed at Nettunia and the other after they had been enforced to evacuate Littoria and had had time to do it till the date Feb. 11th 1944 hour 6 P.M.

The King's Procuratore, Dott. Bernabei, went to Fossanova, and a few days after Easter started from there to Rome and established himself there.

In Rome are even Dott. Schicchiò, Dott. Sala, who was to be set off of work for reasons of illness, the Cancellieri Rende, Grippo, Acquarini, Ragonesi; the Secretaries Arena, Balbi; the Judicial officers Barbalato and Filippini.

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2) The Iretore D'ottavi, enforced to evacuate; has his residence at Nerma (Littoria).

3) The Iretore Aggiuntò Muro

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5) The Cancelliere Milla

6) The Cancelliere Abenda

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Grippe, Acquarone, Ragonesi; the Secretaries Arena, Balbi; the

Judicial officers Barbalato and Filippini.

Judge Mirtò had been transferred at an office in Rome about

the first days of October 1943.

of the other officers is not known the actual address.

The Usciere Marteddu is in Littoria.

The Usciere Veressani left Littoria and went, as they told me,

to Bologna, which is his original city.

CONDITION OF THE COURT'S LOCALS

The building, recently constructed, has been little damaged

by air-raids and shells. All the crystals are missing and the

window frames are broken.

FURNITURE

Part of the rich and new furniture has been brought away

by the German troops and Italians, and part of it has been seriously damaged. There are no more type writers, carpets and the safety case in the office of the Cancelliere Capò has been opened and emptied. They brought away all the leather from the chairs. But, even of all this, part of the furniture has been saved because hid in the cellars. Some of such furniture is in the American offices in front of the Court Building.

REGISTERS = DOCUMENTS = BOOKS

Part of them has been brought away or tore, and part of them has been thrown on the floor among broken glass and rubble.

Since the last week I gave orders to clean the rooms. In fact some workmen, founded for me by the technical office of this Comune, are working under the direct control and that of the Cancellieri Mola and Abenda. They are putting in order the books, the registers and every such important thing. This work is hard and requires a long time because of the damage made. Although the two halls of audience have already been put in order and can be used.

JAILS

Actually are functioning, while they had been left empty after the first bombings, and exactly the 25th of Jan. 1944, because about 30 prisoners escaped that same time.

I think it necessary to say that after the landing at Netunia, being Littoria bombed from the air and the sea, it was impossible to circulate because of the danger of death, which was continuous, (many citizens were killed); people lived in the cellars till the German troops enforced them to evacuate.

THE PP. PRESIDENT
(DOTT. CARLO PELLICÒ)

AT THE COMMAND OF THE A.M.C.
Group of Fondi

In my quality of Pretore Titolare of the District of Fondi I furnish to this Command the following informations about the condition and the functioning of the Pretura and the prisons by me managed:

The district of Fondi, which enters the jurisdiction of the Corte d'Appello of Rome and that of the Court of Littoria, is composed by the following Communes: Fondi, Itri, Sperlonga, Monte S. Biagio, Lendola and Campodimele.

The office of the Pretura was composed, at the date Sept. 9th 1943, by the following functionaries:
Dr. Antonio Bitonte - Pretore dirigente - Belonging to the 8th. grade Group A.-

Avv. Vincenzo Aspri - Vice Pretore onorario.

Dr. Giovanni Ingarano - As the precedent.

Curtò Carmelo - Cancelliere - Belonging to the 9th grade Group B. Della Calce Fortunato - Aiutante di Cancelleria; belonging to the 12th grade Group C.

Di Paolo Giuseppe - Ufficiale Giudiziario.

De Santis Francesco - Usciere.-

The Forum was composed by the following lawyers:

- 1) Avv. Vincenzo Aspri
- 2) Dr. Giovanni Ingarano
- 3) Dr. Giovanni Stotis
- 4) Dr. Paolo Stotis
- 5) Dr. Giuseppe De Simone
- 6) Dr. Alfredo Surani
- 7) Avv. Francesco Feldei
- 8) Vincenzò Esposito
- 9) Avv. Ettore Rosillo
- 10) Avv. Luigi Agelini
- 11) Avv. Ettore Cofferati

The first four have their office at Fondi, the fifth at Lendola, the sixth at Itri, the seventh at Naples and Monte San Biagio, the eighth, ninth, tenth and eleventh at Rome, Littoria and Fondi.

The jail, managed by the Pretore, was guarded by the following personnel: Masucci Bartolomeo - chief watch-man-, Perardi Giovanni, Vice Watch-man-, Masucci Marianna - watch-lady-. Physician of the jail was the Dr. Silvio Liguori.

Report from the Pretura of Fondi, the following session of

De Santis Francesco - Usciatore.

The forum was composed by the following lawyers:

- 1) Avv. Vincenzo Aspré
- 2) Dr. Giovanni Ingarano
- 3) Dr. Giovanni Stas
- 4) Dr. Paolo Stas
- 5) Dr. Giuseppe De Simone
- 6) Dr. Alfredo Barilli d'Amato
- 7) Avv. Francesco Felici
- 8) Vincenzo Aspré
- 9) Avv. Ettore Roselli
- 10) Avv. Luigi Azzurri
- 11) Avv. Ettore Goffredi

The first four have their office at Fondi, the fifth at Lendola, the sixth at Itri, the seventh at Naples and Monte San Biagio, the eighth, ninth, tenth and eleventh at Rome, Itri, Lendola and Fondi.

The jail, managed by the Pretore, was guarded by the following personnel: Masucci Bartolomeo - chief watch-man, Peruzzi Giovanni, Vice Watch-man, Masucci Marianna - Watch-lady. Physician of the jail was the Dr. Silvio Liguori.

Depend from the Pretura of Fondi the following Station Commands of the CC.NR.: Fondi, Itri, Monte San Biagio and Lendola, respectively commanded by the following under-officers: Maresciallo Maggiore Di Giuseppe Angiolino, Maresciallo Maggiore Vitale Alessandrò, Maresciallo Maggiore Tancredi Scariato Arturo, and Brigadiere D'Aprile Vincenzo.

All the functionaries of the Pretura and of the jail are presently at Fondi and they have already presented themselves to me. About the lawyers: The first three are at Fondi, the rest of them at Monte San Biagio, the last three at Rome, and the fourth and the fifth are probably respectively at Lendola and Itri. Each Commander of the CC.NR.'s is in his Station.

Since the date Sept. 9th, 1943 the Pretura office has not been functioning because of the interruption of the normal course of the civilian affairs and because of the sabotage of the State's institutions operated by the Germans and fascists. This matter of fact with adjoint intrusions and impositions by the German invaders comforted me in the resolution to stop every activity of the office, and this to not aserve the justice to the German domination. This is why all the functioners of the Pretura kept themselves away from civil affairs and from the fascist elements: whom took for themselves all the public offices and command places in Fondi.

I had to hide myself upon the mountains of the Comune of Campo-Gimelle to avoid the persecutions of the above mentioned figures and the German Police.

Following the evacuation of the city; operated in October 1943, all the buildings were emptied by the Germans. In the Pretura was stolen the deposit of stamped paper for a value of 4000 liras, and a typewriter "Olivetti" new model and bought a short time ago. After the bombardments, which had place Nov 2nd; 1943 and Jan. 6th, 1944, the locals of the Pretura were seriously damaged. As soon as I had been informed about that, I went at Fondi Jan. 8th, 1944, but I did not succeed to save the papers and documents of the office, because of another bombardment which caused the complete evacuation of the city, which was being again populated since the last November. I have been able to save another typewriter "Olivetti" which I gave to the Secretary of the Comune, Fortunato Aurelio, so that he could put it there other of the Comune. But Fortunato has lastly informed me that even this typewriter has been lost.

In consequence of the continued violent air bombardment of the city, the building of the Pretura is actually all demolished. The office was placed at the fifth floor of the first building at Ciambattista Vice Street in Fondi. The entrance of this street is completely blocked by a pile of rubble. The floors of the building have been blown down so that the documents of the office are buried under the rubble. I talked with the Mayor and the technical Manager of the work of cleaning about removing the rubble of the building of the Pretura and they promised me that in the shortest possible they will send some workers to do it. I gave dispositions to one of the functioners of the office to see for the documents that should be found and to bring them in the new office. This new office, for the moment, has been installed in the third floor of a building in 28 Ottobre Street.

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In consequence of the continued violent air bombardment of the city, the building of the Pretura is actually all demolished. The office was placed at the fifth floor of the first building at Giambattista Vico Street in Poggioredda. The entrance of this street is completely blocked by a pile of rubble. The floors of the building have been blown down so that the documents of the office are buried under the rubble. I talked with the Mayor and the technical manager of the work of cleaning but receiving the rubble of the building of the Pretura and they promised me that in the shortest possible time they will send some workers to do it. I gave dispositions to one of the functionaries of the office to see for the documents that should be found and to bring them in the new office. This new office, for the moment, has been installed in the third floor of a building in 28 Ottobre Street.

I have already given the start to the most urgent cases, and to the work of organization of the office. The necessary instructions I gave to the dependent Station Commanders the necessary instructions for the ascertaining of the misfacts containing themselves in the limits of the Italian laws. Within the next days I will begin to settle all the matters which have troubled Poggioredda during the period that goes from Sept. 9th. to the day of the liberation. A great difficulty for the regular functioning of the office is consisting in the loss of the registers and by the loss of books, stamped paper and other articles. I confide, though, in the help of this Command for the paper, ink, etc., and I promise to encourage with examples my dependent functionaries so that they would surpass all the difficulties which they should meet during the delicate and difficult administration of the justice.

The prison has not been seriously damaged as the building of the Pretura. The prison is situated in the outskirts of the city, and exactly in Piazza Square No. 1. It is composed as the following: a large room, three rooms for prisoners (one of them for women), two safety jails, home for the watchman composed by three rooms, one room for the vice "custode" and one room used as office. The large room, two of the three rooms for prisoners and the two safety jails have not been damaged; these rooms still have iron bars at the windows and can be used for the detention of prisoners. The safety wall of the prison has been damaged. The other locals of the prison have been damaged too; windows broken, the iron bars at the windows have been loosened and in some of the walls are holes. In conclusion the building can still be used, momentarily, for the holding of prisoners, but there is no material as blankets and chairs. I allowed the vice "custode" Berardi to move in the building so that he may watch it and settle the prisoners.

Since Sept. 9th, 1943 the prison has not been functioning for the normal administration of justice. In a first time the Germans and fascists invaded the prison and sent out of it watchmen and prisoners. Afterwards they used the locals as hospitals and at last they used them as prisons for the people they arrested.

In regards of the service I have already given instructions to the functionaries so that they should prepare the relative registers, communicate the news and give instructions in relation with the Italian laws. I think that even this other branch of the service will soon be functioning in a normal way.

I think it is right to communicate to this Command that all the officers of the Pretura and I are living out of town because there are no comfortable houses in the city, and for such reason we have to walk for five kilometers on a bad road to go to our office. I do such communication asking for the particular transfer indemnity, according to the law, or a special increase.

Ronli, June 2nd, 1944

IL MARELLA
(Det. Antonio Bionese)

File in 154

(2A)

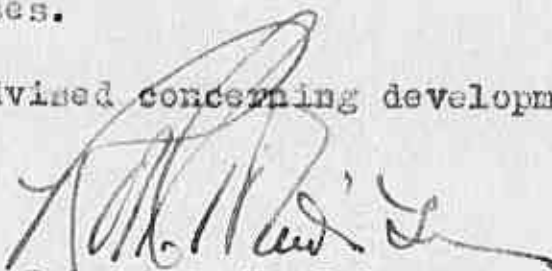
HEADQUARTERS
ROME AREA COMMAND
A.P.O. 394 U.S. ARMY

14 June 1944

SUBJECT : Removal of certain Italian Judicial
Officials.

TO : Headquarters, Allied Control Commission

1. Pursuant to directives of your Headquarters,
I enclose herewith my recommendations with respect
to removals in certain cases.
2. I will keep you advised concerning developments
in each case.



Robert C. Hendrickson
Major
SLO. A.M.G. 5th. Army C.A.S.

*For original copy and return
See file 4082/3/C*

enclosure:

4154
 ✓
 HEADQUARTERS
 AND FIELD AREA (FIDEL)
 LEGAL DIVISION
 AND HQ C.O. AREA.

Legal (Person)
 U-1375
 (A)

14 June 1944
 208/CA/15.

SUBJECT: Rome Province (5th Army Area)
 Legal Division Reports.

TO : R.L.O. Region IV (through R.C.).

HEADQUARTERS
 16 JUN 1944

1. Personnel. Lt. T.A. Morris who was assigned for duty as Provincial Legal Officer, was issued with 200 copies of each of the Proclamations and General Orders and with a supply of legal forms by this HQ. No reports have been received from him and it is believed that owing to shortage of personnel he has been acting as C.A.O. in the Valmontone area.

It was understood that Major Hendrickson would instruct either Major Elder or Major Macfadyen to report to the Provincial Commissioner for duty in the Province, but so far as is known neither has as yet done so. It may be that other arrangements are now contemplated.

2. Proclamations. Proclamations Nos 1 - 4, Notices and General Order No 1 have been posted in all Communes with the possible exception of one or two in the Alban Hills, which were almost totally destroyed (e.g. Ariccia, Lavinio). It is probable that these have since been covered.

3. A.M.G. Courts: No returns have been rendered of cases tried in the Province. South of Rome the population was dispersed in the hills and north of the City the Army moved too fast to provide any legal business for the Corps CACs. (Moreover their chief customer, the C.E.F. was not active in this area).

4. Italian Courts.

(i) Velletri Tribunale - Conditions in this district are very bad and it is likely to be some time before the Courts can function effectively. The buildings at Velletri itself are either in ruins or seriously damaged, and the towns of Albano, Anzio and Genzano where there are Preture, are reported 80% destroyed. At Segni the Pretura

building is undamaged but no judicial officials had returned at the date of the report.

(ii) Rome Tribunale: The Provincial Commissioner has had an interview with the Procuratore Generale, Comm. Gaetano Cosentino and apart from difficulties of transport and communications, there seems to be no reason for any interruption in the work of the Courts in the City. With regard to the Preture in the country districts, the following reports have been received :-

Frascati: Town and buildings badly damaged. Vice-Pretore, Pizzino Agostino present.

Civitavecchia: Pretura and prison destroyed, but there are barracks available for the latter purpose. The Pretore, Dott. Giusto Menunza is acting as Sindaco and the Cancelliere, Selis Augustino is also present in the town.

Bracciano: Pretura in good condition and Court open under one Carnivale Marco (Pretore?).

Castelnuovo di Porto: Buildings undamaged. Di Simoni Ennio in charge.

5. Law and Order: Reports indicate that conditions to date are satisfactory. Difficulties are soon likely to arise over the question of arms as in many Communes CAOs have encountered Partisan Groups well supplied with weapons of all kinds. Their attention has been firmly directed to the order requiring arms to be handed in.

6. Jurisdiction: Rome Province will pass from AMG 5th Army to the full jurisdiction of Region IV with effect from 15. 6. 44.

Copies to: C.L.O. ACC. HQ.
P.C. Rome Province.

John Dickie
H.M. DICKIE., W/Cdr
S.L.O. AMG 5 Army

LEGAL SUB-COMMISSION	
CLO	☒
PCLO	☒
Chief Counsel	☐
CJO	☐
Italian Section	☐
CL RK5	☐

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