

ACC

10000/142/964

COMMUNICATIONS
NOV. 1943 - JAN. 19

10000/142/964

COMMUNICATIONS BETWEEN ITALIAN COURT OFFICIALS
NOV. 1943 - JAN. 1944

NAG (225)

Shawyer } 84, 43, 80

De Leo } 83, 82, 75, 74, 73, 70, 38, 37

De Vivo 81

List } 80
 (Shawyer)
 Galbraith
 C. Farrell
 Jensen
 De Leo
 Gustafson
 Zolt. Villa
 Soprano
 Rocco

Gustafson 79

C. Farrell 78, 77

De Leo 69

Mures } 68

Soprano

Buonanno

Palladino } 66, 63, 62, 61

De Vries } 66, 65, 64

Senno 58

Gargano 42

Prencipe di Giacinto 32

Ciriaco 31

Rizzi 29

Stampacione 22

Giacinto

Rizzi } 21

Formato }

Reuni Rat 9

Celentano 8

De Vito Mario 7, 4

Bonomo Rocco 6

Curcio 3

HEADQUARTERS
MILITARY CONTROL COMMISSION
Legal Subcommittee

CLC/maf

27 January 1944.

In reply
refer to: ACCL/I/113/1.

SUBJECT: Transmittal of Gazzetta Ufficiale

TO : Chief Legal Officer, HQ AMG 15th Army Group (ACLF).

Transmitted herewith are copies No. 1, 2, & 3 of the
1944 Gazzetta Ufficiale.

C. R. Thackrah
for G. R. THACKRAH, Colonel
Chief Legal Officer, AMG

SUBJECT: Italian Judges, Province of PUGLIA

A.M.G.,
H.Q. A.C.M.F.

R.C.L.C.,
A.M.G. R.D. REGION 4

MSC/225/CA
27 Jan 42

1. The Italian Government has submitted a number of suggestions to us concerning the personnel of the Tribunale in PUGLIA. The suggestions are approved by the MCX, and it is felt that unless there are very strong reasons of an administrative sort against meeting the wishes of the Government we should do as they wish in this matter.
2. Giudice STRANIERO Ignazio is presently assigned to the Tribunale in PUGLIA. For personal reasons, resulting principally from the bombing of PUGLIA, he wants to transfer his post to TRANI where there is a vacancy on the Court available to him. The Ministry of Justice has undertaken to send Giudice GABIANI Enrico, of the Tribunale at TARANTO to fill the resulting vacancy in PUGLIA.
3. Giudice GUSTAFANO Giuseppe, of the Tribunale at LUCERA, for family reasons wishes to be transferred from his present seat to the court at BRINDESI where a vacancy exists. The Ministry proposes to fill the vacancy which would result by sending CIFARELLI Michele, of the Tribunale at BARI.
4. It would be much appreciated if these suggestions could receive early consideration.

Ward Hux

85

Major, AUS,
Chief Legal Officer.

1
SUBJECT: Gov. Off. DE 30010

A.E.C.,
H.C. F.C.H.P.

ROAD AND HIGHWAY AGEN

74 83
MC/225/63
27 Jan 64

1. We have just learned that the original request of the Ministry of Justice that the above mentioned judge return to BAH was supplemented by a subsequent suggestion that he be appointed temporarily to the position of Presidente of the Tribunal at LAHNO. It was due to a misunderstanding that we stated in our MC/225/63 of 3 Jan 64 that he then occupied that post.
2. It would be appreciated if you would let us know whether the Ministry's supplementary suggestion is acceptable.
3. You will accordingly disregard our MC/225/75 of 24 Jan 64.

Wend Howard

Major, ADG,
Chief Legal Officer.

Copy to: Chief Legal Officer,
Legal Sub-Commission,
Allied Control Commission.

52

SUBJECT: Transfer of Judicial Officers

Chief Legal Officer
Legal Sub-Commission,
Allied Control Commission

A.M.G.,
H.Q. A.C.M.F.

AMC/225/82
27 Jan 44

1. Referring to your AMC/L/111A of 21 Jan 44, word has not yet been received concerning the possibility of the transfer of any of the judges whom you have listed.

2. In separate correspondence I have dealt with the application of DR SOCIO Vincenzo, and I believe that that will indicate how matters stand in regard to his transfer. It is hoped that an early reply to my letter of today to the S.L.O., A.M.G. H.Q. EIGHTH ARMY will be received.

3. My files contain no record of the applications of GENTILE Antonio, ZILIBELLA Giovi, and ROCCO Luigi. The first of these judges being of FORTEZA, I wonder whether the application was not sent directly to REGION 2. Were the applications of the other two perhaps retained by you as a result of our conference of 16 Jan 44?

Frank Horner

Major, AUS,
Chief Legal Officer.

31

SUBJECT: DECRETS OF MINISTRY OF JUSTICE

A.M.C.,
H.Q. A.C.M.F.

R.C.L.O.,
A.M.C. H.Q. REGION I

MC/25/4
26 Jan 42

1. The following documents recently received from ACC for transmission to judicial and prosecuting authorities in FOGGIA Province are enclosed herewith:

- (a) Royal pardon of DANIELA,
- (b) Circular from Ufficio di Assistenza,
- (c) Copies of GAZZETTA UFFICIALE,
- (d) Foreword notes from the Minister of Justice,
- (e) Communication concerning court house at FOGGIA,
- (f) Letter from Procuratore Generale of Bari concerning Giudice DE VITO.

2. I feel sure that there will be no question about the delivery to their addresses of all the items listed, except perhaps (a) and (f). Technically the King's pardon of a resident of occupied territory is inoperative, but since the case was originally tried by a court dependent upon the Bari Court of Appeals, and was in fact reviewed by that Court, it does not seem to be an occasion upon which the technicality should be called to the attention of the Italian Government.

3. Document (f), as you will see, concerns the wish of the Procuratore Generale of Bari to conduct an investigation into the circumstances of an assault in which a judge of the Lucerne Tribunale was involved prior to the date of occupation. The G.O., ACC, is anxious for us to facilitate the investigation in all ways possible.

Wend Howard

Major, AUS,
Chief Legal Officer.

ES/gmf

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee.

21 January 1944.

In reply
refer to: ACC/L/111A.

SUBJECT: Transfer of Judicial Officials.

TO : Chief Legal Officer, HQ AMG 15th Army Group.

1. In conformity with your wish expressed at our meeting on 15 Jan. I have notified the Undersecretary for Justice that from now on no requests for transfer of judicial personnel in the 15th Army Group territory will be accepted for transmittal except in cases of extreme urgency and then only upon full statement of reasons. Furthermore, no applications for leave will be transmitted to you in the future but will be made locally.

2. The Undersecretary took notice of the above and asked me at this occasion as to what, if any, action has been taken on applications for transfer transmitted to you in the past. He is particularly interested in the following suggested movements of personnel:

(a) STRANIERO IGNAZIO, Judge, from Tribunale Foggia to Tribunale Trani (request of the Ministry dated 23 Dec. 43).

(b) GALBIATI ENRICO, Judge, from Tribunale Taranto to Tribunale Foggia.

(c) CIPARELLI MICHELE, Agente Giudiziario, from Tribunale Bari, to Tribunale Lucera.

(d) GENTILE ANTONIO, Cons. C. App. Sez., from Potenza to Court of Appeal Section, Lucera (letter of the Ministry dated 22 Dec. 43).

(e) DE SOCCO VINCENZO, Cons. C. App., from Bologna to Presidency, Tribunale Larino, (letter of the Ministry dated 23 Dec. 43).

(f) GUSPARONE GIUSEPPE, Judge, from Tribunale Lucera to Tribunale Brindisi (letter of the Ministry dated 3 Jan. 44).

(g) SILIPPELLA GIOVI, Pretor, from Solopaca to Benevento (letter of the Ministry dated 5 Jan. 44).

(h) SOPRANO, Uditore, from Tribunale Benevento to Tribunale Napoli (letter of the Ministry dated 11 Jan. 44).

(i) ROCCO LUIGI, Cons. Cassaz., from Pres. Sez. C. App. Lucera, to

SUBJECT: Transfer of Judicial Officials.

TO : Chief Legal Officer, HQ AMG 15th Army Group.

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(c) CIGARELLI MICHELE, Agente Giudiziario, from Tribunale Bari, to Tribunale Lucera.

(d) GENTILE ANTONIO, Cons. C. App. Sez., from Potenza to Court of Appeal Section, Lucera (letter of the Ministry dated 22 Dec. 43).

(e) DE SOCIO VINCENZO, Cons. C. App., from Bologna to Presidency, Tribunale Iarino, (letter of the Ministry dated 23 Dec. 43).

(f) CUSTAPANE GIUSEPPE, Judge, from Tribunale Lucera to Tribunale Brindisi (letter of the Ministry dated 3 Jan. 44).

(g) ZILIPPILLA GIOVI, Pretor, from Solopaca to Benevento (letter of the Ministry dated 5 Jan. 44).

(h) SOPRANO, Uditore, from Tribunale Benevento to Tribunale Napoli (letter of the Ministry dated 11 Jan. 44).

(i) ROCCO LUIGI, Cons. Cassaz., from Pres. Sez. C. App. Lucera, to Pres. Sez. C. Appello, Potenza, 13 Jan. 44.

AR Thackal
P.C. R. UPTON, Colonel
Chief Legal Officer, AMG

for [unclear]



MINISTERO DI GRAZIA E GIUSTIZIA

Protoc. N. 16
Risp. al foglio N. _____
del _____

OGGETTO:

Trasferimento da Lucera
del Giudice GUSTAPANE GIUSEPPE

Bari, 3 gennaio 1944

ALLA COMMISSIONE MILITARE ALLEATA DI CONTROLLO
SOTTOCOMMISSIONE LEGALE

BRINDISI

18

Questo Ministero desidera venire incontro al desiderio espresso dal Giudice Gustapane Giuseppe di essere trasferito per esigenze di famiglia dal R. Tribunale di Lucera a quello di Brindisi, a cui era già stato assegnato in un primo tempo.

Si prega far conoscere se nulla si oppone da parte di codesta Commissione, tenendo presente che, come comunicato col foglio del 23 dicembre 1943, relativo al trasferimento da Foggia a Trani del Giudice Straniero, si è già predisposto il trasferimento da Bari a Lucera del Giudice Cifarelli, per quale si attende anche il parere di codesta Commissione.

IL SOTTOSGREGARIO DI STATO

Protoc. N. 16
Risp. al foglio N. _____
del _____

OGGETTO:

Trasferimento da Lucera
del Giudice GUSTAPANE GIUSEPPE

Bari, 3 gennaio 1944

ALLA COMMISSIONE MILITARE ALLEATA DI CONTROLLO
SOTTOCOMMISSIONE LEGALE
B R I N D I S I

78

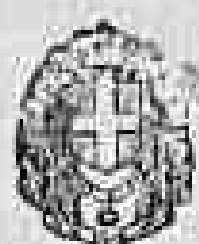
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IL SOTTOSEGRETARIO DI STATO

(de SANTIS)





CORTE DI APPELLO DI BARI

PRIMA PRESIDENZA

N. 3016

Risposta al foglio del

Div.

Sez.

N.

Oggetto: Consigliere CICCARELLI Francesco

Allegati N. 1

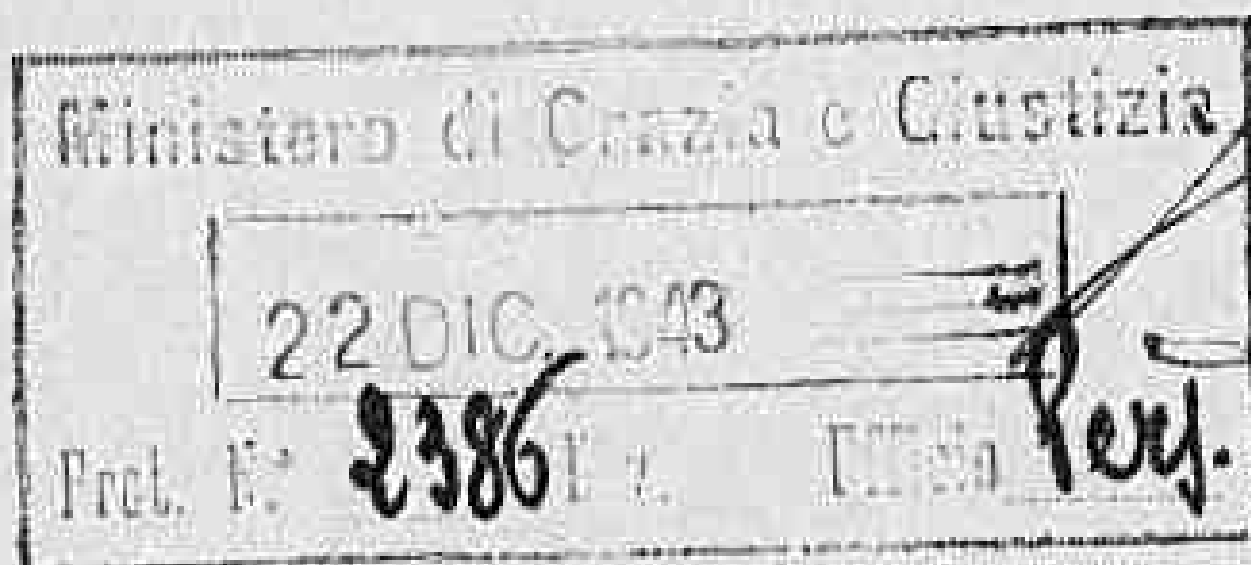
Bari, addì 20 dicembre 1943

MINISTERO DI GRAZIA E GIUSTIZIA

B A R I

Trametto a cotesto Superiore Ministero, per le disposizioni che crederà del caso, l'unita istanza del Magistrate in oggetto indicato.

IL PRIMO PRESIDENTE



Handwritten notes:
L'istanza è stata
avuta in considerazione
dal Tribunale di Bari
e ha dato luogo a
una sentenza di
assoluzione per
insufficienza di
prove.

C. C. C. C.

77

Acadia 10 dicembre 1943.

Eccellenza

ho avuto notizia della disposizione di S. E. il Capo del Governo riguardante l'obbligo dei dipendenti statali, che non abbiano potuto per le attuali contingenze belliche raggiungere le proprie sedi, di presentarsi ai capi degli Uffici periferici e riprendere servizio.

Io, già Consigliere della Corte di Palermo, venni collocato in aspettativa per infermità per la durata di mesi quattro, con decorrenza dal 22 dicembre 1942 e con dichiarazione di vacanza del posto di Consigliere presso la detta sede. In seguito fui costretto a chiedere di essere confermato nell'aspettativa per altri mesi quattro e poi ancora per un quinquennio, ossia fino al 22 corrente dicembre. Allo scadere del termine indicato sarei quindi a disposizione dell' E. V. sperando in un mezzo di fortuna, che mi permetta di raggiungere Bari.

Mi sono dato maggior premura di sottoporre quanto innanzi, se ne avessi avute la possibilità. Mi trovo in questo paese, perché sfollato da Foggia, dove ebbi la casa sinistata con la perdita di tutte le mie poche cose. Qui si è isolati dal mondo: non parte e non arriva posta da lunghi mesi, i servizi telegrafico e telefonico non funzionano e tace la radio per mancanza di corrente elettrica!

Io, per giunta, vivo in ansia mortale, perché privo di notizie da molto tempo dei miei figliuoli, entrati in servizio militare e per lo stato di salute di mia moglie. Una tale penosa situazione mi fa desiderare di non dovermi allontanare troppo da questa località, fiducioso nella benevola comprensione dei Superiori.

Vogliate ampliare l'eccezione i sensi della mia lettera e per
fondi Svizzera

Franco Marcelli

0687

76

della mia schia e fu.

Subject: - Cap. Uff. DE SOCIO.

A.M.C.

Hq. C.M.F.

C.M.F.

Ref. AMG/225/75
24 January 44.

Chief Legal Officer,
Legal Sub-Commission,
A.C.C.

We have just been advised by the S.L.O., AMG Eighth Army that the above mentioned Consigliere of the Bari Court of Appeals is not filling a judicial post at Larino and that there is no objection to his return to Bari. We have accordingly requested that he be instructed of the wishes of the Ministry of Justice and that he be given a pass to facilitate his return.

Wm. H. H.

Major, A.U.S.,
Chief Legal Officer.

75

Subject:- Gov. Off. DE SOCIO.

A.E.C.
V. A.C.M.P.
M.P.

Ref. No. 225/74-
24 January 44.

S.L.O.,
ANG H., Eighth Army (2).

We note that the transfer of the above mentioned judge to his seat at the Court of Appeals in Hanoi will not handicap the working of the Courts at LARMO. We are so advising the A.E.C.

It would be appreciated if you would inform the Judge of the desire of the Ministry that he return to Hanoi and would see that he obtains the necessary pass to make the journey.

Wendell Ford

Major, A.U.S.,
Chief Legal Officer.

Subject:- Gov. Off. DE SOCIO.

28 JAN 1944

225-

73

3rd Ind.

Ref: CE/Legal/76.
18/1/44.

Subject: Transfer of Italian Court Official
To: S.C.A.C.
From: L.O.

Cav;Uff.DeSocio, temporarily residing at Larino, is not now acting as President of the Tribunale, and his transfer back to Bari will in no way handicap the work of the courts in this Province.

Shirley R. Marsh.
Shirley R. Marsh, Capt.
L.O.

4th Ind

Ref: R/4/4E/10
H.Q. Reg. 4 main

Ambo. H.Q.
Campobasso
18/1/44

To: H.M.G. H.Q. 8th Army main
(Senior Legal Officer)

1. Recommendation in 3rd Ind. approved

Harold K. Parsons
HAROLD K. PARSONS
COLONEL
S.C.A.C. CAMPOBASSO PROVINCE

5th Ind.

To: C.I.O. 2nd MG 749 1st Army Group.

1. Forwarded.

Edmund M. Miller

Ref: CP/Legal/26
18/1/44.

Subject: Transfer of Italian Court Official
To: S.C.A.C.
From: L.C.

Cav; Uff. DeSocio, temporarily residing at Larino, is not now acting as President of the Tribunale, and his transfer back to Bari will in no way handicap the work of the courts in this Province.

Shirley R. Marsh
Shirley R. Marsh, Capt.
L.C.

4th Ind

Ref: R/4/4E/10
H.Q. Reg. 4 main

Ambo. H.Q.
Campobasso
18/1/44

To: H.M.G. H.Q., 8th Army main
(Senior Legal Officer)

1. Recommendation in 3rd Ind. approved

Harold K. Parsons
HAROLD K. PARSONS
COLONEL
C.A.O. CAMPOBASSO PROVINCE

3rd Ind.

To: C.O. A.M.G. 743 15 Army Group!
1. Forwarded.

Edwin Mercer

EDWIN MERCER, M.B. 8101
SENIOR LEGAL OFFICER A.M.G. 743 ARMY

4th Ind

Ref: R/4/1/10
H. B. Reg 4 Main

Ambo H. B.
Camp 18/1/44

72

To: A. M. G. H. B. 8th Army Main
(Senior Legal Officer)

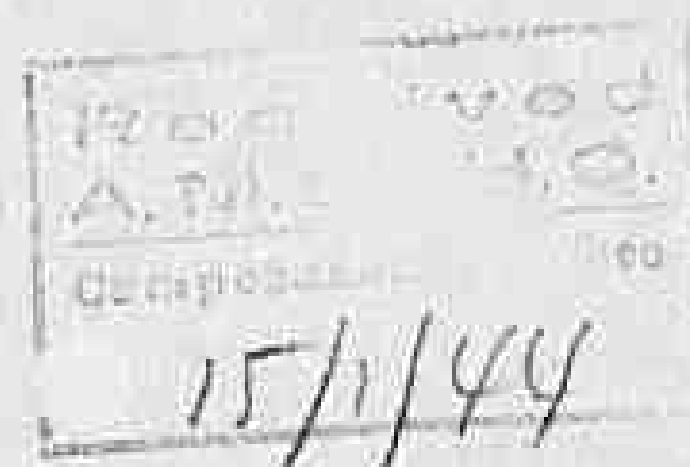
1 Recommendation in 3rd Ind approved

HAROLD K. PARSONS
LT COLONEL
S.C.A.O. CAMPOBASSO PROVINCE

72

HEADQUARTERS REGION 4 MAIN
ALLIED MILITARY GOVERNMENT
APO 394

TO : S L O, A.M.G., 8th Army.
FROM : R C L O Region 4.
SUBJECT : Transfer of Italian Court Official.
REF : R4/LE/10.
DATE : 9 January 1944.



Attached request appears to have been forwarded to me in error, as the area in question is in your territory. Will you, please, inquire into the matter, and report direct to C L O, A.M.G., 15th Army Group?

H.G. Willmer

H. G. WILLMER, K.C.,
Colonel,
R C L O, Region 4

1st Indorsement.

13 Jan 44

To: C.L.O., Campobasso, after C.L.O.

1. Please advise this HQ your opinion as to

para. 2 of attached

Co. L.O.

*For recommendation
Bellamy, Capt
Cec. Off.*

Edwin J. Mercer
EDWIN J. MERCER, Maj. Ord
SENIOR LEGAL OFFICER, A.M.G., 8th ARMY

Subject: Transfer of Italian Court Official.

70

H.Q., A.H.G.,
15 ARMY GROUP,
O. H. P.

R.C.L.O.,
H.Q., A.H.G.,
Region 4, Main.

RUC/225/45

3. Jan. 44.

The Ministry of Pardon and Justice has requested through the Allied Control Commission the transfer of the Consigliere of the Court of Appeals, Cav. Uff. De Socio, who is temporarily residing in CASTORASSO and acting as President of the Tribunale of LECCE, back to BARI.

2. Please inform this H.Q. whether the proposed transfer can be made without adversely affecting the work of the courts in your area, and whether you will approve such a transfer.

W. L. H. H.

Major, A. U. S.,
Chief Legal Officer.

70

Subject: - Notaio DELISI Pasquale.

AMG,
Hq. A.C.M.F.
C.M.F.

Ref. AMG/225/69
21 January 44.

R.C.L.O.,
AME Hq., Region IV.

The enclosed communication from the Ministry of
Justice has been forwarded by A.C.C.

2. Unless there is some special inconvenience involved
this would appear to be an application which should be
allowed.

hand Hnd

Major, A.U.S.,
Chief Legal Officer.

69

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee

ES/gaf

18 January 1944.

In reply
refer to: ACC/1/113/1.

SUBJECT: Transmittal of Documents.

TO : Chief Legal Officer HQ AMG 15th Army Group.

1. Enclosed a letter from the Ministry of Justice dated 14 Jan. 1944 and concerning the return of the Notary PASQUALE DE LISI from Cerignola to Ortanova.

2. I am forwarding this letter to you on the ground that the reasons set forth in detail in the application would seem to merit some consideration.

G. R. Upjohn
G. R. UPJOHN, Colonel
Chief Legal Officer, AMG.

Enclosure:

1. Letter on Pasquale De Lisi

SUBJECT: Communications from Ministry of Justice

HQ AMG
15 ARMY GROUP
CMT

ROLO REGION 3

AMG/225/68
18 Jan 44

1. The following communications from the Ministry of Justice to officials in REGION 3 have been delivered to us by the AGC and are enclosed herewith:

1. Personal letter to the Primo Presidente.
2. Letter concerning the military grade of Dott. MANCO Giuseppe.
3. Letter of inquiry concerning the magistrates of the Court of Cassation.
4. Communication to the Procuratore del Re concerning Vice Pretori.
5. Letter concerning transfer of SOPRANO.
6. Request for leave of absence for Dott. BONOMO Recco.

2. There would appear to be no reason for us to object to the transmission of the first four of these communications. It is, in fact, greatly in our interest that the third of the letters listed above should be delivered promptly and that we do everything in our power to expedite the compilation of the information therein requested.

3. The requests contained in the 5th and 6th letters should be granted only if you are entirely satisfied that their allowance will not interfere with the efficiency of the agencies concerned.

Grant Heff
Major, AMG,
Chief Legal Officer.

C.L.O.

Both these transfers are from AMG Territory to Kingi State. It is fairly obvious that there is more need for prison staff in Regions III and IV, and if we forward these requests to SCAG Eighth Army and Region IV we may get protests against the transfers.

Could you suggest tactfully that the Min. of Justice with whom you are presumably in contact that they fill the LACCCE vacancies from other prisoners in Kingi State?

Rush

14/1/44

Explained to Major Shadrach (personally) with.

(no action)

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee

/gnf

28 December 1943

In reply
refer to: ACC/L/303.

SUBJECT: Transmittal of Documents.

TO : Chief Legal Officer, HQ AMG 15th Army Group.

1. Please find enclosed one copy of Gazzetta Ufficiale No. 5/B of Dec. 18, 1943 received today from the Ministry of Justice.

2. Also enclosed:

(a) Personal note of thanks from the Undersecretary of Justice to Dr. Saporito, Aversa.

(b) Letter of Nov. 24, 1943 to the First President and Procurators General of Naples requesting nominal lists of all employees.

(c) 2 Letters of Dec. 27, 1943 concerning the transfer of the prison guard PALLADINO LUIGI to Lecce.

(d) Letter of Dec. 22, 1943 concerning the transfer of the sottocapo LIVOLSI Andrea to Lecce.

3. During our conversation at Bari you indicated that you will need a translator for your office. We remembered that there was a Pvt. Gallie, an American lawyer of Italian origin, who might be suited for the job. He stayed back as assistant librarian with the Military Government Center at Tizi-Ouzou. We are also told that there is a sufficient number of Italian speakers, both officers and enlisted men, with Region 3 & 4, who could be spared at least temporarily.

A. R. Thackrah
A. R. THACKRAH, Major
Legal Subcommittee, ACC.

TLARP



MINISTERO DI GRAZIA E GIUSTIZIA
DIREZIONE GENERALE PER GLI ISTITUTI DI PREV. E PENA
Ufficio II°

Protoc. N. 1611

Risp. al foglio N. 13714
del 9/12/1943. =

Bari li 22 dicembre 1943. =

OGGETTO: Sottocapo LIVOLSI Andrea. -

AL SIGNOR DIRETTORE CARCERI GIUDIZIARIE DI
B A R I

e per conoscenza:

AL SIGNOR DIRETTORE CARCERI GIUDIZIARIE DI
L U C E R A

Il Sottocapo Livolsi Andrea viene trasferito definitivamente al Carcere Giudiziario di Lecce. La Direzione del Carcere Giudiziario di Lucera provvederà a tramettere gli incarti relativi al Livolsi alla Direzione del Carcere di Bari. - Assicurare. -

IL SOTTOSEGRETARIO DI STATO
(de Santis)

[Handwritten signature]

64

MINISTRY OF JUSTICE
GENERAL DIRECTION FOR THE PREVENTION AND PENAL INSTITUTE
2nd office

NO. 1611
Pari, 22 dec. 1943
Ref. folio no. 13714 dated 9 dec. 1943.

Subject: sergeant jailer RIVOLSI Andrea.

To: the Manager of the Judicial Jail of Pari

and for knowledge

To: the Manager of the Judicial Jail of Nucera.

The sergeant jailer Rivolsi Andrea is transferred to the Judicial Jail of Lecce.

The Manager of the Judicial Jail of Nucera will send all the documents concerning Rivolsi to the Manager of the Judicial Jail of Pari.

Give assurance.

The Under Secretary of State
de Santis



MINISTERO DI GRAZIA E GIUSTIZIA

DIREZIONE GENERALE PER GLI ISTITUTI DI PREV. E PENA
Ufficio II°

Protoc. N. 2149

Risp. al foglio N.

del

Bari li 22 dicembre 1943. =

OGGETTO: Agente di custodia PALLADINO Luigi di
Nicola. -

AL SIGNOR DIRETTORE CARCERI GIUDIZIARIE DI

LECCE

e per conoscenza:

AI SIGNORI DIRETTORI CARCERI GIUDIZIARIE DI

NAPOLI
LARINO

(Cuniberti)

L'agente di custodia in oggetto, viene trasfe-
rito in via provvisoria, alle Carceri Giudiziarie
di Lecce. -

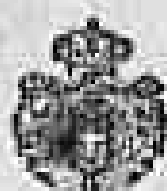
Dare assicurazione. -

IL SOTTOSCRITTARIO DI STATO
(de Santis)

[Signature]

62

TU/RP



62

MINISTERO DI GRAZIA E GIUSTIZIA
DIREZIONE GENERALE PER GLI ISTITUTI DI PREV. E PEN.
Ufficio II°

Protoc. N. 2149

Risp. al foglio N. _____
del _____

Bari li 22 dicembre 1943. =

OGGETTO: Agente di custodia PALLADINO Luigi di
Nicola. -

AL SIGNOR DIRETTORE CARCERI GIUDIZIARIE DI

LECCE

e per conoscenza:

AI SIGNORI DIRETTORI CARCERI GIUDIZIARIE DI

NAPOLI
LARINO

L'agente di custodia in oggetto, viene trasferito in via provvisoria, alle Carceri Giudiziarie di Lecce. -

Dare assicurazione. -

IL SOTTOSCRITTO DI STATO

(A. Santis)
A. Santis

61

MINISTRY OF JUSTICE
GENERAL DIRECTION FOR THE PREVENTION AND PENAL INSTITUTE
2nd office

60

N. 2149

Pari, 22th dec. 1943.

Subject: Jailer PALLADINO Luigi di Nicola.

To: The Manager of the Judicial Jail of Lecce.

and for knowledge

To: The Manager of the Judicial Jail of Naples and Marino.

The jailer mentioned in subject is transferred, for a short period
to the Judicial Jail of Lecce.

Give assurance.

The Under Secretary of State
de Santis

60

F. 618

MINISTRY OF PARDON AND JUSTICE

Bari - 17 Dec. 43.

SUBJECT: Application of Royal Decree Law 18B of 6 Dec. 1943.

To the Direction of Prison Establishments at Lucera.

Instructions as to the application of the above mentioned Decree Law in the matter of the increase to the salaries of officials, and setting out the scale therefor.

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15742 59



MINISTERO DI GRAZIA E GIUSTIZIA

Direzione Generale Istituti di prevenzione e di pena.

1943

Protoc. N.

Risp. al foglio N.

del

Bari, 17 Dicembre 1943

OGGETTO: Applicazione R. D. L. 18 B del 6 Dicembre 1943.

Alla Direzione Degli Stabilimenti carcerari
di Lucera

Con R. D. L. 6 Dicembre 1943 n. 18 B pubblicato nella Gazzetta Ufficiale n. 4 B dell'8 corrente in aggiunta alle competenze in vigore è stato concesso con decorrenza 1° novembre 1943, a carico delle rispettive Amministrazioni, una integrazione lorda di trattamento economico, non pensionabile, nelle misure previste dalla seguente tabella:

- Sulle prime lire mille mensili (o frazione di esse) il 70%.
- Sulle seconde lire mille mensili (o frazione di esse) il 60%.
- Sulle terze lire mille mensili (o frazione di esse) il 30%.
- Sulle quarte lire mensili (o frazione di esse) il 20%.
- Sulle quinte lire mille mensili (o frazione di esse) il 10%.

I coefficienti suddetti saranno applicati sul totale lordo mensile risultante dallo stipendio o paga o retribuzione ed eventuali assegni "ad personam" supplemento di servizio attivo, assegno temporaneo di guerra e aggiunta di famiglia o indennità di caro-viveri, effettivamente in godimento.

38

Deve quindi rimanere escluso ogni altro assegno, compenso o soprassoldo, temporaneo o continuativo, a qualsivoglia titolo attribuito.

Bari, 17 Dicembre 1943

del

OGGETTO: Applicazione R. D. L. 18 B del 6 Dicembre 1943.

Alla Direzione Degli Stabilimenti carcerari

di

Luera

Con R. D. L. 6 Dicembre 1943 n. 18 B pubblicato nella Gazzetta Ufficiale n. 4 B dell'8 corrente in aggiunta alle competenze in vigore è stato concesso con decorrenza 1° novembre 1943, a carico delle rispettive Amministrazioni, una integrazione lorda di trattamento economico, non pensionabile, nelle misure previste dalla seguente tabella:

Sulle prime lire mille mensili (o frazione di esse) il 70%.

Sulle seconde lire mille mensili (o frazione di esse) il 60%.

Sulle terze lire mille mensili (o frazione di esse) il 30%.

Sulle quarte lire mensili (o frazione di esse) il 20%.

Sulle quinte lire mille mensili (o frazione di esse) il 10%.

I coefficienti suddetti saranno applicati sul totale lordo mensile risultante dallo stipendio o paga o retribuzione ed eventuali assegni "ad personam" supplemento di servizio attivo, assegno temporaneo di guerra e aggiunta di famiglia o indennità di caro-viveri, effettivamente in godimento.

} 58

Deve quindi rimanere escluso ogni altro assegno, compenso o soprassoldo, temporaneo o continuativo, a qualsivoglia titolo attribuito.

Per il personale salariato i coefficienti stessi saranno determinati sul totale lordo, ragguagliato a mesi, della paga ed eventuale assegno "ad personam", assegno temporaneo di guerra, aggiunta

:/:

di famiglia o indennità di caro-viveri.

Codesta Direzione è autorizzata a corrispondere al personale dipendente gli aumenti suddetti facendoli figurare sul ruolo paga in una apposita colonna nella quale saranno raggruppati gli aumenti apportati sullo stipendio o paga, supplemento servizio attivo, assegno temporaneo di guerra ed aggiunta di famiglia.

Detti miglioramenti ~~sono~~ ^{sono} ~~per~~ ^{per} ~~il~~ ^{il} ~~SO~~ ^{SO} ~~SECRETARIO~~ ^{SECRETARIO} ~~DI~~ ^{DI} ~~STATO~~ ^{STATO} ~~dal~~ ^{dal} ~~fine~~ ^{fine} ~~del~~ ^{del} ~~corrente~~ ^{corrente}
anno.

(Giuseppe de Santis)



MINISTERO DI GRAZIA E GIUSTIZIA
DIREZIONE GENERALE PER GLI ISTITUTI DI PREVENZIONE E DI PEN
F.M. 151 LI 18/12.1943

Protoc. N. 1427

Risp. al foglio N. 6273

del 7 corrente

OGGETTO: Agente di custodia SERINO Giovanni

ALLA DIREZIONE DELLE CARCERI GIUDIZIARIE
L U C E R A

Poichè l'agente SERINO Giovanni, per ragioni contingenti, non potet=te raggiungere la sede di Ravenna, a suo tempo assegnatagli, il tra=sferimento stesso deve considerarsi revocato.

Si ratifica il provvedimento circa la riassunzione in servizio dello stesso e si resta in attesa di conoscere l'esito delle infor=mazioni chieste alla R. Procura di Ariano Irpino.

Qualora la prolungata assenza non fosse giustificata, come appa=re dagli atti trasmessi a questo Ministero, l'agente Serino deve es=sere sottoposto a procedimento disciplinare.

IL SOTTOSGREGARIO DI STATO

1/1/44

Translation

MINISTRY OF PAROLE AND JUSTICE

SUBJECT: Arbitrary Absence from Service by State Employees.

P.M. 151, 10 December 1943.

To First Presidents of Courts of Appeal.

To Procurators General of Bari, Palermo, Cagliari, Messina, Naples, Catania, Catanzaro.

I am transcribing for strict compliance the following Circular No. 1244 of 10 Dec. 43 received from the Chief of Government and directed to the Prefects of the Kingdom.

It appears that various functionaries of the State residing in liberated territories and belonging to offices located therein or to offices located in zones still occupied by the enemy, and because of finding themselves in conditions foreseen in my circular n. 1844 of 29 Oct 1943 were not able to return to the seat of their offices for reasons derived from the state of war, have not yet resumed their duties.

This unjustifiable abuse must cease forthwith and for that purpose a provision is being prepared in execution of the last subpara of my circular of 29 Oct 1943 n. 1844, whereby all state employees who have not returned, within the exemplary term of 15 days after the publication of that provision in the Gazzetta Ufficiale, special series, to their seat if belonging to offices in liberated territories, or who, if belonging to offices in territories still held by the enemy, have not reported to the Prefecture of their present location, for eventual destination or employment at other offices, shall be considered as having resigned from their employment.

While the enactment of such provision is being prepared, I order the following:

(1) Under the supervision and personal responsibility of the heads of offices located in liberated provinces there should be communicated without delay to the respective Prefecture all names and present stations of own employees who have not returned to their seat or of other state employees with offices in other places who have reported or will report in the future, in accordance with Art. 2 of the R.D.L. 19 Aug. 1943 n. 730, to receive payments;

(2) The functionaries and state employees belonging to offices in liberated provinces who have not returned to their original seats will be advised by the Prefects to do so within the exemplary term of 30 days under the penalty of being declared resigned from the office. Meanwhile, I order that the payments be made only at the original seat and only after the Presidency of Council has received formal assurance that the said functionaries have arrived there.

(3) Your Excellencies will have to address, also by posting notices, a formal invitation to functionaries and state employees belonging to offices which are located in territories still held by the enemy, to report immediately and within a term in no case exceeding 10 days from the date of posting, to Your Excellencies for instruction.

Your Excellencies will communicate to various Ministries the complete

P.M. 225 57

I am transcribing for strict compliance the following Circular No. 1244 of 10 Dec. 43 received from the Chief of Government and directed to the Prefects of the Kingdom.

It appears that various functionaries of the State residing in liberated territories and belonging to offices located therein or to offices located in zones still occupied by the enemy, and because of finding themselves in conditions foreseen in my circular n. 1444 of 29 Oct 1943 were not able to return to the seat of their offices for reasons derived from the state of war, have not yet resumed their duties.

This unjustifiable abuse must cease forthwith and for that purpose a provision is being prepared in execution of the last subsection of my circular of 29 Oct 1943 n. 1844, whereby all state employees who have not returned, within the exemplary term of 15 days after the publication of that provision in the Gazzetta Ufficiale, special series, to their seat of belonging to offices in liberated territories, or who, if belonging to offices in territories still held by the enemy, have not reported to the Prefecture of their present location, for eventual destination or employment at other offices, shall be considered as having resigned from their employment.

While the enactment of such provision is being prepared, I order the following:

(1) Under the supervision and personal responsibility of the heads of offices located in liberated provinces there should be communicated without delay to the respective Prefecture all names and present stations of own employees who have not returned to their seat or of other state employees with offices in other places who have reported or will report in the future, in accordance with Art. 2 of the R.D.L. 19 Aug. 1943 n. 730, to receive payments;

(2) The functionaries and state employees belonging to offices in liberated provinces who have not returned to their original seats will be advised by the Prefects to do so within the exemplary term of 15 days under the penalty of being declared resigned from the Office. Meanwhile, I order that the payments be made only at the original seat and only after the Presidency of Council has received formal assurance that the said functionaries have arrived there.

(3) Your Excellencies will have to address, also by posting notices, a formal invitation to functionaries and state employees belonging to offices which are located in territories still held by the enemy, to report immediately and within a term in no case exceeding 10 days from the date of posting, to Your Excellencies for instruction.

Your Excellencies will communicate to various Ministries the complete data, grade, seat of original office of the said functionaries who will be treated in the same manner as stated in the preceding para in case they should not reach within the period fixed their new destination which of course will be ordered by the competent departments.

Functionaries belonging to the Ministries of Italian Africa, of Regular Culture and of Exchange and Currency will be reported respectively to the Ministry of Interior, the Presidency of the Council of Ministers and to the Minister of Finance.

Your Excellencies are then now authorized to provide necessary expenditures for means of transport to enable the above various functionaries to reach their seats.

The above is also strictly applicable to magistrates.

The Undersecretary of State
(de Santis)

Adulterio: Arresto e ammenda del servizio dipendente statale. -

• **REPLY:** Please contact us at 800-368-2262.

10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-1043-1044

UNITED STATES DEPARTMENT OF AGRICULTURE

Allo che vari funzionari dello Stato residenti in territoriali liberati ed appartenenti ad uffici civili erano o erano stati trasferiti nelle zone ancora occupate dal nemico e che, per trovarsi nelle condizioni previste nella mia circolare n. 1844 del 29 ottobre 1943 non avevano potuto restituire in sede per cause derivanti dallo stato di guerra, non hanno ancora ripreso servizio. --

[illegible]

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Zelle more delle esortazioni di tale provvedimento, di essere quanto

1) e pure a sotto la personale responsabilità dei capi degli uffici competenti nei territori della provincia liberata dovranno essere assicurati mezzi adeguati alla protezione civile, alle missioni di polizia, alle funzioni dei propri dipendenti che non si sono recati in sede o dei dipendenti statali di altro tipo che si siano presentati o si presentino loro in protezione, agli effetti dell'art. 3 del R.D.L. 10 agosto 1943 n. 730, per ottenere il pagamento delle competenze.

2a) i funzionari o dipendenti statali appartenenti ad uffici delle provincie liberate, che non si siano recati nelle sedi originarie dovranno essere rinfidati dalle LL. RR. i Prefetti a farlo nel termine perentorio di giorni dieci sotto pena di essere dichiarati disassionati di ufficio. Nel frattempo dovranno che gli assenti siano rimposti solo

Per l'esatto adempimento trasvolare el seguente circolare n. 1244 del 10.12.44 pervenuta al 25.5. il Capo del Governo e diretto al Pres-
fetti del Regno.

Al fine che venga i funzionari dello Stato residenti in territori
liberati ed occupati di tutti gli uffici non negli uffici di
uffici di occupazione e di occupazione e di occupazione e di occupazione
condizioni previste nella mia lettera del 10.12.44. 1944 non
avereva potuto recitare in una per essere derivato dallo stato di
guerra, non ancora occupato e di occupazione e di occupazione.

Questo impedimento deve essere evitato, ed a perciò
in corso un provvedimento, ed in attesa di questo si deve disporre con
l'ultimo al fine della mia circolare n. 1244. 1944, nel quale
verranno dichiarati i funzionari dello Stato i dipendenti e i
nel territorio perentorio di tutti gli uffici e di occupazione e di occupazione
vedimento stesso sulla base della mia lettera del 10.12.44. - non si sa-
ranno venuti alla propria sede, se appartenenti ad uffici del terri-
rio liberati, o che, se appartenenti ad uffici di occupazione e di occupazione
della mia lettera, non si saranno occupati alla prefettura nella cui
giurisdizione si trova attualmente, per ovvio motivo di
di occupazione e di occupazione.

Nella mia lettera si deve provvedere, ed in attesa di questo
si deve provvedere.

1°) a cura e sotto la personale responsabilità del Capo dello Stato
si compirà nei territori della provincia di occupazione e di occupazione
quanti senza ingiuria, alle rispettive prefetture, i dipendenti e i
tutte le altre dei propri dipendenti che non si sono recitati in sede
o dei dipendenti statali di altra sede si sono presentati o si pre-
senteranno loro in provincia, nella prefettura del 10.12.44. 1944.

2°) i funzionari e dipendenti statali appartenenti ad uffici delle
provincie liberate, che non si sono recitati nelle sedi originarie
dovranno essere affidati alla 11.12.44. i prefetti e i loro nel termine
prescritto di giorni dieci sotto pena di essere dichiarati dimissionari
dell'ufficio. Nel frattempo dovranno che si sono recitati solo
nelle sedi originarie o dopo che questa prefettura del Consiglio dello
avuto formale assunzione che tutti i funzionari l'anno regimato

3°) le loro scellature, anche a mezzo di prefetto rurale, dovranno
rivolgere invito formale ai funzionari e dipendenti statali appartenenti
all'ufficio che si trovano in territorio ancora occupato del nemico, per
che facciano tempestivamente e in ogni caso in un termine non superiore di dieci
giorni dalla data di affissione, di presentarsi allo 11.12.44. per ricevere
disposizioni.

Le LL. 33. 34. concerneranno ai vari Ministeri le complete generalità, grado, sede di provenienza ecc. dei detti funzionari, ai quali sarà dato lo stesso trattamento di cui al paragrafo precedente qualora non raggiungano nel termine che verrà loro prefissato la loro nuova destinazione, che naturalmente sarà stabilita dai Decretari competenti.

I funzionari appartenenti ai Ministeri dell'Africa Italiana, della Cultura Popolare e degli Scambi e Valute, dovranno essere segretati rispettivamente al Ministero dell'Interno, alla Presidenza del Consiglio dei Ministri e al Ministero delle Finanze.

Le LL. 33. 34. sono fin da ora autorizzate a provvedere alla spesa occorrente per i mezzi di trasporto necessari, per il raggiungimento delle sedi da parte dei vari funzionari.

Quanto ho disposto è applicabile rigorosamente anche ai magistrati.

IL SOTTOSEGRETARIO DI STATO

(de Santis)



54

Exemption

MEMORANDUM FOR THE RECORD

SUBJECT: Arbitrary Discharge from Service by State Employees.

DATE: 152, 10 December 1943.

TO: First Executives of Courts of Appeal,
To Prosecutors General of Bar, Bolzano, Cagliari, Modena, Palermo, Catania,
Caltanissetta.

I am transmitting for strict compliance the following Circular No. 1244 of 10 Dec. 43 received from the Chief of Government and directed to the Prefects of the Kingdom.

It appears that various municipalities of the State residing in liberated territories and belonging to offices located therein or to offices located in areas still occupied by the enemy, and because of finding themselves in conditions foreseen in my circular n. 1184 of 29 Oct 1943 were not able to return to the seat of their offices for reasons derived from the state of war, have not yet resumed their duties.

This notwithstanding these must cease forthwith and for that purpose a provision is being prepared in execution of the last paragraph of my circular of 29 Oct 1943 n. 1184, whereby all state employees who have not returned within the temporary term of 15 days after the publication of that provision in the Gazzetta Ufficiale, special section, to their seat or belonging to offices in liberated territories, or who, if belonging to offices in territories still held by the enemy, have not reported to the Prefecture of their present location, for eventual designation or employment at other offices, shall be considered as having resigned from their employment.

Under the emergency of such provision is being prepared, I attach the following:

(1) Under the supervision and general responsibility of the heads of offices located in liberated provinces there shall be constituted without delay to the respective Prefectures all new and vacant positions of our employees who have not returned to their seat or of other state employees with offices in other places who have reported or will report in the future, in accordance with art. 8 of the U.D.L. of 29 Aug. 1943 n. 730, to two despatches;

(2) The municipalities and state employees belonging to offices in liberated provinces who have not returned to their original seats will be advised by the Prefectures to do so within the temporary term of 15 days under the penalty of being declared resigned from the office. Meanwhile, I order that the requests be made only at the original seat and only after the Prefecture of Council has received formal assurance that the said municipalities have resumed their duties.

(3) Your Prefectures will have to address, also by posting notices, a formal invitation to municipalities and state employees belonging to offices which are located in territories still held by the enemy, to report immediately and within a term in no case exceeding 15 days from the date of posting to your Prefectures for instructions.

Your Prefectures will communicate to various municipalities the complete

I am transmitting for strict compliance the following Circular No. 1244 of 10 Dec. 43 received from the Chief of Government and directed to the Prefects of the Kingdom.

It appears that various municipalities of the State residing in liberalized territories and belonging to colonies located outside the offices 10-entitled in some still occupied by the enemy, and because of finding themselves in conditions favorable in my Circular No. 1244 of 29 Oct 1943 were of able to return to the seat of their offices for persons arrived from the state of war, have not yet received their offices.

This municipality does not once furnish with for that anyone a provision in being prepared in execution of the last subject of my Circular of 29 Oct 1943 n. 1244, whereby all state employees who have not returned, within the temporary term of 15 days after the publication of that provision in the official bulletin, should return, to their seat if belonging to offices in liberalized territories, or vice versa, if belonging to offices in territories still held by the enemy, have not reported to the Prefecture of their present location, for eventual designation or employment. At other offices, shall be considered as having resigned from their employment. Within the concept of such provision is being prepared, I enter the following:

(1) Under the supervision and general responsibility of the heads of offices located in liberalized territories there should be concentrated without delay to the respective authorities all names and present situations of own employees who have not returned to their seat or of other state employees with offices in other places who have reported or will report in the future, in accordance with Art. 2 of the R.O. of 19 Aug. 1943 n. 794, to various prefects:

(2) The municipalities and state employees belonging to offices in liberalized territories who have not returned to their original seats will be advised by the Prefects to do so within the temporary term of 10 days under the penalty of being considered resigned from the office. Hereafter, I order that the employees be made only at the original seat and only after the resolution of Council has received formal assurance that the said municipalities have accepted them.

(3) Your municipalities will have to address, also by sending notices, a formal invitation to municipalities and state employees belonging to offices which are located in territories still held by the enemy, to report immediately and within a term in no case exceeding 10 days from the date of posting to their municipalities for instructions.

Your municipalities will communicate to various municipalities the complete data, grade, seat or original office of the said municipalities who will be treated in the same manner as stated in the preceding item in cases they should not reach within the period stated their new destination which of course will be ordered by the competent authorities.

Municipalities belonging to the Prefecture of Italian Africa, or to other Prefecture and of employees and employees will be reported immediately to the Ministry of Interior, the Prefecture of the Council of Ministers and to the Ministry of Finance.

Your municipalities are then not authorized to provide necessary accommodations for some of them to enable the same workers municipalities to reach their seats.

The above is also strictly applicable to municipalities.

The Prefecture of State
(in hand)

Subject: Communications between Italian Court Officials.

50

H.Q., A.M.C.,
15 ARMY GROUP,
C. M.F.

AMC/225/50

3. Jan. 44.

R. C. L. O.,
H.Q., A.M.C.,
Region III.

The following enclosures have been received for onward transmission:

- (a) No. 1680 of the Ministry of Pardon and Justice to the Procura Generale del Re, Naples.
- (b) No. 2072 of the Ministry of Pardon and Justice to the Procura Generale del Re, Naples.
- (c) No. 1942 of the Ministry of Pardon and Justice to the President of the Court of Appeals and to the Procuratore General of Naples.
- (d) No. 447 of the Ministry of Pardon and Justice to the First President and Procuratori Generale of Naples.
- (e) Personal note of thanks from the Under-Secretary of Justice to Dr. Saporito Aversa.

2. Subject to your approval as to contents, please arrange for prompt delivery.

Ward Hall

Major, A. U. S.,
Chief Legal Officer.

32

Preside

MINISTRY OF PRISON AND JUSTICE

Rome, 16 December 1943.

To Most Excellent of Court of Appeal.
To Procurators General of Naples, Bari, Catania, Cagliari, Palermo, Messina,
Catania.

SUBJECT: Reports on penal proceedings for crimes against the regulation of
consumption.

In order to save paper only a monthly numerical report on the
above penal proceedings will be submitted to the Ministry by all Courts,
instead of the weekly, monthly and bi-monthly reports previously required.
The required content of the monthly report is set out.

51

49

REPORTS ON JAIL PROCEEDINGS FOR CRIMINALS
CONTINUATION.

In order to save paper only a monthly numerical report on the above jail proceedings will be submitted to the Ministry by all Courts, instead of the weekly, monthly and bimonthly reports previously required. The required content of the monthly report is set out.

Subject: Petition of Wife of da Maio Giuseppe.

48

R.C.L.O.,
H.Q., A.M.C.,
Region IV Main.

H.Q., A.M.C.,
15 ARMY GROUP,
C.M.F.

AMC/225/18
3. Jan. 44.

The enclosed petition is forwarded for information and
for action if you deem it suitable.

Ward Hall

Major, A.U.S.,
Chief Legal Officer.

54

Subject: Office Casette of the Kingdom.

47

H. Q., A. M. G.,
15 ARMY GROUP,
C. M. F.

R. C. A. O.,
H. Q., A. M. G.,
Region III.

AMG/225/47

3. Jan. 1944

Herewith three communications No. 014 from the
Ministry of Pardon and Justice to the Prefects of NAPLES,
BENEVENTO and AVELLINO.

2. If you approve the contents, please transmit to
the respective Prefects informing them that the Casette may
be useful to them for their information only but that acts
of the Italian Government are not effective in occupied
territory.

hand H.R.

Major, A. U. S.,
Chief Legal Officer.

29

TRANSLATION

MINISTRY OF PARDON AND JUSTICE
R. Intendant of Finance of Brindisi.

Brindisi, 14 Dec. 1943.

SUBJECT: Gazzetta Ufficiale of the Kingdom - Special Series.
Subscription.

To the R. Prefettura of Naples.
(Campania)

Please communicate names of the individual bodies subscrib-
ing to the Gazzetta Ufficiale of the Kingdom, adding whether
they are up to date with payments so that the special series
of the Gazzetta which is being published, beginning with
the Number 1/B of 18 Nov. 1943, can be sent to them.

The Intendant.

Subject: Transfer of Italian Court Official.

H.Q., A.M.C.,
15 ARMY GROUP,
C. M. F.

R.C.L.O.,
H.Q., A.M.C.,
Region 4 Main.

AMC/225/45

3. Jan. 44

The Ministry of Pardon and Justice has requested through the Allied Control Commission the transfer of the Consigliere of the Court of Appeals, Cav. Uff. De Socio, who is temporarily residing in CAMPOMARCO and acting as President of the Tribunale of LIVENO, back to BARI.

2. Please inform this H.Q. whether the proposed transfer can be made without adversely affecting the work of the courts in your area, and whether you will approve such a transfer.

Ward H. B.

Major, A. U. S.,
Chief Legal Officer.

~~Subject: Giudice STRANIERO~~

~~To: R.C.L.O., Region 4, Main~~

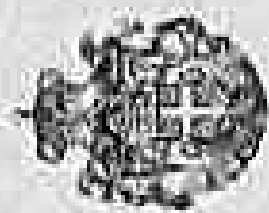
44

The enclosed communication is forwarded to you at the request of A.C.C. for whatever disposition you feel may be appropriate. We should, in dealing with such an application as this, feel under no obligation at all to meet the wishes of the Ministry of Justice. On the other hand if the work of a particular court would not be adversely affected by the transfer of one of the judges to another post in unoccupied Italy there seems to be no good reason for our insisting that he stay where he is. In so far as the nomination of a successor is concerned, that is our responsibility. Though we might want to have the advice of the Ministry it would be in no way controlling upon us.

46

Sp/T

43



MINISTERO DI GRAZIA E GIUSTIZIA

Protoc. N. _____

Risp. al foglio N. _____

del _____

Bari, 29 novembre 1943

OGGETTO: Giudice STRANIERO.

ALLA COMMISSIONE ALLIATA DI CONTROLLO
Sezione Giudiziale
Reparto Legale

BRINDISI

43

Il Giudice Straniero in servizio provvisorio nel Tribunale di Bari, appartiene organicamente al Tribunale di Foggia.

Detto magistrato, in conseguenza del bombardamento della Città di Foggia ha perduto casa e mobili per un ammontare di oltre L.150.000,00, per cui ha dovuto trovare ricetto presso i propri congiunti.

Ad alleviare questa situazione, ha chiesto di essere trasferito al Tribunale di Trani, onde poter usufruire dell'abitazione dei suddetti famigliari.

S.E. il Primo Presidente, anche in considerazione delle condizioni del Tribunale di Trani, ha espresso parere favorevole, e questo Ministero gradirebbe di secondare il desiderio, così autorevolmente appoggiato dal magistrato in parola, anche in considerazione della sua capacità e del suo rendimento.

Se ne informa perchè cotesta Commissione si compiacca far conoscere se nulla vi è in contrario, assicurando *che si provveda* all'assegnazione di altro magistrato a Foggia, *che si*

ALLA COMMISSIONE ALLEATA DI CONTROLLO
Sezione Giudiziale
Reparto Legale

BRINDISI

15-
C 13

Ad alleviare questa situazione, ha chiesto di essere trasferito al Tribunale di Trani, onde poter usufruire dell'abitazione dei suddetti familiari.

Se ne informa perchè cotesta Commissione si compiaccia far conoscere se nulla vi è in contrario, assicurando *che si può anche provvedere* all'assegnazione di altro magistrato a Foggia, *che si* IL SOTTOSEGRETARIO DI STATO
inserir nella persona (de Santis)

IL SOTTOSGREGARIO DI STATO

(De Sentis)

incubator with fungus

well'ed store in Long, Tex

di giovedì Galbriati. Luni

see at Milwaukee in Barquet.

*i quartieri per le usanze del m'buore si' d'una si' n' man
dentro il p'ntia di' d'elli on a m'buore si' Bari*

Subject: Communications between Italian Court Officials.

H.Q., A.M.G.,
15 ARMY GROUP,
C. M. F.

R.C.I.O.,
H.Q., A.M.G.,
Region 4 Main.

AMG/225/4

3. Jan. 44.

Herewith the following communications from the
Ministry of Pardon and Justice which were received for onward
transmission:-

- (a) No.1330 to the Procura del Re, Foggia.
- (b) No.----- to the Sostituto Procuratore Generale
of the Cortedi Cassazione del Regno, Rodi
Garganico.
- (c) No.613-614 to the President of the Tribunale,
Lucera.
- (d) No.849 to the Procuratore del Re, Lucera.
- (e) No.612 to the President of the Tribunale, Lucera.

2. Subject to your approval as to contents, please arrange
for prompt delivery.

Ward H. R.

Major, A.U.S.,
Chief Legal Officer.

44

Precis

MINISTRY OF PENITENTIARY AND JUSTICE

613 - 614

Bari, 15 December 1943.

SUBJECT: Reward for diligence and accomplishment to personnel -
Trimesters April - June, July - September 1943.

To the President of Tribunale di Lucera.

The enclosed list of personnel of this office who are to be rewarded as above is returned to be remade according to attached sample.

Follow instructions for compilation of a new list and computation of individual items.

Enclosed two lists of personnel of the Tribunale di Lucera to be rewarded as above with 2 covering letters, all ~~to be~~ returned to that Tribunale; also one sample list.

Precis

MINISTRY OF JUSTICE

Prot. N. 849

Rari, 16 Dec. 1943

SUBJECT: Reward for diligence and accomplishment for functioning, direction and supervision of judicial organs in execution of the new judicial regulation and of the codes.

To the R. Procurator, Lucera.

The enclosed list of Magistrates belonging to the R. Procuratura of Lucera who are to be regarded as above is returned to be remade according to attached sample.

Follow instructions for compilation of a new list and computation of individual items.

Enclosed one list of the Magistrates as above, one covering letter of the R. Procurator, Lucera, ~~to be~~ returned, 2 samples lists.

Procis

MINISTRY OF PARDON AND JUSTICE

Prot. N. 612.

Bari, 16 Dec. 1943.

SUBJECT: Reward for diligence and accomplishments to Magistrates for functioning, direction and supervision of judicial organs in execution of the new judicial regulations and codes.

To the President of the Tribunal of Lucera.

The enclosed list of Magistrates belonging to the Tribunal of Lucera who are to be rewarded as above for the trimester July-September 1943 is returned to be made according to attached sample.

Follow instructions for compiling a new list and computing the individual items.

Enclosed 2 sample lists, one list of the Magistrates as above, covering letter from the Tribunale di Lucera to be returned there.

Sp/Tr



MINISTERO DI GRAZIA E GIUSTIZIA
Ufficio Personale

Protoc. N.

2052

Bari, 18 dicembre 1943

Risp. al foglio N.

del

OGGETTO: Richiesta di consigliere.

ALLA COMMISSIONE ALLEATA DI CONTROLLO
Ufficio Legale Sezione Giudiziaria

BRINDISI

Pregasi compiacersi invitare il Consigliere di
Corte di Appello Cav.Uff. DE SOCIO che trovasi in at-
to a Guglionesi a raggiungere al più presto la sede
di Bari, per essere destinato in servizio provviso-
rio nella circoscrizione della Corte di Appello di
Bari.

Si gradirebbe che il Consigliere DE SOCIO fas-
se agevolato in modo di effettuare il viaggio.

IL SOTTOSEGRETARIO DI STATO
(de Santis)

Folios 37-38 handed to C.H.O. Mantz
by Maj. Shockey 1/1/44

LATERZA POLO-BARI 10-2

0732

37



MINISTERO DI GRAZIA E GIUSTIZIA

P.M. 151, 23 dicembre 1943

Protoc. N. _____
Risp. al foglio N. _____
del _____

OGGETTO:

Nomina temporanea Consigliere De Socio
come Presidente del Tribunale di Livorno.

ALLA COMMISSIONE ALIBATI DI CONTROLLO

Sezione Regale

GRUPPO

Differimento da quanto richiesto per il Consiglio di Corte di Appello De Socio, in atto residente a Gaglianico (Campobasso), Vi prego interessare detto Magistrato perché, qualora nulla osti da parte delle Autorità Alleate, lo stesso assuma temporaneamente le funzioni di Presidente del Tribunale di Livorno, il cui titolare si trova in congedo.

IL SOTTOSCRITTO DI STAMP
(de Santis)

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee

ART/gmf

35

21 December 1943.

In reply
refer to: ACC/L/303.

SUBJECT: Distribution of Italian Official Gazette.

TO : Chief Legal Officer, HQ AMG 15th Army Group.

1. The attached 3 documents emanating from the Italian Finance Intendant addressed to the Prefects of Naples, Benevento and Avellino have for object the distribution of the "Gazzetta Ufficiale" to official organizations in their districts.
2. This Sub-Commission has consented to the distribution of the Gazette for the information only of Italian officials in territory about to be transferred to Italian administration.
3. If it is not desired to follow this precedent in your area will you please return the enclosed and we will inform the Ministry of Justice accordingly.

Major
Colonel
Chief Legal Officer, ACC.

Enclosed: 3 Memos.

*Forward
to S.C.A.O. with request
that they inform
the Prefects of the
Gazette and that they
also inform the
Italian officials in
territory.*

RACCOMANDA DA-URGENTE

Mod. " (promiscuo)

MODULATTO
F. 106-74



INTENDENZA DI FINANZA
DI
BRINDISI

N. 014 Rep. 100

Classifica
Risposta a N.
del

OCCETTO
Gazzetta Ufficiale
del Regno-Serie Specia
le- Abbonamento.-

Allegati N. 18.

Collazionata il

Scartata il

Riprodursi il

Brindisi .u 14 Dicembre 1943

Al l'Ufficio Legale della
Missione Militare Alleata

Si prega d'inoltare
le unite lettere alle Prefet-
ture in indirizzo.

L'INTENDENTE

Handwritten signature

Subject: - Communications between Italian Court Officials.

AMG
Hq. REG. IV (Adm.)

H.Q., A.E.G.,
15 Army Group,
C.H.F.

REF. AMG/225/34

Herewith communication no 964 of 16 DEC, 1943
from MINISTRY OF PARDON + JUSTICE to ADM. OF JUDICIAL PRISONS, S. SEVERO
received for onward transmission.

2. Subject to your approval as to contents, please arrange
for prompt delivery.

Dated 23 Dec, 1943

G. M.
MARK DEW. HOWE
MAJOR A.U.S.
Chief Legal Officer.

Translation.

MINISTRY OF PARDON AND JUSTICE

The Directorate General for Institution of Prevention and Punishment.

Protoc. N. 964

Bari 16 Dec. 1943.

SUBJECT: Temporary Transfer - agent PRINCIPPE Giuseppe di GIACINTO.

To the Administration of the Judicial Prisons, Bari.

and for information to the Administration of Judicial Prisons, S. Severo.

The agent PRINCIPPE GIUSEPPE of Giacinto belonging to the Judicial Prisons of Livorno and at present on provisional duty at Prisons of Bari, has been temporarily transferred to the Prisons of S. Severo in expectation of reaching as soon as possible his seat at Livorno.

Communicate the date of departure and of arrival and keep in mind that in accordance with the dispositions of the law No. 730 of 23 Aug. 1943 published in the Gazzetta Ufficiale of 28 of the same month the monthly payments coming to PRINCIPPE are to be paid to him by the Administration to which he is provisionally attached and which should request repayment from the Administration at Livorno as soon as the communications are reestablished.

The Undersecretary of State
(de Santis)

32

Subject: - Communications between Italian Court Officials.

Hq. A.M.G. Reg. III.

H.Q., A.M.G.,
15 Army Group,
C.M.F.

Ref. A.M.G./225/32

Herewith communication no 1565 of 16 Dec. 1943
from Ministry of War and Justice to Pres. of Tribunal of Appeals
received for onward transmission.

2. Subject to your approval as to contents, please arrange
for prompt delivery.

h. H.

Dated 23 Dec

1943

Major, A.V. S.
Chief Legal Officer.

33

Translation

MINISTRY OF PRISON AND JUSTICE

Prot. N. 1565

Bari 16 December 1943

SUBJECT: FORMATO CIRIACO - Vol. Court Registry Tribunale di
Palmi.

To the President of the Tribunal of Ariano Irpino.

Please notify the above functionary that his application for
transfer to this Tribunal can not be granted for the moment
and since the communications with Palmi may be considered as
resumed, invite FORMATO to return at once to his service at
the Tribunal of that town.

Please communicate compliance.

THE UNDERSECRETARY OF STATE.

Subject: - Communications between Italian Court Officials.

AMG,
Hq. Reg. III

H.Q., A.M.C.,
15 Army Group,
C.I.M.

Ref. AM/225/30

Herewith communication no 1805 of 18 Dec. 1943
from Ministry of Public and Justice to Pres. Sec., Court of Appeals, Naples
received for onward transmission.

2. Subject to your approval as to contents, please arrange
for prompt delivery.

W.H.

Dated 23 Dec 1943

Major, A.W.S.,
Chief of Staff Officer.

31

1 Translation

MINISTRY OF PARDON AND JUSTICE

Directorate General for Institution of Prevention and
Punishment. Office 1, Section 1.

Protoc. N. 1805

Bari 15 December 1943.

SUBJECT: Cav. Uff. RIZZO Luigi - Chief Accountant of 1st Class -
Judicial Prisons of Naples.

TO : H.E. Proc. Gen. at the Court of Appeal, Naples.

Please advise the above accountant of these ^{above} prisons
to report immediately to this Ministry at Bari where he will
assume temporary duties.

The Undersecretary of State
(de Santis)

28

Subject:- Communications between Italian Court Officials.

AMG,
Hq. Reg. II (adv)

H.Q., A.M.G.,
15 Army Group,
C.M.F.

Ref. AMB/225/28

Herewith communication no 1282 of 15 Dec. 1943
from Ministry of Defence and Justice to R. Procurator of Reggio
received for onward transmission.

2. Subject to your approval as to contents, please arrange
for prompt delivery.

Walter H. H. H. H.

29

Dated 23 Dec 1943

Walter H. H. H. H.
Chief Legal Officer.

Translation

THE MINISTRY OF PRISON AND JUSTICE

Office IV

Bari, 15 December 1945.

Protoc. N. 1282

SUBJECT: Petition - ELACOLA Vincenzo.

To the R. Procurator of Foggia.

Enclosed a petition for the purpose of inviting the party to give particulars of his request and for obtaining information on the case.

Precis

Petition for Rehabilitation.

Petitioner's son Dante, a teacher and prisoner at the Turinese front, sometime in 1942 was convicted for the rape and abduction of a minor by the Tribunal of Foggia and sentenced to a term of three years and nine months. Sentence affirmed by Court of Appeal of Bari - Recourse in Cassation rejected.

The conviction is a result of a plot designed by the relatives of the victim (names given), the Procuratore Sostituto of Foggia de Rossi and H.R. Attilio de Cicco. The real guilty person lives freely at Sansevero (Foggia).

Note: It does not appear when the crime and the trial took place, where the prisoner is presently located, or whether he served any part of the sentence.

Subject: - Communications between Italian Court Officials.

A.M.G.
Hq. Reg III

H.Q., A.P.G.,
15 Army Group,
C.M.F.

Ref. AIB/225/26

Herewith communication no 18/6 of 15 Dec. 1943
from Ministry of Prison and Justice to Just Pres. Court of Appeals of Naples
received for onward transmission.

2. Subject to your approval as to contents, please arrange
for prompt delivery.

Dated 23 Dec 1943

Walter H. Hurd
Major, A. U. S.
Chief Legal Officer.

27

Translation

MINISTRY OF PARDON AND JUSTICE

Bari, 17 December 1943.

SUBJECT: Reform of the present Court of Assize.

TO H.E. First Presidents of Courts of Appeal of Naples, Bari, Cagliari, Messina,
Palermo, Catania, Catanzaro.

Request your Excellency to procure in accordance with Art 93, n. 2 of the judicial regulation, the opinion of the General Assembly of this Court of Appeal on the convenience and desirability of abolishing the present Court of Assize and replacing it by a Criminal Court with continuous functions.

The said Court would be presided over by a Magistrate of Grade IV and composed of 5 Magistrates of Grade V. The present difficulties in connection with the constitution of the Court could be obviated by consenting to appointments to each such court of a certain number of Magistrates of an inferior grade, who in exercise of their judicial functions and with exceptional competence have previously dealt with the gravest crimes or who prove particularly capable in fields pertaining to the study and repression of crimes.

The Undersecretary of State
(de Santis)

Subject:- Communications between Italian Court Officials.

A.M.G.
No. Reg. III

R.O., A.H.C.,
15 Army Group,
G.M.F.

Ref. AMG/225/24

Herewith communication no P.M. 131 of 7 Nov. 1943
from Ministry of Pardon and Justice to Procuratore General of Naples
received for onward transmission.

2. Subject to your approval as to contents, please arrange
for prompt delivery.

Ward of W. H. H. B.

Dated 23 Dec. 1943

Major, A.U.S.,
Chief Legal Officer.

25

Translation

MINISTRY OF PARDON AND JUSTICE

P. M. 151-7 November 1943.

SUBJECT: Appointments of Honorary Vice-Pretori for the 3 years term 1944-46.
To the Procurators General of Naples-Palermo-Messina-Catania-Catanzaro.

On Dec. 31, 1943 the three years term 1941-43 of the honorary Vice-Pretori lapses. Therefore, it is necessary that the respective proposals reach this office in time so that appointments can be made as of Jan. 1, 1944.

I wish that your Excellency consider the above in order to make necessary arrangements and I also wish to call to your attention that the following is necessary:

(1) That only such persons be proposed for confirmation or for new appointments who have not held, particularly in recent times, political positions (Federal Inspectors, Capi Settori, etc.) and who have not been particularly active politically, whether or not they held a political position. For that purpose every proposal must be accompanied by an enclosed life history concerning political activities.

(2) That in the above mentioned proposals there do not be included those whose relatives in 3rd degree or whose relatives by marriage in 1st degree exercise the profession of an advocate or who might find themselves often in condition of incompatibility to sit as a judge for numerous causes.

(3) That those persons be excluded from the above mentioned proposals who during the term about to lapse did not show proper interest in the task entrusted to them.

The Undersecretary of State.

MINISTRY OF PARDON AND JUSTICE

P. M. 151-7 November 1943.

SUBJECT: Appointments of Honorary Vice-Pretori for the 3 years term 1944-46.
to the Procurators General of Naples-Palermo-Messina-Catania-
Catanzaro.

On Dec. 31, 1943 the three years term 1941-43 of the honorary Vice-Pretori lapses. Therefore, it is necessary that the respective proposals reach this office in time so that appointments can be made as of Jan. 1, 1944.

I wish that your Excellency consider the above in order to make necessary arrangements and I also wish to call to your attention that the following is necessary:

(1) That only such persons be proposed for confirmation or for new appointments who have not held, particularly in recent times, political positions (Federal Inspectors, Capit Settori, etc.) and who have not been particularly active politically, whether or not they held a political position. For that purpose every proposal must be accompanied by an enclosed life history concerning political activities.

(2) That in the above mentioned proposals there do not be included those whose relatives in 3rd degree or whose relatives by marriage in 1st degree exercise the profession of an advocate or who might find themselves often in condition of incompatibility to sit as a judge for numerous causes.

(3) That those persons be excluded from the above mentioned proposals who during the term about to lapse did not show proper interest in the task entrusted to them.

The Undersecretary of State.

Subject:- STAMPAIONE Pasquale.

22.
ANG HQ.,
15 Army Group,
C.M.P.

Ref. ANG/225/22
23 December 43.

To:- Senior Legal Officer,
FOGGIA.

The enclosed petition and précis thereof were
forwarded to us by A.C.C.

2. When the time comes for the consideration of the
disposition to be made of the security arrests which have
taken place in the Foggia area the petition will, perhaps,
be of some interest or utility.

Went J.W. Howe

MDGMB/MB.

Mark Don. Howe, Major, AUS,
Chief Legal Officer.

23

Precis

FROM: Amata Stapanone of Lucera (Foggia)

SUBJECT: Petition for release of Pasquale Stapanone MD (C.M.)

The above mentioned was arrested by the IRS on Nov. 19 in Lucera and removed to parts unknown. Admittedly had been Fascist (squadrista) but a reluctant one. In 1938 was Segretario Politico del Fascio - Lucera but soon resigned. Was 18 when he became squadrista. In July 1943 evacuated to Alberona (Foggia) where he indicated loyalty to Badoglio and had shown sympathy to Allied invasion in various ways, e.g. firing revolver at Germans as witnessed by several eye witnesses whose testimony is contained in enclosed notarial depositions.

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee.

ART/gmf

21
21 December 1943

In reply
refer to: ACC/L/303.

SUBJECT: Transmittal of Documents.

TO : Chief Legal Officer, HQ AMG, 15th Army Group.

1. Herewith, as arranged, copies of the "Gazzetta Ufficiale" Nos. 2/B and 3/B, and the following communications.
2. The letter from the Ministry of Justice regarding the appointments of Honorary Vice-Pretori is forwarded for information in the event of your deciding to follow similar procedure in the Naples area. We are informing the Minister accordingly.
3. A letter from the Minister to the First Presidents of the Courts of Appeal, including Naples, asking for an opinion on the proposed reform of the Courts of Assize.
4. Three communications concerning GIACINTO, RIZZO and FORMATO involving movements of personnel, subject, of course, to your agreement.
5. Three petitions lodged on behalf of BRACCIA, STAMPANONE and LACAVA.

Translations or precis of the Italian (2 copies of each) are annexed to the letters and petitions.

Charles A. Hackathorn
Colonel
Chief Legal Officer, ACC.

*Communication within
offices 225 - 20*

THAIAN PATTERNS
ARMED CONTROL COMMISSION
Legal Subcommission

14 December 1975

In reply
ref: 400/4/705

SUBJECT: Transmittal of Letter.

TO : Chief Legal Officer, 15th Army Group.

1. Request that you forward the copies of enclosed letters as indicated by red check marks.
2. Please note it; please to the 1st President and Procurator. Generally that any recommendations made in response to these letters are for the assistance of the Italian Government when territory is returned to the Government and that no effect will be given to such recommendations during the continuance of L.M.M. except of course with the consent of the Regional P.A.O.

W. J. H. H. H.
C. J. H. H. H. H.
Chief Legal Officer, 15th Army Group.

Enclosures:
1 letter (2 copies)

In reply
refer to: 100/4/503

SUBJECT: Transmittal of Letter.

TO : Chief Legal Officer, 15th Army Group.

1. Request that you convey the copies of enclosed letter as indicated by red check marks.
2. Please take it plain to the 1st President and Procurator General that my recommendations made in response to these letters are for the assistance of the Italian Government in territory in return to the Government and that no effort will be given to such recommendations during the continuance of L.M.F. except of course with the consent of the Regional C.I.C.

W. J. H. H. H.
W. J. H. H. H.
Chief Legal Officer, 15th Army Group.

Enclosures:
1. Letter (2 copies)

41

HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Subcommittee

ES/SM

16 December 1945.

In reply
refer to: AGC/4/503.

SUBJECT: Transmittal of Documents.

TO : Chief Legal Officer,
HQ AGC, 15th Army Group.

1. Will you please forward the enclosed 3 documents to the respective Italian officials.
2. You will note that the letter dated December 10, addressed to the First President of the Court of Appeal, Napoli, under the heading "Request for a temporary loan of Official Bulletins, which publications obviously would have to be sent from Naples to Bari if the request is granted. It is, of course, understood that this request can only be accorded to if your legal officer at Naples thinks they can be spared."

W. J. H. H. H.
Colonel
Chief Legal Officer, AGC.

16 December 1943.

In reply
refer to: 400/1/503.

SUBJECT: Transmittal of Documents.

TO : Chief Legal Officer,
HQ AGC, 15th Army Group.

1. Will you please forward the enclosed 3 documents to the respective Italian officials.
2. You will note that the letter dated December 10, addressed to the First President of the Court of Appeal, Napoli, under the heading followed by the number 19, contains a request by the Minister to the First President for a temporary loan of Criminal Bulletins, which publications obviously would have to be sent from Naples to him if the request is granted. It is, of course, understood that this request can only be acceded to if your legal officer at Naples thinks they can be secured.

W. H. H. H.
G. H. H. H., Colonel
Chief Legal Officer, AGC.

To First President
Prosecution General

Count of appeal, hapter.

17 Dec 43

18

I wish that you will submit urgently and not later than 27 instant a nominal roll of the magistrates, who will be put into retirement until 31 December 1943, attaching proposals for those, for an extension of duty. This recommendation must be strictly limited to the magistrates who, by physical condition and real ability will give assurance of efficiency.

The statement will also include the magistrates, who were put in retirement until 31 December 1943, attaching recommendations for the cases. The Excellencies, who have already submitted the first statement, will submit only the second statement.

THE SUB-SECRETARY of STATE

18

Subject:- Communications Between Italian Court Officials.

HQ, AmL, 8 Army (main)

H.Q., A.M.C.,
15 Army Group,
C.H.F.

REF. AMB/225/17

Herewith communication no - 15 Dec 43
from Ministry of Justice to Giudice del Tribunale di Lucera
received for onward transmission.

2. Subject to your approval as to contents, please arrange
for prompt delivery.

Dated 19 Dec 1943


Chief Legal Officer.

Copy not kept

17

Subject: - Conversations between Italian Court Officials.

Reho, HQ, Amc, Regim 3.

H.Q., A.M.C.,
15 Army Group,
C.M.F.

Ref. Att: 225/16

Herewith communication no - of 18 Dec 43
from Ministry of Justice to Procurator General, Naples
received for onward transmission.

2. Subject to your approval as to contents, please arrange
for prompt delivery.

Dated 19 Dec 1943

Chal
Chief Legal Officer. 16

copy not kept

MINISTERO DI GRAZIA E GIUSTIZIA

Protoc. N. 1572
Risp. al foglio N.
del

BARI 10 dicembre 1943

OGGETTO: Bollettini Ufficiali.

A S.E. IL PRIMO PRESIDENTE CORTE APPELLO

NAPOLI

Questo Ministero vi prega, Eccellenza, di disporre l'invio a questo ufficio dei Bollettini Ufficiali del Ministero di Grazia e Giustizia del n. 24 in poi, con l'intesa che cessato il bisogno saranno subito restituiti.

IL SOTTOSEGRETARIO DI STATO

MINISTERO DI GRAZIA E GIUSTIZIA

DIREZIONE GENERALE DEGLI ISTITUTI DI PREVENZIONE E PENA
Ufficio 1°

Protoc. N. 2428
Resp. al foglio N. 5973....
del 7/12/1943.-

Bar. 1° II/12/1943.-

OGGETTO: GRABONA Gaetano - Archivista.-

AL SIGNOR DIRETTORE CARCERI GIUDIZIARIE

LUCERA

Perchè questo Ministero possa fare ricerche
per il rientro in sede della persona in oggetto,
codesta Direzione dovrà comunicare il preciso re-
capito del predetto.-

IL SOTTOSCRITTO DI STATO

(Ge. Santos)

14

MINISTERO DI GRAZIA E GIUSTIZIA

13

DIREZIONE GENERALE DEGLI ISTITUTI DI PREVENZIONE E PENA

Ufficio 1°

Protoc.N. 1228
Rispon. al foglio N.
del.....

Bari li 11 dicembre 1943.-

OGGETTO: Vetrano Aniello - allievo di ragioneria
negli istituti di Prevenzione e Pena.-

AL SIGNOR PODESTA' DEL COMUNE DI

AVELLA

Vorrete comunicarmi, con cortese sollecitudine, l'attuale receipto della persona in oggetto nato in codesto Comune.-

IL SOTTOSEGRETARIO DI STATO

(de Santis)

13

MINISTERO DI GRAZIA E GIUSTIZIA

D.V. Cab.

N. 1444

OCCASTO: Cessazione attività Ufficio Affari Civili.

Bari, 11 dicembre 1943

- AI PRIMI PRESIDENTI
- AI PROCURATORI GENERALI

Bari - Palermo - Cagliari - Messina - Napoli - Catania -
Catanzaro -

L'Ufficio Affari Civili, cui era stato demandato di assicurare la continuità dell'azione amministrativa centrale, ha esaurito i suoi compiti in seguito alla restituzione dei vari Dicasteri.

Pertanto, d'ora innanzi, gli affari andranno trattati da ciascun Ministero, nell'ambito della propria competenza istituzionale, ed eccezione di quelli dei Ministeri degli Scambi e Valute e dell'Africa italiana, i quali saranno avviati fino a nuova disposizione, rispettivamente al Dicastero delle Finanze e al Dicastero degli Interni.

E' stata inoltre ricostituita la Presidenza del Consiglio dei Ministri della quale è stato nominato Capo di Gabinetto S.E. il Dott. Silvio Innocenti, Prefetto del Regno.

Prago di voler dare comunicazione di quanto sopra agli uffici dipendenti, assicurando.

12

IL SOTTOSEGRETARIO DI STATO

OGGETTO: Cessazione attività Ufficio Affari Civili.

Bari, 11 dicembre 1943

- AI PRIMI PRESIDENTI

- AI PROCURATORI GENERALI

Bari - Palermo - Cagliari - Messina - Napoli - Catania -
Catanzaro -

L'Ufficio Affari Civili, cui era stato demandato di assicurare la continuità dell'azione amministrativa centrale, ha esaurito i suoi compiti in seguito alla restituzione dei vari Dicasteri.

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E' stata inoltre costituita la Presidenza del Consiglio dei Ministri della quale è stato nominato Capo di Gabinetto S.E. il Sott.Silvio Innocenti, Prefetto del Regno.

Prego di voler dare comunicazione di quanto sopra agli uffici dipendenti, assicurando.

12

IL SOTTOSEGRETERARIO DI STATO

(de Santis)

Copy
Subject:- Communications between Italian Court Officials.

L.C.L.O., HQ, AMB, Rome 3.

R.O., A.E.G.,
15 Army Group,
C.M.F.

Ref. AMB/225/11

Herewith communication no. *15 Dec 43*
from *Ministry of Justice* to *First President, Court of Appeal, Naples*
received for onward transmission.

2. Subject to your approval as to contents, please arrange
for prompt delivery.

Dated *18 Dec* 19*43*

[Signature]
Chief Legal Officer.

Copy of letter not kept.

11

0764

HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Subcommission

CEU/612

10 December 1945.

In reply
refer to: AGC/L/303.

SUBJECT: Transmittal of Letters.

TO : Chief Legal Officer, AGC, 15th Army Group.

I enclose two letters to be forwarded (1) to the Procurators of Foggia (2) to the 1st President of the Court of Appeal in Naples together with translations for your files.

With regard to the former it will of course rest with you to consent to the transfer if you deem fit.

Nothing appears to arise on the latter letter.

I also enclosed for your information a translation of a letter I have received with regard to Dott. Cav. Grella.

As communications of this sort between us are likely to increase rather than decrease it seems to me that it would be quite useful to attach to you a legal liaison officer who could handle these matters and relieve you of some of the work involved. Of course this could not be done till we are organized on the mainland (they are moving from Palermo tomorrow) but in the meantime you might be thinking over this suggestion and let me have your reactions.

With regard to the memorandum on the Italian Courts I have

In reply
refer to: AGC/4/303.

SUBJECT: Transmittal of Letters.

TO : Chief Legal Officer, HQ, 15th Army Group.

I enclose two letters to be forwarded (1) to the Prosecutors of Foggia (2) to the 1st President of the Court of Appeal in Naples together with translations for your files.

With regard to the former it will of course rest with you to consent to the transfer if you deem fit.

Nothing appears to arise on the latter letter.

I also enclosed for your information a translation of a letter I have received with regard to Dott. Cav. Grella.

As communications of this sort between us are likely to increase rather than decrease it occurs to me that it would be quite useful to attach to your legal liaison officer who could handle these matters and relieve you of some of the work involved. Of course this could not be done till we are organized on the mainland (they are moving from Palermo tomorrow) but in the meantime you might be thinking over this suggestion and let me have your reactions.

With regard to the monograph on the Italian Courts I have studied it very carefully but I have so many queries on it and so many directives referred to in it are not attached that I think it will be best to postpone a discussion on it until I have taken the matter up with Harbord.

John H. Harbord
Colonel,
Chief Legal Officer, AGC.

TRANSMISSION

MINISTRY OF PRISON AND JUSTICE

P.M. 151 M, 8 December 1943

TO THE ITALIAN PROCURATURE
OF POLICE IN LUGGERA

SUBJECT: For the Gov. Dir. Dott. Raffaele
Raimis R. Procuratore.

Request communication whether this R. Procuratore, Gov. Dir.

Dott. Raimis Raffaele, would consent to be transferred to the seat of

Trans.

THE UNDERSECRETARY OF STATE
(Giuseppe de Santis)

TO THE ROYAL PROCURATURE
OF POGGIA IN LUIGIA

SUBJECT: For the Cav. Uff. Dott. Raffaele
Bennis R. Procuratore.

Request communication whether this R. Procurator, Cav. Uff.
Dott. Bennis Raffaele, would consent to be transferred to the seat of
Court.

THE UNDERSHORTHANT OF STATE
(Giuseppe de Santis)

1 9

Quinto

Quinto

Quinto
17/12

TRANSLATION

MINISTRY OF REGION AND JUSTICE

P.M. 151 11, 8 December 1943

TO THE FIRST PRESIDENT OF THE
COURT OF APPEAL OF NAPLES.SUBJECT: For the President of the detached section of the
Court of Appeal in Potenza.

Request communication at your earliest convenience as to the
position and present seat of the President of the detached Section in
Potenza, Gen. Dott. Saverio Calentano.

THE UNDERSECRETARY OF STATE
(Giuseppe di Santis)

C. B. B.

TO THE FIRST PRESIDENT OF THE
COURT OF APPEAL OF THE

SUBJECT: For the President of the detached section of the
Court of Appeal in Potenza.

Request communication at your earliest convenience as to the
position and present seat of the President of the detached section in
Potenza, Com. Dott. Savarico Selentano.

THE UNDERSECRETARY OF STATE
(Giuseppe di Santis)

Caro Benito

*transmesso
17/11*

MINISTERO DI GRAZIA E GIUSTIZIA

Bari 30 novembre 1943

Protoc. No. 910

OGGETTO: Del Cav. Dott. Mario De Vivio, Giudice
Tribunale di Lucera.

ALLA COMMISSIONE ALLIATA DI CONTROLLO
(Ufficio Legale Reparto Giudiziario)

BRINDISI

A S.E. IL PRIMO PRESIDENTE COME APPELLO - BARI -

e, per quanto competenza al

PROCURATORE DEL RE - LUCERA
(a mezzo Comm. All. Controllo)

Il giudice in oggetto dovrà essere sottoposto a visita collegiale allo scopo di accertare se è affetto da fasto-entorite, deperimento organico ed esaurimento nervoso, come dallo stesso dichiarato, nella richiesta di aspettativa.

Detta visita dovrà aver luogo in Bari presso l'Ospedale Militare, non avendo potuto essere effettuata in Foggia.

Si prega pertanto codesta Commissione di Controllo compiacersi porre in grado detto magistrato di recarsi in questa città per subire gli accennati accertamenti finali.

S.E. il Primo Presidente è pregato di compiacersi interessare il locale Ospedale Militare per attendere a quanto innanzi.

IL SOTTOSCRITTARIO DI STATO
(de Santis)

Bonino Rocca

Bonino Rocca - ~~Imaginario~~
de Corte de Appello de Napoli

6

The above mentioned ~~document~~ Magi Thale has requested a permission for a transcription copy of 2 months for documented medical reasons.

This authority would be inclined to

Barr - v De

Baron Rocco - Commissioner
de Corte de Appello de Napoli

1 6

The abovegenti need ~~for~~ magistrate has
requested a permission for extraordinary leave
of 2 months for documented medical reasons.

This surely would be inclined to
grant it. Please communicate kindly
to us whether there is no objection or
your Part of the Commission.

Yours truly
[Signature]

TRANSLATION

MINISTRY OF JUSTICE

Protoc. No. 935

Answer to file No. ---

of ---

BARI, 2 December 1943.

SUBJECT: For the Court Counselor Mancini Rocco and Counselor Cucco Alfonso.

To the President of the Tribunal of Avellino and Benevento.

Request information as to whether the above mentioned magistrates have been promoted Counselors of the Court of Appeal with indication of destination and transmittal to this Ministry of the respective matricular files.

THE UNDERSECRETARY OF STATE
(de Santis)

Protoc. No. 935

Answer to file No. ---

of--

RAI, 2 December 1943.

SUBJECT: For the Court Counselor Mancini Rocco and Counselor Cucco Alfonso.

To the President of the Tribunal of Avellino and Benevento.

Request information as to whether the above mentioned magistrates have been promoted Counselors of the Court of Appeal with indication of destination and transmitted to this Ministry of the respective matricular files.

THE UNDERSECRETARY OF STATE
(Ga. Sotis)

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

1-17-44
Mancini

TRANSMISSION

Ministry of Justice

PAI 30 November 1943

Prot. No. 910

Answer to No. ----

of----

SUBJECT: Don Cav. MONT. Mario De Vito, Judge of the Tribunale di Padova.
TO THE ALLIED CONTROL COMMISSION
(Legal Subcommission, Judicial Section)

WITNESI

to H.E. The First President of the Court of Appeal - Bari -

and insofar as it concerns him, to

KING'S PROSECUTOR - INCERA
(by way of ACC)

The above mentioned judge will have to subject himself to medical consultation for the purpose of ascertaining whether he is affected by a gastro-enteritis, an organic illness and nervous exhaustion, as stated in his request for leave of absence.

The said medical visit will have to take place at Bari at the military hospital since it could not be effected at Foggia.

It is requested that the Allied Control Commission render it possible for the said magistrate to proceed to that city and undergo the indicated official examination.

H.E. the First President is requested to make the necessary arrangements with the local military hospital.

SUBJECT: FOR CIV. INST. Mario De Vito, Judge of the Tribunal de Justicia.

TO THE ALLIED CONTROL COMMISSION
(Legal Subcommission, Judicial Section)

REPLY

TO H.E. The First President of the Court of Appeal - BARI -

and inform as it concerns him, to

THEY'S PROSECUTOR - LAUREA
(by way of ACC)

The above mentioned judge will have to subject himself to medical consultation for the purpose of ascertaining whether he is affected by a gastro-enteritis, an organic illness and nervous exhaustion, as stated in his request for leave of absence.

The said medical visit will have to take place at Bari at the military hospital since it could not be effected at Foggia.

It is requested that the Allied Control Commission render it possible for the said magistrate to proceed to that city and undergo the indicated official examination.

H.E. the First President is requested to make the necessary arrangements with the local military hospital.

THE UNDERSECRETARY OF STATE
(as Santos)

Handwritten signature

TRANSLATION

Ministry of Justice

Rome, 29 November 1943.

SUBJECT: Withdrawal of the Judge Doctor Giuseppe CURZIO from the
Tribunal of Lagers.
TO: The Allied Control Commission, Judicial Section - Legal
Subcommission.

Conforming to your notice received here through the office of
the U. S. Procurator of Lagers I am communicating to you that the above
stated official has been ordered back to the Prison of Bollas, having
ceased his attachment to the Tribunal at Lagers.

The Undersecretary of State
E/ro (Giuseppe De Santis)

Certified Copy.
s/Vittorio Teste.

3

TRANSMISSION

MINISTRY OF JUSTICE

Director General - Personnel Office

Protoc. No. 447

P.M. 151, 24 novembre 1943.

Answer to File No. ---

Of ---

SUBJECT: Personnel in service at the judicial offices.

To H.M. First Presidents and Procurators General of

NAPLES - PALERMO - MESSINA - CATANIA - RAVENNA - CATANZARO -
CAGLIARI.

I request that Your Excellency forward with utmost speed a nominal List of all the magistrates, functionaries of recording offices and secretaries, judicial officers in service at the respective Districts, including those in military service and those who might be in provisional service for the reason that they were unable to reach their own seats of office.

Please include also the civil personnel employed at the Institutions for Prevention and Punishment.

Kindly attach to the nominal list a copy of the civil status document (stato matricolare) for each magistrate and functionary.

I recommend the greatest possible speed and precision. 4 2

THE UNDERSECRETARY OF STATE
(do Santis)

SUBJECT: Personnel in service at the judicial offices.

To H.H. First Presidents and Procurators General of

MAJEST - PALMERO - MESSINA - GARCIA - BARI - CALVILLO -
OAGUARI.

I request that Your Excellency forward with utmost speed a nominal list of all the magistrates, functionaries of recording offices and secretaries, judicial officers in service at the respective Districts, including those in military service and those who might be in provisional service for the reason that they were unable to reach their own seats of office.

Please include also the civil personnel employed at the Institutions for Prevention and Punishment.

Kindly attach to the nominal list a copy of the civil status document (acta nupciales) for each magistrate and functionary.

I recommend the greatest possible speed and precision.

2

THE UNDERSECRETARY OF STATE
(de Santos)

Handwritten signature

TRANSLATION

MINISTRY OF JUSTICE

Penal Matters

R.M. 151, 24 novembre 1943

Proton. No. 571

Answer to file No. ...

of ...

SUBJECT: Unlawful enrichment of former hierarchs.

To R.M. First Presidents and Prosecutors General
of BUL - KAROLI - CATANZARO - MESSINA - CATANIA - PALERMO -
CAGLIARI

I request urgently that R.M. communicate at his earliest convenience to this Ministry whether there are under way investigations relating to undue enrichment on part of the hierarchs of the dissolved fascist party in districts under your jurisdiction.

If the answer is in the affirmative, compile a nominal list and enclose an indication as to the state of the proceedings.

THE UNDERSECRETARY OF STATE
(de Santis)

W. Col Rowe

P.M. 151, 24 novembre 1943

Procc. No. 571

Answer to File No. --

of----

SUBJECT: Unlawful enrichment of former hierarchs.

To H.E. First Presidents and Procurators General
 of BALI - HANUJA - CAGAYAN - MISAMIS - CAGAYAN - PANAMA -
 CAGAYAN

I request urgently that H.E. communicate at his earliest convenience to this Ministry whether there are under way investigations relating to unlawful enrichment on part of the hierarchs of the dissolved fascist party in districts under your jurisdiction.

If the answer is in the affirmative, compile a nominal list and enclose an indication as to the state of the proceeding.

THE UNDERSECRETARY OF STATE
 (de Santos)

Handwritten: 14/11/43

0 7 8 2