

# ALLIED MILITARY GOVERNMENT

13 CORPS

VENEZIA GIULIA



## THE ALLIED MILITARY GOVERNMENT GAZETTE

No. 20 - 15 June 1946

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Published by the Allied Military Government under the Authority of the Supreme  
Allied Commander, Mediterranean Theatre of Operations, and Military Governor.





# Allied Military Government

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### General Order No. 45 B

#### MODIFICATION OF GENERAL ORDER No. 45 REGARDING THE IMPORTATION OF FOOD STUFFS

*WHEREAS, Article IV of General Order No. 45, dated 6 March, 1946, entitled, „Control of Movement of Goods Into and From the Territory“, provides as follows :*

*„1. — No license shall be required for the import into Allied Territory of any Food stuffs other than Food stuffs in cans.*

*2. — Food stuffs may only be exported under License“.*

*WHEREAS, it is considered desirable and necessary to modify the above provisions :*

*NOW, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer*

#### ORDER:

#### ARTICLE I

#### MODIFICATION OF ARTICLE IV OF GENERAL ORDER No. 45

Article IV of General Order No. 45, is hereby amended to read and provide as follows :

1. — No license shall be required for the import into Allied Territory of any food stuffs other than food stuffs in cans, except food stuffs being imported from Jugo-Slav Territory, Jugo-Slav Territory being taken to mean territory administered by the Jugo-Slav Government or Army. Such food stuffs may not be imported into Allied Territory without an export license of the competent Jugo-Slav Authorities.

#### ARTICLE II

#### PENALTY

Article IX of General Order No. 45, relating to penalties for violation of its provisions, shall also be applicable to violations of this Order.

#### ARTICLE III

#### GENERAL ORDER No. 45 REMAINS IN EFFECT IN ALL OTHER RESPECTS

Except as modified by this Order, General Order No. 45 shall remain in full force and effect.

#### ARTICLE IV

#### EFFECTIVE DATE

This Order shall become effective on the date that it is signed by me.

Dated, Trieste 17th May 1946

**ALFRED C. BOWMAN**  
Colonel, J.A.G.D.  
Senior Civil Affairs Officer

# ALLIED MILITARY GOVERNMENT

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## General Order No. 56

### AMENDMENTS TO THE COMPETENCE OF „GIUDICI CONCILIATORI“ AND „PRETORI“ WITH RESPECT TO THE VALUE OF CASES

*WHEREAS, it is considered advisable to make amendments as to the competence of „giudici conciliatori“ and „pretori“ with respect to the value of cases in those parts of Venezia Giulia administered by the Allied Military Government (hereinafter referred to as the „Territory“);*

*NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer*

#### ORDER:

##### ARTICLE I

The limit as regards the value of cases within the competence of „giudici conciliatori“ is hereby raised to five-thousand Lire.

The limit as regards the value of civil cases within the competence of „pretori“ is hereby raised to fifty-thousand Lire.

##### ARTICLE II

The tribunals and the pretori shall continue judging in first instance the cases with regard to which the summons has been served prior to the effective date of this Order, together with cases pending before them on the effective date of this Order.

##### ARTICLE III

This Order shall take effect within the Territory on the fifteenth day from the date of its publication in the Allied Military Government Gazette.

Trieste, 24th May 1946

**ALFRED C. BOWMAN**

Colonel J.A.G.D.

Senior Civil Affairs Officer

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## General Order No. 59

### ABOLITION OF THE POSTING OF ACTS CONCERNING COMMERCIAL MATTERS IN THE HALLS OF THE TRIBUNAL, OF THE COMMUNE AND IN THE PREMISES OF THE STOCK EXCHANGE

*WHEREAS, it is considered advisable to extend the abolition of the posting of certain commercial acts as provided for by the existing laws in that part of Venezia-Giulia administered by the Allied Military Government (hereinafter referred to as the „Territory“).*

NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer,

**ORDER:**

**ARTICLE I**

The abolition of the posting in the hall of the Tribunal, of the Commune and in the premises of the nearest Stock Exchange, as provided for by Article 2 of RDL, 2 December 1935, No. 2134, is hereby extended in respect of all acts for which the first para of Article 100 of the Temporary Provisions and Provisions for the application („Disposizioni transitorie e di attuazione“) of the Civil Code prescribes that the form of publicity as provided for by the laws issued prior to the said Code should be temporarily followed.

**ARTICLE II**

This Order will take effect within the Territory from the date it is published in the Gazette of the Allied Military Government.

Dated in Trieste 27th May 1946.

**ALFRED C. BOWMAN**  
Colonel, J.A.G.D.  
Senior Civil Affairs Officer

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**Order No. 109**

**INCREASE IN ALLOWANCES TO WITNESSES**

*WHEREAS it is deemed necessary to increase the allowances due to witnesses in civil and penal cases, in those parts of „Venezia Giulia“ administered by the Allied Forces (hereinafter referred to as „the Territory“),*

NOW, THEREFORE, I, H.P.P. ROBERTSON, Colonel O.B.E., Acting Senior Civil Affairs Officer

**ORDER:**

**ARTICLE I.**

**PAYMENT OF TRAVELLING EXPENSES**

Witnesses summoned to testify before the Judicial Authorities of the Territory in penal and civil cases, shall be entitled to payment of the travelling expenses computed on the basis of the available and most economical means of transport in lieu of the travel allowances provided by the provisions now in force.

**ARTICLE II**

**PAYMENT OF WITNESS TRAVELS BY OWN MEANS**

Where a witness travels by his own means and does not use transport necessitating payment of travelling expenses as stated in Article 1, he shall receive an allowance of 3 Lire per kilometre travelled.

**ARTICLE III**

**DAILY ALLOWANCE**

The rate of the daily allowance and of the allowance during hearing of a case shall be 60 lire per each travelling day and 80.— Lire per each day of hearing.



## ARTICLE IV

### REDUCTIONS IN ALLOWANCE NOT APPLICABLE

The reductions described in R. D. Laws of 20 November 1930 No. 1491 and 14 April 1934 No. 461 shall not be applicable to the allowances provided for by the preceding articles II and III.

## ARTICLE V

### PROVISIONS OF THE LAW EFFECTIVE

All other provisions of the law concerning allowances to witnesses not inconsistent with the provisions of this Order shall remain in force.

## ARTICLE VI

### EFFECTIVE DATE

This Order shall take effect on the date signed by me.

Trieste, 9th April 1946

**H.P.P. ROBERTSON**

Colonel, O.B.E.

Acting Senior Civil Affairs Officer,

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## ALLIED MILITARY GOVERNMENT

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## Order No. 125

### PAYMENT OF THE IMPOSTA GENERALE SULL' ENTRATA ON THE REVENUE COLLECTED BY MEANS OF TAX ROLLS OF MUNICIPALITIES AND OTHER BODIES

*WHEREAS it is considered necessary for the year 1946, to alter the procedure in force in that part of Venezia Giulia administered by the Allied Forces (hereinafter referred to as the „Territory“), concerning the payment of the „Imposta Generale sull' Entrata“, on that part of the revenue of municipalities and other bodies collected by means of tax rolls:*

*NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel J.A.G.D., Senior Civil Affairs Officer,*

## ORDER

### ARTICLE I

#### PAYMENT OF IMPOSTA GENERALE SULL' ENTRATA

The Imposta Generale sull' Entrata (hereinafter referred to as the Imposta Entrata), due by Municipalities and other bodies on their revenue collected by means of tax rolls in respect of the year 1946, shall be provisionally payable as hereinafter provided.

### ARTICLE II

#### LIABILITIES OF THE TAX PAYER

The Municipalities and other tax-levying bodies referred to in Article I shall include on the rolls which they pass to the collector the amount of Imposta Entrata they are expected to collect from the tax payer.



The Imposta Entrata computed in accordance with Article 7 of law of 19 June, No. 762, shall be payable on the sum due by each and every tax-payer entered on the said rolls, at the rate of 4%.

### ARTICLE III

#### TAX PERCENTAGES OF COLLECTORS

Tax collectors shall deposit the Imposta Entrata with the appropriate Ufficio del Registro, levied in accordance with Article II of this Order. The said Imposta Entrata shall be levied on the whole of the assessment shown in the principal and supplementary rolls received by tax collectors during and previous to the year 1946. A reduction of from 2% to 15% shall be allowed as compensation for taxes which in fact are not due or cannot be collected.

The percentage reduction referred to in preceding paragraph shall be determined, within the limits therein set forth, by the respective Intendenza di Finanza, which shall fix a single percentage for all the tax-collectors operating in the Area under their control, after due consideration of the particular circumstances affecting the collection of taxes in such Area. The percentage so determined shall be immediately communicated by the Intendenza to the appropriate Ufficio del Registro and to the tax-collectors of the Area.

### ARTICLE IV

#### FILLING OF COLLECTORS' DECLARATION

For the purposes of deposit of the Imposta dell' Entrata in favour of the Uffici del Registro, tax-collectors shall file with the said offices, not later than 30 June 1946, a declaration in duplicate of the total amount of the rolls received by them for collection subject to Imposta Entrata.

The Uffici del Registro, on receipt of such declaration, shall certify on both copies of the declaration that the registration of the said declarations has been completed. One copy of such declaration shall be retained by the Ufficio del Registro and the other shall be returned to the tax-collector in lieu of receipt.

Deposit of the Imposta Entrata in favour of the Uffici del Registro shall be effected by means of the service of postal current accounts only, the amounts so due being paid directly into the postal current account of the appropriate Ufficio del Registro in three instalments due at two monthly intervals namely, the first instalment on 31 August 1946, and the other two instalments on the last days of October and December 1946 respectively and in no event later than the fifth business day after the above dates.

### ARTICLE V

#### PAYMENT OF COLLECTORS' TAX

In respect of tax rolls for 1946, forwarded to the tax-collector after filing by him of the said declaration, the Imposta Entrata shall be registered by the Ufficio del Registro upon a subsequent declaration by the tax-collector to be filed during the month in which the first instalment of the rolls falls due.

Imposta Entrata due in accordance with this Article shall be paid in bi-monthly instalments as the rolls on which it is levied.

### ARTICLE VI

#### REGISTER SHOWING COLLECTORS LIABILITIES

The Uffici del Registro shall enter chronologically in respect of each district tax-collector in the register of debtors „Imposta Entrata“, under an appropriate heading, the declarations as they are received during the year, showing the amount of Imposta Entrata due, and details of payments effected by deposit.

### ARTICLE VII

#### ALTERATION OF IMPOSTA ENTRATA

Should the rates of Imposta Entrata be altered during the year 1946, any difference shall be refunded or collected through the principal or supplementary 1946 tax rolls.

ARTICLE VIII

**EFFECTIVE DATE OR ORDER**

Except as hereinbefore specifically provided, this Order shall come into force on the date that it is signed by me.

Dated at Trieste 10th May 1946

**ALFRED C. BOWMAN**

Colonel J.A.G.D.,

Senior Civil Affairs Officer

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**Order No. 130**

**CONTRIBUTIONS FOR SPECIAL INDEMNITIES TO WORKERS AND EMPLOYEES CALLED INTO THE ARMED FORCES**

*WHEREAS, it is deemed necessary to make provision for contributions for certain indemnities to workers and employees (operai ed impiegati) called into the Armed Forces, for that part of Venezia-Giulia administered by the Allied Forces,*

*NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer*

**ORDER:**

**ARTICLE I**

**CONTRIBUTIONS GOVERNED BY GENERAL ORDER No. 47**

The elements, conditions and maximum limitations of employees' earnings for contributions payable to the Fund for the treatment of private employees called into the Armed Forces (Cassa per il trattamento degli impiegati privati richiamati alle armi), and the Fund for the treatment of workers in industry called into the Armed Forces (Cassa per il trattamento degli operai dell'industria richiamati alle armi), shall be subject to the provisions contained in General Order No. 47, Dated 20 March, 1946, entitled, „Contributions for Family Allowances“, with the same force and effect as if such provisions were herein set forth in full.

**ARTICLE II**

**EFFECTIVE DATE OF ORDER**

This Order shall be effective as and from the first pay period after 16 February 1946.

Dated, Trieste, 15th May, 1946.

**ALFRED C. BOWMAN**

Colonel, J.A.G.D.

Senior Civil Affairs Officer

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## Order No. 131

### PERMISSION TO CHIESA S. NICOLO' DI ARIS IN MONFALCONE TO EXCHANGE PROPERTY WITH ANGELINA CONTE-COLAUTTI OF MONFALCONE

*WHEREAS, the S. Nicolo' di Aris Church in Monfalcone has presented a petition asking for authorization to exchange certain property owned by it for property owned by Signora Angelina Conte-Colautti of Monfalcone; and*

*WHEREAS, the said petition has been duly approved in writing by the Area President of the Area of Trieste; and*

*WHEREAS, there appears to be no objection to the granting of such petition;*

*NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer,*

### ORDER

1. — That CHIESA S. NICOLO' di Aris in Monfalcone be and it hereby is authorized to exchange property owned by it, namely as described in the Authorization of the Bishop of Gorizia as „la part. di fondo 56 arativo del III corpo tavolare della P. T. No. 3 di San Polo di Monfalcone, terreno di V Classe con una superficie di mq. 7717 iscritto a nome della Ven. Chiesa Rom. Catt. di S. Nicolò di Aris,“ for property owned by Signora Angelina Conte-Colautti, namely as described in the above Authorization, „terreno seminativo del foglio di possesso fondiario No. 17 pure di San Polo, distinto in mappa coi numeri 90 e 95,1 formante il VI corpo tav. della P. T. 91 iscritta a nome della Signora Angelina Conte nata Colautti, la prima di mq. 6155, la seconda di mq. 2792.“

2. — This Order shall take effect on the date that it is signed by me.

Dated, Trieste 15th May 1946

**ALFRED C. BOWMAN**

Colonel, J.A.G.D.

Senior Civil Affairs Officer



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## Order No. 132

### ADMINISTRATION OF ENTI COMUNALI DI ASSISTENZA

WHEREAS, it is deemed desirable and necessary to make provision for the administration of *Enti Comunali di Assistenza* (hereinafter referred to as E.C.A.), for that part of Venezia Giulia administered by the Allied Forces (hereinafter referred to as the "Territory") ;

NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer

### ORDER

#### ARTICLE I

#### ESTABLISHMENT AND APPOINTMENT OF COMMITTEES TO ADMINISTER E.C.A.

##### Section 1.

a) The administration of E.C.A. shall be by Committees in each Commune to consist of the following number :

- 5 members in Communes with a population of 5000 or less ;
- 9 members in Communes with a population of 50,000 or less ;
- 13 members in all other Communes.

b) The Committees shall be appointed by the Communal Councils and approved by the Area Presidents, and shall serve for an indefinite term subject to the further Order of the Allied Military Government. All Committees shall be constituted and appointed within two months from the effective date of this Order.

c) The Committees shall elect a President from their number at the first meeting.

d) Article 2 of the Law of 3 June 1937, n. 847, is hereby modified accordingly.

##### Section 2.

a) Those who are disqualified from serving as Communal Assessor in accordance with the Consolidated Text of 4 February 1915, n. 148, except clergymen and ministers of religious cults, shall also be disqualified from serving on the above Committees.

b) The following shall also be disqualified by reason of their connection with the Fascist party and fascist regime : squadrista, marcia su Roma, sciapa littorio, secretary or vice secretary of the Fascist party ; member of the national directory ; vice-federal secretary ; vice-administrative secretary ; federal inspector ; preside of a province ; political secretaries of localities having over 50,000 inhabitants ; podestà of communes having over 50,000 inhabitants.

#### ARTICLE II

#### EFFECTIVE DATE OF ORDER

This Order shall take effect on the date that it is signed by me.

Dated, Trieste, 16th May 1946

ALFRED C. BOWMAN  
Colonel, J.A.G.D.  
Senior Civil Affairs Officer



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## Order No. 133

### MODIFICATIONS IN THE LAWS RELATING TO DEPOSIT OF PRINTED MATTER WITH THE ADMINISTRATION

*WHEREAS it is considered advisable and necessary to amend Law 2 February 1939 No. 374 governing the compulsory delivery of copies of printed editions and publications in those parts of Venezia Giulia administered by the Allied Military Government (hereinafter referred to as the „Territory“)*

*NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer*

#### ORDER

#### ARTICLE I

##### Section 1.

The first and second para of Article 1 of Law 2 February 1939 No. 374 are hereby substituted by the following :

- a) „All printers shall be obliged to deliver four copies of each of their printed editions or publications to the Office of the Area President of the Area where the printing plant is situated, and one copy to the Procuratore di Stato.
- b) Each subsequent edition or printed issue with any modification as to contents or form shall be delivered to the Area President and Procuratore di Stato.
- c) For each reprinting similar to the preceding publication the delivery of one copy to the Office of the Area President shall be sufficient.“

##### Section 2.

The first para of Article II of the said law is hereby amended as follows :

„As to picture post-cards, religious picture and photographs, four copies shall be delivered to the Office of the Area President and one to the Procuratore di Stato“.

#### ARTICLE II

##### Section 1.

- a) Article III of the said law is hereby substituted by the following :

„In case of printed editions and publications made on behalf of Government Administrations, the printer shall deliver five more copies, (subject to the provision of the last para of the foregoing Article), including also all reproductions with whatsoever modification“.

- b) The delivery of one copy to the Office of the Area President shall be sufficient for each reproduction facsimile of preceding publication“.

#### ARTICLE III

Article IV of the said law is hereby substituted by the following :

„In case more editions of the same publication are made at the same time different as to the type of paper, size, binding or other qualities, the copies to be delivered shall correspond to the edition of greater value except those special „editions de luxe“ exceptionally made in a very small number and not destined for trade.

„In case copies which are not perfect are delivered the duty of delivering the copies shall be considered as not carried out“.

## ARTICLE IV

The first para of Article VIII of the said law is hereby amended as follows :

The printer or the editor shall be punished by a fine („ammenda“) from 200 up to 2000 Lire for each violation of the provisions of the said law and of the regulation considered by Article 14 of the said law in case the fact does not constitute a greater offence. In addition to the fine there may be added the suspension from the exercise of the profession or art for a period not exceeding three months, and, in case of particularly grave circumstances, also the publication of the sentence of conviction“.

## ARTICLE V

### *Section 1.*

One of the four copies received shall be held by the Area President for the performing of the functions within his competence.

The Area President after having performed the duties within his competence, shall forward one of the copies received to the public Library of the chief locality of the area or of some other city of the territory designated by the Chief Education Officer of the Allied Military Government.

### *Section 2.*

The Area President shall forward one of the copies received, after having taken notice thereof for the purpose of the bibliographic information service to the Senior Civil Affairs Officer of the Venezia Giulia Police Force for the purposes pertaining to such Office.

### *Section 3.*

The Area President shall forward one of the copies received to the Area Office of Allied Information Services.

### *Section 4.*

The Area President shall retain the other copy at the disposal of the Senior Civil Affairs Officer.

### *Section 5.*

The Procuratore di Stato, after having performed the functions within its competence shall forward the prescribed copy to the President of the Court of Appeal, who shall hold the printed editions and publications which, according to his exclusive opinion, may be needed for his library, and shall forward the remaining to the other Institutions chosen upon agreement with the Chief Education Officer of the Allied Military Government.

### *Section 6.*

The copy of each re-printing the same as the preceding publication, required by the second para of the said Law as amended by Article 1, shall be destined for the Area President who, after having used it for the purposes of his office, shall forward it to the Public Library of the chief locality of the Area, or of another city within the Territory designated by the Chief Education Officer of the Allied Military Government.

## ARTICLE VI

It shall be the duty of the Area President to control the strict observance of the provisions relating to the compulsory delivery of the printed editions and publications. He shall be assisted in the performance of this function by the Chief of the Public Library of the chief locality of the Territory or by a suitable person designated by the Chief Education Officer.

## ARTICLE VII

All the other provisions of the Law 2 February 1939 No. 374, shall remain in force in so far as they are not inconsistent with the provisions of this Order.

## ARTICLE VIII

This Order shall take effect on the day it is signed by me.

Trieste, 16th May 1946

**ALFRED C. BOWMAN**  
Colonel, J.A.G.D.  
Senior Civil Affairs Officer

# ALLIED MILITARY GOVERNMENT

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## Order No. 134

### SHORTENING OF THE NORMAL PERIOD OF STUDY IN PUBLIC SCHOOLS

WHEREAS it is considered necessary to fix and determine the conditions by which candidates for the „Maturità“ and „Abilitazione“ examinations may be allowed to shorten the normal period of study in the schools of that part of Venezia Giulia administered by the Allied Forces (hereinafter referred to as the „Territory“);

NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer,

#### ORDER:

#### ARTICLE I

#### MATURITA' AND ABILITAZIONE EXAMINATIONS

Students of the „Licei Classici“, „Licei Scientifici“, „Istituti Commerciali, per geometri, nautici“, and the „Istituti Magistrali“, within the Territory who, at the time of their promotion to the last class, have a grade of not less than 8 points in each subject, may at that time take the final corresponding „maturità“ or „abilitazione“ examination. Students, who in the first term of the examinations, those given in order to obtain admittance to the last class, have been qualified with not less than 8 points in each subject, may take the final „maturità“ or „abilitazione“ examination in the second term of the examinations.

No other shortening of the normal school intervals will be allowed in the secondary schools except as stated above.

Students who have once failed the „maturità“ or „abilitazione“ examination shall not be permitted to take another examination of the same grade during the same year.

#### ARTICLE II

#### DETERMINATION OF EXAMINING COMMITTEE

The examining Committee will determine, according to the results of their examination for „maturità“ or „abilitazione“, whether candidates from private or paternal schools who have failed the examination are capable of attending the final class in a government school. The examining Committee shall not make such a determination in regard to students who have failed in the first term of the examinations.

This determination shall not be considered as a school certificate, nor shall it contain any specification of grades in any single subject. It shall have no other legal effect than to permit attendance in the final class in the following year as above provided.

The last paragraph of Article 8 R. D. 4 May 1925, No. 653, referring to the enrolment of a student in a class lower than that for which he has taken an examination, when he has failed this examination, shall not be applicable in those cases where the examining Committee has made the above determination.

#### ARTICLE III

#### ARTICLES 42 AND 43 OF REGOLAMENTO REPEALED

Article 42 of the „Regolamento“, approved by R. D., 4 May 1925 No. 653, which refers to a shortening of the normal period of studies in the lower school years, and Article 43 of the „Regolamento“, which refers to the shortening of the normal period of studies for students who are candidates for the „maturità“ and „abilitazione“ examinations, are hereby repealed.



## ARTICLE IV

### EFFECTIVE DATE OF ORDER

This Order shall take effect on the date that it is signed by me.

Dated at Trieste, this 17th day of May, 1946.

**ALFRED C. BOWMAN**  
Colonel, J.A.G.D.  
Senior Civil Affairs Officer

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## ALLIED MILITARY GOVERNMENT

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## Order No. 135

### INCREASES IN FEES OF LAWYERS AND ATTORNEYS

*WHEREAS, it is considered advisable and necessary under present conditions to authorize a further increase in the fees of Lawyers (Avvocati) and Attorneys (Procuratori Legali) in addition to the increase authorized by Order No. 17, dated 12 September 1945, for that part of Venezia Giulia administered by the Allied Forces (hereinafter referred to as the "Territory");*

*NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer,*

#### ORDER:

#### ARTICLE I

#### INCREASE OF FEES

*Section 1. — With effect from 1 May 1946, the fees (i diritti e gli onorari) of Lawyers and Attorneys within the Territory, as established by the Law of 13 June, 1942, No. 794 and by Tables „A“ and „B“ attached thereto, are hereby increased by two hundred percent. Such increase shall include the increase provided for by Order No. 17, dated 12 September 1945, the intent being that the total increase in such fees shall not exceed 200 percent of the fees established by the above Law above referred to and the Tables attached thereto.*

*Section 2. — The above increase shall not be applicable to services performed prior to 1 May 1946.*

#### ARTICLE II

#### EXPENSE OF PREPARATION OF LEGAL DOCUMENTS

Upon the recommendation of the Council of the Order of Lawyers and Attorneys, the First President of the Court of Appeal of Trieste is hereby authorized to fix and from time to time to modify the amount of reimbursement to be made for the actual expense of preparing legal documents (spese di scritturazione), as set forth in subdivision 60 of the second paragraph of Table „B“ attached to the Law of 13 June 1942, No. 794, taking into account the prices then prevailing.

#### ARTICLE III

#### RULES AND REGULATIONS

a) The Councils of the Orders of Lawyers and Attorneys are hereby authorized to establish temporary rules and regulations for their respective districts regarding the determination of fees and allowances payable to lawyers and attorneys in penal and extra-judicial (stragiudiziale) matters.



b) Such rules and regulations shall come into effect upon approval by the Allied Military Government and shall be operative until further Order of the Allied Military Government.

c) Article 57 of R. D. L., 27 November 1933, No. 1578, converted with changes into the Law of 22 January 1934, No. 36, is hereby modified accordingly.

#### ARTICLE IV

#### EFFECTIVE DATE OF ORDER

Except as hereinbefore specifically stated, this Order shall come into force on the date that it is signed by me.

Dated at Trieste, this 17th day of May, 1946.

**ALFRED C. BOWMAN**  
Colonel J.A.G.D.  
Senior Civil Affairs Officer

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## Order No. 136

#### DISPOSITIONS REGARDING USHERS ATTACHED TO CONCILIATION OFFICES

*WHEREAS, it is considered advisable and necessary to make certain dispositions regarding Ushers attached to the Conciliation Offices (Uffici di Conciliazione), within that part of Venezia Giulia administered by the Allied Forces (hereinafter referred to as the Territory);*

*NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer,*

#### ORDER:

#### ARTICLE I

a) The ushers attached to the Conciliation Offices (Uffici di Conciliazione) within the Territory shall be competent to serve notifications in executive form (forma esecutiva), of sentences issued by the Conciliators (Conciliatori) and of all other disposition of such Conciliators which are declared by law to be executive including precepts (precetto).

b) Only the Bailiffs (Ufficiali Giudiziari), however, shall continue to be competent to serve notices of the above sentences and dispositions by mail.

#### ARTICLE II

#### FEES FOR NOTIFICATION AND TRAVELLING INDEMNITY

The provisions of Article 254 of R. D., 28 December 1924, No. 2271 shall remain in force and ushers attached to the Conciliation Offices shall be entitled to receive fees for notification and registration (repertorio) and the travelling indemnity for distances in excess of two and a half kilometres from the set of such Offices, equal to one half of such fees and indemnity payable to Bailiffs for the same services.

#### ARTICLE III

#### RECOVERY OF DEBTS FOR PUBLIC TREASURY

Ushers of the Conciliation Offices called upon to perform the functions of Bailiffs in accordance with Article 91 of R. D., 28 December, 1924, No. 2271, shall be entitled to the

same percentages of debts registered in the registers of civil, penal and administrative expenses (campioni civili, penali e amministrativi) and recovered by them for the Public Treasury, as are payable to Bailiffs for the same services.

#### ARTICLE IV

#### EFFECTIVE DATE OF ORDER

This Order shall become effective on the date that it is signed by me.

Dated at Trieste, this 22nd day of May, 1946.

**ALFRED C. BOWMAN**

Colonel J.A.G.D.

Senior Civil Affairs Officer

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## Order No. 137

### ESTABLISHMENT OF TEMPORARY COUNCILS OF DISCIPLINE FOR TEACHERS OF ELEMENTARY SCHOOLS

*WHEREAS, it is considered necessary to establish Councils of Discipline for teachers of the elementary schools of that part of Venezia Giulia administered by the Allied Forces (hereinafter referred to as the "Territory"):*

*NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer,*

#### ORDER:

#### ARTICLE I

#### ESTABLISHMENT AND FUNCTIONING OF COUNCILS OF DISCIPLINE

*Section 1. —* Temporary Area Councils of Discipline are hereby established for each of the Areas of the Territory to deal with and decide disciplinary matters affecting teachers in the elementary schools of the Territory.

*Section 2. —* Each Area Council shall consist of a President and 7 other members to be appointed by the Allied Military Government as follows:

- a)* The President shall be the Superintendent of Schools of the Area or his Deputy
- b)* The Vice-President who shall be a judicial magistrate (magistrato dell' Ordine giudiziario) of not less than Grade VII, to be proposed in writing to the Allied Military Government by the President of the appropriate Tribunale Court.
- c)* Two elementary school teachers to be proposed in writing to the Allied Military Government by the Superintendent of Schools of the Area-Members.
- d)* Two school directors - Members.
- e)* Two school-inspectors - Members.

*Section 3. —* The Disciplinary Council for each case shall consist of the President and Vice President and three other members, namely, one of the elementary school teacher members, one of the school director members, and one of the school inspector members, such members to be designated by the President.

*Section 4. — The Council shall be temporary bodies and the officers and members thereof shall be temporarily appointed.*

*Section 5. — The Councils shall function in conformity with all existing laws and regulations relating thereto in effect on 8 September, 1943.*

## ARTICLE II

### EFFECTIVE DATE OF ORDER

This Order shall take effect on the date that it is signed by me.

Dated at Trieste, this 22nd day of May, 1946.

**ALFRED C. BOWMAN**

Colonel J.A.G.D.

Senior Civil Affairs Officer

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## ALLIED MILITARY GOVERNMENT

### 13 CORPS

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## Order No. 138

### EXTENSION OF THE 1945 - 1946 SCHOOL YEAR IN SLOVENE AND CROAT SCHOOLS

*WHEREAS there has been a delay in the opening of the elementary and secondary schools in the Slovene and Croat languages, due to the lack of school buildings, teaching personnel and school equipment, and to abnormal post war conditions ; and*

*WHEREAS it is deemed necessary to extend the school period for the year 1945-1946, in the Slovene and Croat language schools in that part of Venezia Giulia administered by the Allied Forces (hereinafter referred to as the „Territory“) in order to give the students of these schools the benefit of a full year of schooling ;*

*NOW THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer,*

### ORDER:

#### ARTICLE I

#### EXTENSION OF THE SCHOOL PERIOD FOR 1945-1946

In all elementary schools in the Slovene and Croat languages, the school year 1945-46 will end on 15 July 1946.

In all secondary schools in Slovene language, the school year will end on 1 July 1946

#### ARTICLE II

#### EFFECTIVE DATE

This Order shall become effective on the date that it is signed by me.

Dated at Trieste 22nd May 1946

**ALFRED C. BOWMAN**

Colonel, J.A.G.D.

Senior Civil Affairs Officer



# ALLIED MILITARY GOVERNMENT

13 CORPS

## Order No. 141

### DEFERMENT OF AGRICULTURAL CONTRACTS AND OTHER PROVISIONS IN REFERENCE THERETO

*WHEREAS it is considered desirable and necessary to defer the termination of agricultural contracts within that part of Venezia Giulia administered by the Allied Forces (hereinafter referred to as the „Territory“);*

*NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer*

#### ORDER:

#### ARTICLE I

#### DEFERMENT OF AGRICULTURAL CONTRACTS

##### Section 1.

The termination of agricultural contracts which expire during the agricultural year 1945-1946, or thereafter, of metayage (mezzadria), farm leasing on shares (colonia parziaria), crop sharing (compartecipazione), and leases from direct tenant farmers (agricoltori coltivatori diretti), even when combined into associations, is hereby extended until the end of the agricultural year following the year after the formal declaration of the end of the war.

##### Section 2.

Whether a person falls within the category of direct tenant farmer, referred to in the preceding Section, shall be determined by taking into consideration on both the land covered by the lease in question as well as other land owned or leased by him which may not absorb more than two thirds of the working capacity of his family.

##### Section 3.

a) During the period of deferment as above provided, the contract shall be performed in accordance with its terms and the laws applicable thereto.

b) The rent in money, however, shall be equalized to that in kind, so that, having determined the quantity of wheat corresponding to the amount of the rent based upon the fixed price of such product in the year and at the place where the contract was made, the amount of the rent for each year of deferment shall be determined by multiplying the quantity of wheat as so calculated, by the respective fixed price for each year at the place where the contract was made.

c) In the event that the land is employed permanently for pasture, or for the cultivation of one product solely, or has undergone damage by war action, a tenant farmer who is of the opinion that the determination of the rent in accordance with the provisions of subdivision b of this Section will thereby be burden some upon him, is hereby authorized to ask that the rent be fixed by arbitration by the special commissions of the first and second instances constituted by Article IV of this Order.

In such event, the rent shall be fixed upon the written petition of the interested party after hearing the other party and shall be based upon the proof submitted by the parties and all the other information in the particular case. The Commissions shall not be required to apply or follow the rules of civil procedure. The rent shall be fixed by order from which an appeal may be taken within 15 days after the receipt thereof by the parties, as provided by Section 3 of Article IV of this Order.

##### Section 4.

a) The deferment provided by this Article shall also be applicable to agricultural contracts which have expired upon the effective date of this Order or which have been the subject of judicial proceedings including those which have been terminated by a final judgment but



not yet executed providing for removal from the land or distraint by reason of termination of the period of contract or termination for non-performance provided, however, that the contract is still being carried out and further that termination of the contract has not occurred with the mutual consent of the parties or that the contract has not been terminated because of a serious breach thereof as provided by Article III — a of this Order.

b) If the contract has been declared terminated by reason of non-payment of the rent the tenant, in order to obtain the benefit of the deferment, must pay the rent due within 60 days from the effective date of this Order.

#### *Section 5.*

The deferment above provided may be waived but only by written instrument. Unless done by written instrument, such waiver shall be void.

### ARTICLE II

#### SUB - LEASES

a) Sub-lessee direct tenant farmers shall be entitled to deferment of their sub-lease as provided for by Article I of this Order, and shall take the place of the lessees in respect to all the contractual obligations of the lessees to the owners of the property or to others having the same rights.

b) If the sub-lessee tenant farmer rents only a part of the land, the rent shall be fixed in proportion to such part.

### ARTICLE III

#### LIMITATIONS UPON DEFERMENT

The deferment of agricultural contracts and leases as provided by this Order shall not be applicable in the following cases :

a) If the cultivator has been guilty of a serious breach of the contract particularly in respect to his obligations for payment of the rent, for the normal and reasonable cultivation of the land, or for fidelity in the performance of the contract.

b) If the contract resulted from the obligations of the owner or other person having the same right for military service and such owner or other person expresses a desire to cultivate the land directly the area to be so cultivated being proportionate to the working capacity of his family.

c) If the cultivator has been convicted of violation of the provisions of law relating to the compulsory delivery of the products of the land.

### ARTICLE IV

#### CONSTITUTION OF DISTRICT AND AREA AGRICULTURAL COMMISSIONS AND THEIR POWERS AND FUNCTIONS

##### *Section 1.*

a) District (Mandamento, and Area Commissions are hereby constituted to decide all disputes, without regard to the sum or value involved, relating to agricultural contracts and leases, to metayage, to crop sharing, to leasing on shares, and to all other disputes arising out of the provisions and application of this Order.

b) Article 429 et seq. and Article 657 et seq. of the Civil Code of Procedure shall not be applicable to the above described disputes.

##### *Section 2.*

a) District Agricultural Commissions, which shall be the Commissions of the first instance, shall be constituted for each Mandamento of the Territory with jurisdiction limited to such Mandamento.

b) Each District Commission shall consist of the Pretore of the Mandamento as President and 4 other members as follows :

one representative of the Associazione Agricoltori Giuliani ; one representative of the Associazione Coltivatori Diretti ; and 2 representatives of Labor.

The representatives of the above agencies respectively shall be nominated by them in writing upon the written request of the Pretore.

The head of the Inspectorate of Agriculture of the Area or one of his deputies shall also be a member of the Commission with an advisory vote.

#### *Section 3.*

a) The Area Agricultural Commissions, which shall be the Commissions of the second instance, shall be constituted for each Area of the Territory with jurisdiction in such Area.

b) Each Area Agriculture Commission shall consist of the President of the Tribunale in the Area or of a judge of such Tribunale to be by him designated, who shall be President of the Commission, and 4 other members as follows:

one representative of the Associazione agricoltori Giuliani; one representative of the Associazione Coltivatori Diretti; and 2 representatives of Labor.

The representatives of the above agencies respectively shall be nominated by them in writing upon the written request of the President of the Tribunale.

The head of the Inspectorate of Agriculture of the Area or one of his deputies shall also be a member of the Commission with an advisory vote.

c) The function of the Area Agricultural Commissions shall be to hear and decide appeals from the decisions of the District Agricultural Commissions of the Areas. Such appeals must be taken in writing within 15 days after receipt of the decisions of such District Agricultural Commissions.

d) The decisions of the Area Agricultural Commissions shall be final.

#### *Section 4.*

In the event that the above named agencies or any of them fail to nominate their representatives on the District and Area Agricultural Commissions, as provided for by Sections 2 and 3 of this Article, within ten days after receipt or the written request for such nominations, the said representatives or any of them shall be nominated by the Chief Labor Officer of the Allied Military Government.

#### *Section 5.*

The District and Area Agricultural Commissions shall have the following powers:

a) To employ such personnel as shall be necessary to perform their duties.

b) To establish rules of procedure which shall become effective upon approval by all the Presidents of the Area Agricultural Commissions and the Allied Military Government.

c) To summon and administer oaths to witnesses; to order the production and inspection of contracts and other material documents; and to cause such surveys to be made as shall be deemed necessary.

### ARTICLE V

#### REPEAL OF LAWS

All laws and regulations and parts thereof which are inconsistent with or contrary to this Order, are hereby repealed.

### ARTICLE VI

#### EFFECTIVE DATE

This Order shall become effective on the date that it is signed by me.

Dated, Trieste 3rd June 1946

**ALFRED C. BOWMAN**

Colonel J A G.D.

Senior Civil Affairs Officer

# ALLIED MILITARY GOVERNMENT

13 CORPS

## Administrative Order No. 37

### APPOINTMENT OF TEMPORARY ADMINISTRATIVE COUNCIL FOR ISTITUTO TECNICO COMMERCIALE E PER GEOMETRI CON ANNESSA SCUOLA TECNICA COMMERCIALE OF GORIZIA

*WHEREAS, it is considered necessary to appoint a temporary Administrative Council of the Istituto Tecnico Commerciale e per geometri con annessa Scuola Tecnica Commerciale of Gorizia, in accordance with the Constitution (Statuto) of said Institute approved by R. D., 31 August 1933, No. 2288;*

*NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer*

#### ORDER:

1. — The following are hereby temporarily appointed members of the Administrative Council of the above described Istituto:

- a) ORZAN ANTONIO, representing the President of the Area of Gorizia, who shall act as President of the Council.
- b) The Principal of said Institute.
- c) FOGAR MARIO and FEGITZ LAMBERTI MARIO, representing the Allied Military Government, 13 Corps, Education Division.
- d) BRESSAN Geom. MARIO, representing the President of the Commune of Gorizia.
- e) VIERTHALER Prof. AUGUSTO, representing the Camera di Commercio, Industria e Agricoltura of Gorizia.

2. — The functions and duties of the Administrative Council shall be those set forth in the Constitution of the Institute.

3. — This Order shall take effect on the date that it is signed by me.

Dated, Trieste, 20th May, 1946.

**ALFRED C. BOWMAN**

Colonel J.A.G.D.

Senior Civil Affairs Officer



# ALLIED MILITARY GOVERNMENT

13 CORPS

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## Administrative Order No. 38

### APPOINTMENT OF CEBULEC GIUSEPPE AND MUTO GIUSEPPE AS ASSISTANT CHANCELLORS OF THE PRETURA OF GORIZIA

*WHEREAS, it is considered advisable and necessary to appoint two Assistant Chancellors (aiutanti di cancelleria), of the Pretura of Gorizia;*

*NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer,*

#### ORDER:

1. — CEBULEC GIUSEPPE and MUTO GIUSEPPE are hereby temporarily appointed as Assistant Chancellors of the Pretura of Gorizia with the salary and allowances of an Assistant Chancellors, Grade 10.

2. — They shall serve until the further Order of the Allied Military Government. This Order shall be effective as and from 1 May 1946.

Dated, Trieste 15th May 1946.

**ALFRED C. BOWMAN**  
Colonel, J.A.G.D.  
Senior Civil Affairs Officer

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# ALLIED MILITARY GOVERNMENT

13 CORPS

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## Administrative Order No. 39

### APPOINTMENT OF DOTT. BRADAMANTE CARLO AS TECHNICAL EXPERT OF AGRICULTURE

*WHEREAS, it is deemed necessary to appoint a Technical Expert of Agriculture for that part of Venezia Giulia administered by the Allied Forces (hereinafter referred to as the „Territory“);*

*NOW, THEREFORE, I, ALFRED C. BOWMAN, Colonel, J.A.G.D., Senior Civil Affairs Officer*

#### ORDER:

1. — Dott. BRADAMANTE CARLO is hereby temporarily appointed a Technical Expert of Agriculture of the Territory, as a State official of Group A, Grade IX, with effect from 15 April, 1946.

2. — The above appointee shall perform the duties assigned to him by the Territorial Inspector of Agriculture appointed under Order 38, dated 12 November 1945, under the control and supervision of the Allied Military Government.

This Order shall come into force on the date that it is signed by me.

Dated, Trieste 15th May, 1946

**ALFRED C. BOWMAN**  
Colonel, J.A.G.D.  
Senior Civil Affairs Officer

# ALLIED MILITARY GOVERNMENT

## 13 CORPS

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### Administrative Instruction No. 1 on epuration

#### INSTRUCTIONS PURSUANT TO GENERAL ORDER No. 7

In these Instructions (unless the content otherwise requires) reference to a commission includes any section thereof.

1. — While many fascists who occupied prominent positions during the fascist regime have been removed, many others may be still remaining in positions described in General Order No. 7. That Order sets out the plan for dismissing or suspending the remaining persons of this General category. However, that Order in no way prevents the suspension or dismissal of any person by a member of the Allied Military Government as heretofore.

2. — The General Order is to be administered by a separate commission for each Area composed of citizens of the Occupied Territory (Venezia Giulia), who will be appointed by Area Commissioners. They will be chosen primarily on the ground that they are clear of all fascist taint and they will also be men of good character, standing and ability.

3. — Each Commission will require an adequate staff and the Area Commissioner must see that an adequate but not excessive staff is secured. The members of the staff must be free of fascist taint.

4. — The president of each Commission shall be paid the salary with allowances of a Civil Judicial Official of the 5th grade of the Occupied Territory.

Other members of each Commission shall be paid the salary with allowances of a civil judicial official of 6th grade of the Occupied Territory.

The President of the Territorial Commission of Appeal shall be paid the salary with allowances of a civil judicial official of the Occupied Territory of the 4th grade, and other members thereof shall be paid the salary and allowances of a civil judicial official of the Occupied Territory of the 5th grade.

Members of the Staff shall be paid a salary with allowances not exceeding that of an employee of the civil government of the Occupied Territory performing comparable work.

The Intendente di Finanza of Trieste, will be instructed by Area Finance Officer, Trieste, to submit a budget for the Territorial Commission of Appeal.

Intendenti di Finanza will also be instructed by Area Finance Officers to submit budgets for each of the Area Epuration Commissions.

The emoluments will be as quoted and proper provision will be made for normal administrative expenses.

Funds will then be provided by Area Finance Officers on the basis of approved budgets through the usual channel, i. e. Provincial Sections of the Tesoreria of the Banca d'Italia.

5. — A Commission, if it thinks fit, may sit in separate sections and each of such sections will have powers of the Commission itself.

The President of a Commission will, if so ordered by the Senior Civil Affairs Officer, allot one or more of such sections to the investigation of officials or employees employed by any particular Ministry or administration or undertaking and especially officials or employees of the Ministry of Education. The President of each Commission will appoint one member of the Commission to be Deputy President and one or more members as Vice-President. A Vice-President shall preside over a separate section. The appointments of Deputy President and Vice-Presidents shall be subject to the approval of the Area Commissioner. Any vacancy occurring will be filled, if necessary, in the same manner as the original appointments.

6. — Normally the Commission or a Section thereof may sit as a body of not more than 5 nor fewer than 3.

7. — The absence of a member of the Commission or any Section thereof from any sitting shall not invalidate the proceedings of the Commission or Section provided that the number sitting is not reduced below 3.

8. — Procedure under Article VI of the General Order shall be in private. The Commission will base its decision in each case on a fair review of the facts appearing from the Scheda Personale and from other evidence in the possession of the Commission.

9. — In every case in which the Commission decides that a Notice of proposed dismissal or suspension shall be served, the Commission shall decide and shall state in the notice the grounds of such proposed dismissal or suspension.

These grounds shall be stated in sufficient detail to enable the person effected to prepare his objection thereto.

10. — Unless otherwise directed by the Area Commissioner or some other officer delegated by him, every hearing of an objection by a Commission shall be open to the public.

11. — On the hearing of an objection both oral and documentary evidence shall be admitted save that the Commission shall never at any time or at any stage of any proceedings under the General Order receive in evidence or take cognizance of anonymous communications.

Where the person objecting wishes to give evidence in person he shall be permitted to do so, and he and the Commission may call such other relevant evidence as they think fit.

All questions to the person lodging the objection and to other witnesses giving evidence before the Commission will be put only through the President of the Commission or Section.

12. — The Commission will NOT appoint any person to carry out functions analogous to a „Publico Ministero“.

13. — Any person may denounce another to whom the General Order applies. The denunciation must be in writing and sworn to before it can be received by the Commission. Hearing on a denunciation shall be had as in any other case.

14. — If a person has previously been dismissed or suspended from employment in an administration or undertaking by the Allied Military Government on the sole ground that he had fascist connections, such person may lodge at the office of the Commission appointed for the Area a Scheda Personale duly completed and signed by him. With the approval of the Area Commissioner, the Commission may proceed with the case by hearing on the papers filed by such person as on an objection. In the event of the Commission finding that he is in fact not objectionable as a fascist and would not have been dismissed or suspended on such grounds alone if he had still been employed at the time of the commencement of the General Order, the Commission may, with the consent of the Area Commissioner, order that he be restored to the position originally held by him or to such other position for which he may have applied or may later apply, and with the consent of the Area Commissioner may order that he be paid the whole or some part of such salary as he would have been entitled to receive had he remained in office.

15. — If a person lodging a Scheda Personale under the requirements of the General Order has been appointed to a position by Allied Military Government the particular Commission shall not proceed with the case or enter an order of dismissal or suspension of such person without the consent of either the appropriate Area Commissioner, or the SCAO.

16. — As to persons included in categories Immediate and Routine, the General Order applies without distinction of grade, rank or salary. Nevertheless Commissions will initially concentrate on officials and employees occupying the more important position in those categories.

In reviewing Schede Personali, serving notices of proposed dismissal or suspensions hearing objections thereto, and making orders thereon Commissions will, save in exceptional cases, complete all proceedings in respect of persons in category Immediate before commencing proceedings in respect of persons in category Routine.

17. — If a dismissal or suspension order is made against a person whom the SCAO considers to be engaged in essential work and to be irreplaceable, the SCAO may require the Commission to order the reinstatement of such employee until a suitable replacement is obtained.

18. — The Commission shall have power from time to time and at any time:

a) to make rules, subject to the approval of the Area Commissioner for the regulation of its proceedings provided they are not inconsistent with the General Order or these instructions.

b) to amend or revoke such rules, and to make rules in place thereof, and



c) to publish such rules as for the time being are in force, the contents of which shall be available for inspection by the public. All such rules or amendments shall be subject to the approval of the Area Commissioner.

19. — While certain specific times are prescribed in the General Order for things to be done, a Commission has the right reasonably to extend the time whenever in its judgment it is necessary to do so. However, such extensions of time should not be given as a regular course as it is highly important that this work should proceed as rapidly as possible.

20. — Each Commission must keep full and accurate records and shall keep all Schede Personali, objections, denunciations, notices, statements and documents lodged at its office and copies of all notices and orders served and made by it in such a manner as the Area Commissioner shall direct. All such records shall at all times be open for the inspection of the Area Commissioner.

21. — Copies of forms, together with translations thereof required for the full purposes of the General Order are attached and will be used by all Commissions without substantial change.

- a) SCHEDA PERSONALE
- b) NOTICE OF PROPOSED SUSPENSION OR DISMISSAL
- c) NOTICE OF HEARING
- d) SUSPENSION OR DISMISSAL ORDER
- e) ORDER SUSTAINING OBJECTION
- f) CERTIFICATE OF SERVICE

Likewise copies of these Instructions will be distributed by Area Commissioners to each member of an Epuration Commission.

*For the Supreme Allied Commander and Military Governor*

15 July 1945

**ALFRED C. BOWMAN**  
Colonel J.A.G.D.  
Senior Civil Affairs Officer

## ALLIED MILITARY GOVERNMENT

### 13 CORPS

## Administrative Instruction No. 2 on epuration

### INSTRUCTIONS TO 1st INSTANCE'S COMMISSIONS

#### 1. — Those heretofore illegally epurated — Applications for re-instatement

Reference is made to Section XI of General Order No. 8 which says in effect that any person who since liberation from the Germans has been **dismissed** from his employment.... and who claims to be entitled to re-instatement may apply to the Commission (for that particular firm) to be re-instated.

The word „dismissed“ as used in said Section XI of General Order No. 8 shall be construed to include also those heretofore suspended from employment. Section XI of General Order No. 8, and Section XIII of General Order No. 7 are intended to provide a method whereby any and all persons who have been deprived of their employment or of any rights pertaining thereto shall have a means to have their cases reviewed and formally passed upon by the Commissions set up under General Orders 7 and 8.

The Commissions under General Order No. 7 in passing upon all applications for reinstatement have a discretion as to the awarding of back salaries or a part thereof. See Rule 14 Administrative Instructions pursuant to General Order No. 7 dated 15 July 1945.

Under General Order No. 8, Section XI, the Commissions have no power or authority to order payment of salary or allowances for the period during which the person had been suspended or dismissed. (If an employer on his own accord wishes to pay back salary or any portion thereof to such worker in private industry, there is no law or regulation violated and he

may do so). Such persons shall be entitled as a matter of right however to receive the „indennità di licenziamento“ up to the amount of any contribution made by him.

### 2. — Pension Rights — Civil service grades

The Commissions have no authority to make orders affecting pension rights of any person.

The Commissions have no authority to make orders reducing or affecting the Civil Service grade or category of any person. Any such orders which been made since the liberation from the Germans on any of the grounds mentioned in General Orders 7 and 8 are hereby declared to be void and of no effect.

### 3. — Petition of appeal

The lodging of a Petition of Appeal does not suspend the execution of the order of the Commission of First Instance.

18th August 1945

**ALFRED C. BOWMAN**  
Colonel J.A.C.D.  
Senior Civil Affairs Officer

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## ALLIED MILITARY GOVERNMENT

13 CORPS

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# Administrative Instruction No. 3 on epuration (revised)

### BLOCKED ACCOUNTS OF ALLEGED FASCIST, ETC.

1. — The Epuration Commissions of the First Instance (appointed under the provisions of General Order No. 7) of the Areas of Gorizia and Pola are from henceforth charged with the additional duty in those respective Areas of advising the Chief Finance Officer or the Area Finance Officers of the Allied Military Government regarding applications for the unblocking of the following listed property of alleged fascist which may have been blocked or frozen by orders of A.M.G., to-wit:

- a) cash accounts,
  - b) securities and other contents of safe deposit boxes,
  - c) securities lodged with the Banks or other financial institutions as security for loans.
- All such matters arising within the Area of Trieste will be handled by the Territorial Epuration Commission of Appeal.

2. — For this purpose the Commission may appoint in writing a Committee of not less than three not more than five from its membership.

3. — The decision of the Commission or Committees shall be as to whether such applications for unblocking should be granted or whether they should be refused because the applicant may be charged with the Commission of a fascist crime or of unjust enrichment by having derived profit from participation in or adherence to the fascist regime. The Commission or Committees shall have the power to make such investigation as it deems proper to determine whether there is a prima facie case thereof against the applicant or whether it is probable that he will be later, subjected to such charges.

For the purposes of investigation of fascist crime or unjust enrichment, the Commission or Committee will refer to the President of the Tribunale, Trieste, or the Intendente di Finanza respectively.

To all applications the Commission or Committees will attach the following certificate to decide on unblocking or not:

„We have investigated this case and in our opinion.....  
(name of applicant) did (not) commit an act or acts as a fascist, that can be deemed criminal. He did (not) derive (any) illicit profit from his connection or association with the fascist movement. In our opinion the funds should (not) be released“.

4. — It is emphasized that the Commission or Committees herein provided for are required to make such full and complete investigations as would be necessary to determine that the person investigated is actually guilty of unjust enrichment or of the commission of a fascist crime. The Commission or Committees are however instructed that:

An increase of property obtained after the 28 October 1922, by persons holding public offices or in any way engaged in political activity as a fascist shall be presumed to constitute a profit derived from the regime unless the party concerned can reasonably be expected to successfully show that such increase was derived from a legitimate source and this is the case even if the property acquired has ceased to belong to the same person.

Such presumption shall likewise apply to increases in property of the ascendants, descendants and spouse of any person, who even if not a member of the fascist party maintained relations as associate or client with the persons indicated above.

Dated at TRIESTE, this 17th day of May, 1946.

**ALFRED C. BOWMAN**

Colonel J.A.G.D.

Senior Civil Affairs Officer

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## ALLIED MILITARY GOVERNMENT

### 13 CORPS

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## Administrative Instruction No. 4 on epuration

### INSTRUCTIONS TO EPURATION COMMISSIONS FOR THE PROFESSIONS AND ARTS

1. — Each of the Profession Epuration Commissions are to be governed by the „Administrative Instructions No. 1. pursuant to General Order n. 7“ issued by this Headquarters dated 15 July 1945 insofar as those instructions do not conflict with the terms of General Order n. 13 and with the provisions of this Administrative Instruction. Within the meaning of those instructions each of the Profession Epuration Commission is a Commission of First Instance.

2. — The President of each of the Profession Epuration Commissions shall be paid the salary with allowances of a Civil Judicial Official of the 5th. Grade and the members shall be paid the salary with allowances of a Civil Judicial Official of the 6th. Grade. The Custodian of the Rolls shall be paid a salary to be fixed and approved by the Profession Epuration Commission, subject to the approval of the Area Commissioner, and the Commissions are authorized to include this item as administrative expenses in their budgets.

3. — As stated in General Order n. 13 the Profession Epuration Commission may suspend a member of a Profession or Art for a specified period, for example : six months, or three years, etc., or more.

4. — Copies of all Orders of suspension must be served on :

- a) the Special Commissioner of the Profession or Art, if one has been heretofore appointed by Allied Military Government, or
- b) the general Custodian of the Rolls as provided by the terms of General Order n. 13, or
- c) the Council of the particular Profession or Art when and if such Profession reorganizes and forms a Council under the provisions of an Order which will be issued by the Allied Military Government.

5. — The Commissions may use the forms 7a to 7e provided for the other Commissions of First Instance after adapting said forms for their use or in its discretion may adopt for use subject to the approval of the Area Commissioner other and different forms. The attention of the Commissions is called to Section 10 (d) of General Order n. 13 which requires the issue of a special certificate to all persons whose cases are reviewed against whom the Commission contemplates no action.

5th October 1945

By Order of the Senior Civil Affairs Officer :

**ROBERT M. HILL**

Major AUS

Deputy C. L. O.



# ALLIED MILITARY GOVERNMENT

## 13 CORPS

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### Administrative Instruction No. 5 on epuration

#### FURTHER INSTRUCTIONS TO EPURATION COMMISSIONS FOR THE PROFESSIONS AND ARTS

##### I. — APPOINTMENT OF ADVISORY ASSISTANCE COMMITTEES

1. — Profession Epuration Commissions may in their discretion appoint and use the services of an „Advisory Assistance Committee“ in one or more of the Profession ; the members thereof must be inscribed in the Roll of the particular Profession and no such Committee can be used for a Profession other than the one in which the Committee members are inscribed in the Rolls. It is suggested that such Committees be composed of three members. It should be made clear to all concerned that such Committees are purely advisory and have no official standing or executive powers of any type ; their only purpose is to be of help and general assistance to the Profession Epuration Commissions in expediting the collection of information and material, assembling of Schede Personali and such other tasks as may be given them. The Profession Epuration Commissions themselves are alone responsible for the execution of the provisions of General Order No. 13. However, the Advisory Assistance Committees may collect information, review the records of members of the Profession to be considered in the matter of Epuration and may make recommendations to the Commissions as to the action to be taken. The duties of the Custodian of the Rolls remain uncharged and any work done by such Committees with reference to the collection of Schede Personali and other documents, statement and general material must be done under the supervision of said Custodian as well as under the supervision of the Profession Epuration Commission themselves.

##### II. — RULES AND REGULATIONS OF TERRITORIAL EPURATION COMMISSION OF APPEAL

2. — Each Profession Epuration Commission should immediately forward to the Territorial Epuration Commission of Appeal, Palace of Justice, Trieste, a list of its members and the address of their offices. . . . . The Rules and Regulations governing appeals to the Appeal Commission have been published and copies are being forwarded this week to each of the Profession Epuration Commissions.

##### III. — SUGGESTED FORMS FOR USE OF PROFESSION EPURATION COMMISSIONS

3. — For the benefit of the Gorizia and Pola Profession Epuration Commissions sample copies of the forms adopted for use by the Trieste Commission are attached hereto with the suggestion that those Commissions adopt these forms for their own use. Especial attention is directed to the new-type form which is for use in those cases in which the Commission decides that no affirmative action will be taken against the person being considered ; use for this form or one similar thereto is mandatory under Section 10 (d) of General Order No. 13.

13th October 1945

For the Senior Civil Affairs Officer.  
**ROBERT M. HILL**  
Major A.U.S.  
Deputy C. L. O.

# ALLIED MILITARY GOVERNMENT

## 13 CORPS

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### Administrative Instruction No. 6 on epuration

#### FURTHER INSTRUCTIONS ON EPURATION

##### I. — PERSONS EPURATED IN ITALIAN GOVERNMENT TERRITORY

1. — Epuration in Venezia Giulia is separate and distinct from epuration in territory under the control of the Italian Government. Individuals if serving in Italy and in Venezia Giulia, must be subjected to epuration proceedings in Venezia Giulia in all cases where they wish to continue to work here.

##### II. — INTERPRETATION OF THE PHRASE „STRUGGLE AGAINST THE GERMANS“

1. — Struggle against the Germans could have been :

- a) *With arms* : participation in the war of Liberation or with partisans armed bands etc.
- b) *Without arms* : Sabotage, espionage, propaganda and the like.

2. — G. O. 13 Sec. 9 (b) provides that a Commission shall take into account among other matters that a person has distinguished himself in the struggle against the Germans. The evidence produced to prove this, (especially when it is „without arms“ i. e. aided the „patriots“, or „Sabotage“ to-wit: doing damage to the Government they were apparently serving) by the interested person, must be submitted to an objective and precise investigation which must exclude the possibility of any decision being made on documents of doubtful authenticity.

##### III. — EPURATION OF PROFESSIONAL MEN OR ARTISTS EMPLOYED BY A PUBLIC OR PRIVATE ADMINISTRATION

1. — Professional-men and Artists in Venezia Giulia when and where employed in some capacity by a public or private Administration must be subjected to epuration proceedings by both Commissions set up under G. O. 7 and 13.

2. — The Commission under G. O. 7 should judge them in their capacity of public or private administrators or employees, and the other Commission for their professional or artistic activities; i. e. a physician who is also the Director of an Hospital, to whom an Order of the Commission under G. O. 7 has been delivered, can practice his medical profession (unless an Order is also issued under G. O. 13) but cannot continue his work as administrator of the Hospital.

##### IV. — PAYMENT OF PENSION ETC., TO DISMISSED PERSONS

1. — A Public or Private Administration, firm, or undertaking can, on request of the person concerned, to-wit the denounced person, in case of Dismissal, suspend the payment of the Pension or indennità di licenziamento, until the decision of the Appeal Commission has been given.

##### V. — EPURATION OF NON PAID (HONORARY) RECEIVERS ETC.

1. — For the purposes of Epuration all non-paid (honorary) receivers, commissioners, etc. will be considered as paid officials.

## **VI. — APPOINTMENT OF INQUIRING MEMBER**

1. — The President of a Commission under G. O. 7 can in the most serious cases charge one of its members with the duty of preparing and presenting to the Commission such cases as are assigned to the Commission to consider.

## **VII. — HANDING OVER OF RECORDS**

1. — All records of Epuration Commissions at the end of the Commission activities will be handed over to the Archives of the Tribunal of the Area in which they have office, and will be kept, as provided by Law for the Judicial Records, under the Supervision and Control of the President of the Tribunale.

## **VIII. — INTERPRETATION OF G. O. 8 SECTIONS II, III, IX**

1. — From the text of the order it appears that a person in a Private Industry should be epurated for improper conduct, fascist bias, etc., within and/or outside the firm or undertaking; i. e. The complete background of the person can be examined before an Order is made.

Dated at Trieste, this 27th day of May 1946.

For the Senior Civil Affairs Officer

**A. E. GOLD**

Major, A.U.S.

Chief Legal Officer

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# **ALLIED MILITARY GOVERNMENT**

## **13 CORRS**

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### **Notice No. 11**

#### **DECLARATION CONCERNING AREAS SOWN WITH CEREALS**

By virtue of an Order now in the course of preparation, all farmers and producers of cereals within the Territory must file a declaration concerning the areas sown by them with cereals.

Such declaration must be filed by

5 June 1946

with the Uffici Comunali Statistico Economici dell'Agricoltura (U.C.S.E.A.) on special forms which will be supplied by the said offices.

Those failing to comply by filing a true declaration will be prosecuted in accordance with the provisions of the said Order.

Dated at Trieste, this 17th day of May, 1946.

By Order of A.M.G.

**LESTER WEIL**

Capt. Inf.

Chief Agric. Officer



PART II

TRIESTE AREA

# ALLIED MILITARY GOVERNMENT

TRIESTE AREA

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## Area Order No. 44

**„UFFICIO STRALCIO“ CHANGES ITS NAME INTO „MILITARY SANITARY OFFICE FOR THE SETTLEMENT OF MEDICAL-LEGAL MATTERS“**

*I, J. C. SMUTS, Lt. Col., Area Commissioner, Trieste Area, hereby*

### AUTHORIZE

the Ufficio Stralcio to change its name into „Military Sanitary Office for the settlement of Medical-Legal Matters“.

This Order shall take effect on the date of its first publication.

Dated: 13th May 1946.

**J. C. SMUTS**

Lt. Col.

Area Commissioner Trieste Area

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# ALLIED MILITARY GOVERNMENT

TRIESTE AREA

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## Area Administrative Order No. 20

**PROMOTION OF MISS LAMPE ANNA, MR. ZOLIA ERNESTO, MR. BAUZON GIUSEPPE, MISS PESELJ ANNA FROM GRADE 10 (PRIMO ARCHIVISTA) TO GRADE 9 (ARCHIVISTA CAPO)**

*I, J. C. SMUTS, Lt. Col., Area Commissioner, Area of Trieste*

### HEREBY

temporarily promote Miss LAMPE ANNA, Mr. ZOLIA ERNESTO, Mr. BAUZON GIUSEPPE, Miss PESELJ ANNA in the employ of „Capitaneria di Porto Trieste“ from 10th Grade (Primo Archivista) to 9th Grade (Archivista Capo).

This Order will take effect from 1 April 1946.

Date: 13th May 1946.

**J. C. SMUTS**

Lt. Col.

Area Commissioner Area  
of Trieste

# ALLIED MILITARY GOVERNMENT

## TRIESTE AREA

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### Area Administrative Order No. 21

#### REMOVALS FROM AND APPOINTMENTS TO THE COMMISSIONS FOR THE ISSUE OF COMMERCIAL LICENSES AND ARTISANS' WORKBOOKS IN THE COMMUNE OF S. CANZIAN D'ISONZO

*Pursuant to the power given to me by Art. II of Order N. 15, I, J. C. SMUTS, Lt. Col.,  
Area Commissioner, Trieste Area*

#### ORDER:

1. — The removal of the following persons appointed by Area Order N. 32.
  - a) from the Commission for the issue of Commercial Licenses: ALOISIO LUIGI fu Luigi, GREGORIN GIOVANNI di Giacomo, GREGORIN VALERIO di Oscar;
  - b) from the Commission for the issue of Artisans' Workbooks: COLOMBI GIUSEPPE fu Antonio;
2. — The following appointments:
  - a) To the Commission for the issue of Commercial Licenses: JANNIS LUIGI di Giovanni Battista (Giobatta) representing Dealers, BERTOGNA VITTORIO di Giuseppe and ZORZIN ITALO fu Francesco representing Manual and Non-Manual Workers;
  - b) to the Commission for the issue of Artisans' Workbooks: TONINI ANTONIO di Francesco representing Manufacturers' Employees.
3. — This Order shall take effect on the date of its first publication.

Dated: 13th May 1946.

J. C. SMUTS

Lt. Col.

Area Commissioner Trieste Area

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# ALLIED MILITARY GOVERNMENT

## TRIESTE AREA

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### Area Administrative Order No. 22

#### APPOINTMENT OF HOUSING COMMITTEE FOR THE COMMUNE OF RONCHI

*Pursuant to the power given to me by Section I of General Order No. 10, I, F. D. MARSHALL, Major, Acting Area Commissioner, Trieste Area*

#### ORDER

the following appointments to the Housing Committee in the Commune of RONCHI with effect from the date of the first publication of this Order:

*President:* LEBAN EUGENIO di Antonio

*Members:* SORANZIO CARLO fu Giuseppe  
SORANZIO CANDIDO fu Luigi

BEVILACQUA ANGELO fu Antonio  
COLAUTTI VIRGILIO fu Filippo

Dated: 20th May 1946

F. D. MARSHALL

Major

Acting Area Commissioner  
Trieste Area



**ALLIED MILITARY GOVERNMENT**  
**TRIESTE AREA**

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**Area Administrative Order No. 24**

**APPOINTMENT OF MAJOR FURINO Dr. RAFFAELE IN CHARGE OF THE „MILITARY  
SANITARY OFFICE FOR THE SETTLEMENT OF MEDICAL-LEGAL MATTERS“ IN PLACE  
OF DR. PEPEU FRANCESCO**

*Whereas Dr. PEPEU Francesco was appointed, by Area Order N. 9 for the Area of Trieste,  
in charge of „UFFICIO STRALCIO“ of the ITALIAN MILITARY HOSPITAL in Trieste,  
and*

*whereas by Area Order N. 44 for the Area of Trieste the „UFFICIO STRALCIO“ changed  
its name into „MILITARY SANITARY OFFICE FOR THE SETTLEMENT OF MEDICAL-LEGAL MATTERS“,*

*Now, therefore, I, F. D. MARSHALL, Major, Acting Area Commissioner, Area of Trieste,  
hercby*

**ORDER**

that MAJOR FURINO Dr. RAFFAELE be appointed in charge of the „MILITARY SANITARY OFFICE FOR THE SETTLEMENT OF MEDICAL-LEGAL MATTERS“ in place of Dr. PEPEU FRANCESCO.

This order shall take effect on the date that it is signed by me.

28 May 1946.

**F. D. MARSHALL**  
Major RASC  
Acting Area Commissioner  
Trieste Area

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**ALLIED MILITARY GOVERNMENT**  
**TRIESTE AREA**

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**Area Administrative Order No. 25**

**APPOINTMENT OF MR. COLAUTTI GIOVANNI FU ANTONIO TO THE AREA COUNCIL  
OF TRIESTE IN PLACE OF MR. DEGRASSI GIOVANNI**

*Pursuant to the provisions of Sec. XI of General Order N. 11 I, F. D. MARSHALL,  
Major, Acting Commissioner, Area of Trieste, hereby*

**ORDER:**

that with effect from the date of the first publication of this Order Mr. COLAUTTI GIOVANNI fu Antonio be appointed member to the Area Council of Trieste in place of Mr. DEGRASSI GIOVANNI.

Date: 31 May 1946

**F. D. MARSHALL**  
Major, RASC  
Acting Area Commissioner  
Area of Trieste

**ALLIED MILITARY GOVERNMENT**  
**TRIESTE AREA**

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**Area Notice No. 5**

**AREA IDENTITY CARD BOARD FOR THE AREA OF TRIESTE**

PUBLIC NOTICE is hereby given:

1. — That the Area Identity Card Board, to bear appeals and applications in reference to Identity Cards and Registration Certificates, pursuant to Order N. 129, dated 13 May, 1946, has been duly constituted for the Area of Trieste in accordance with such Order.

2. — That the address of the Offices of such Board is as follows:

**PREFETTURA, Room 19, Mezzanino, TRIESTE**

3. — That all appeals and applications to such Board should be addressed as above stated.

Dated: 25 May 1946

**F. D. MARSHALL**

Major

Acting Area Commissioner

Trieste Area

**GORIZIA AREA**

# ALLIED MILITARY GOVERNMENT

GORIZIA AREA

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## Area Order No. 82

### APPOINTMENT OF THE COMMUNAL COUNCIL OF DOLEGNA DEL COLLIO

Pursuant to the provisions of General Order N. 11 the following are hereby appointed to constitute the Communal Council of the Commune of Dolegna del Collio with all the powers and subject to all the duties set forth in Section 7 of such General Order :

*Chairman :* SPECOGNA GIUSEPPE — Dolegna del Collio

*Members :* SIBAU LUIGI — Nebole

SOUBIN FRANCESCO — Brizze

MACORIG GIUSEPPE — Mernico

PERSOGLIA GIUSEPPE — Ruttars

This Order shall take effect immediately and shall be operative until further Order.

Dated at Gorizia this 11th day of May 1946.

**JAMES E. LONG**

Major, C. M. P

Area Commissioner



# POLA AREA

**ALLIED MILITARY GOVERNMENT**  
**POLA AREA**

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**Area Administrative Order No. 46**

**TEMPORARY APPOINTMENT OF DR. COMMANDINI GIOVANNI AS AREA CHIEF  
VETERINARY SURGEON**

1. — *I, Major T. S. BELSHAW, Acting Area Commissioner of Pola,*

**HEREBY**

*appoint*

**Dr. COMMANDINI GIOVANNI**

as temporarily Area Chief Veterinary Surgeon, entitled to all the rights, of a Grade VIII Official.

2. — This Order will take effect immediately.

Dated in Pola this 28th day of March 1946.

**T. S., BELSHAW**

Major

Acting Area Commissioner  
Pola Area

# ALLIED MILITARY GOVERNMENT

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