

ALLIED MILITARY GOVERNMENT

VENEZIA GIULIA



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# Allied Military Government

## VENEZIA GIULIA

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### General Order No. 64 (54 C)

#### INCREASE AND CONTROL OF RENTS

*WHEREAS, it is deemed desirable for the benefit of owners of real property, of lessees and of the public in general to make some modifications and additions to General Order No. 54 concerning the increase and control of rents in 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:

#### PART I

#### INCREASE OF RENTS, RELATIONS BETWEEN OWNERS AND DIRECT LESSEES

#### ARTICLE I

#### INCREASE OF RENTS

*Section 1. — Section 2, para a) Article I of General Order No. 54 is hereby amended by adding thereto:*

*„with effect from 1 February 1947, owners of real property situated within the Territory may increase rents to their direct lessees by 70 percent of the legally existing rent as of the date of General Order 64 in accordance with General Order No. 54.,*

*Section 2. — Section 2, para b), Article I of General Order No. 54 is hereby amended by adding thereto:*

*„with effect from 1 February 1947, owners of real property situated within the Territory may increase rents to their direct lessees:*

- (a) if they are used for professional offices, by 100% of the legally existing rent as of the date of General Order 64 in accordance with the provisions of General Order No. 54.*
- (b) if they are used for purposes other than professional offices, by 200 percent of the legally existing rent as of the date of General Order 64 in accordance with the provisions of General Order No. 54.,*

*Section 3. — Owners of property leased for the first time after September 8, 1943 and prior to the effective date of this Order may increase the rents to their direct lessees by 70% of the rent on said premises as established under Section 3, Article I of General Order No. 54.*

#### ARTICLE II

#### RENTS OF REAL PROPERTY RENTED BY WELFARE INSTITUTIONS

*In case of real property being rented by welfare institutions for the purpose of fulfilling their institutional aims, the increases provided for by Article I, Section 1 of this Order shall be applicable, provided no commercial activity is performed on such property.*

## ARTICLE III

### RENTS RELATING TO REPAIRED PROPERTY

*Section 1.* — The rent limits set forth in Article I, Section 2 letters „a“ and „b“ and Section 3 of General Order No. 54, as amended by sections 1, 2 and 3 of Article I of this Order shall not be applied, whenever, subsequent to May 7, 1946, important and undelayable repairs and refittings, necessary for the preservation of the property have been made on the building and also in cases of properties damaged by events of war, rebuilt, in accordance with and pursuant to General Orders Nos. 14 and 27 of the Allied Military Government.

*Section 2.* — The increase for such property shall be determined in such manner as to guarantee an interest of not less than 3 nor greater than 5 percent of the capital invested in such repairs and works effected after deducting the indemnity for war damages and whatever contributions the lesser may have received or necessarily shall receive for the repairs of the building.

## ARTICLE IV

### RENTS OF NEW PROPERTY, PROPERTY COMPLETELY DESTROYED AND REBUILT, AND OLD PROPERTY LEASED FOR THE FIRST TIME

*Section I* Free negotiation of rent shall be allowed on real property and premises not within the provisions of Article III as have been rebuilt since May 7, 1946, where by reason of said rebuilding or construction, the premises are rendered habitable.

*Section 2.* — Where owners of property described in Section 1 herein have not rented or personally accepted the premises for purpose of their permanent habitation, within a period of one month from the day of obtaining from the „Genio Civile“ the certificate of habitableness, the Lodging Office of the Commune in which the property is situated shall be authorized to requisition it and the Rent Claims Office shall lease it at a fair rent taking into account the cost to the owners of building and re-building respectively.

## PART II

### PROVISION RELATING TO SUB-LEASE

## ARTICLE V

### RELATION BETWEEN DIRECT LESSEE AND FIRST SUB-LESSEE

*Section 1.* — Direct lessees of property used for dwelling purposes shall be authorized to sub-lease part of the building although the lease agreement stipulated with the owner of property contains a clause contrary to that effect, provided that the sub-lease for use other than dwelling shall be prohibited unless with the written approval of the owner of the property.

*Section 2.* — With effect from 1 February 1947 the direct lessees of property situated within the Territory may increase the rents in respect of the first sub-lessees by applying the rates of percentage set forth in letters a), b), c) and d) of Section 2, Article II of General Order No. 54, to the rents increased in accordance with Articles I and II of this General Order, any provisions of Section 4, Article II of General Order No. 54 inconsistent herewith are hereby repealed.

*Section 3.* — Section 6, Article II of General Order No. 54 is hereby repealed and in lieu thereof shall be substituted:

„With effect from February 1st, 1947, no greater rent than above provided shall be offered. requested paid or received in any form or by any means“.

## ARTICLE VI

### PRESUMPTION OF SUB-LEASE

*Section 1.* — The existence of sub-lease shall be presumed, whenever the property is occupied by persons not being in service of the lessee or in relationship or affinity by marriage with him up to the fourth grade, except in case of persons evacuated by events of war or transitory guests.



*Section 2.* — The presumption established in Section 1 herein shall not be applicable as regards persons who have moved into the building together with the lessee.

## ARTICLE VII

### PARTICIPATION OF OWNERS IN RENTS RECEIVED FROM DIRECT LESSEES

*Section 1.* — The direct lessee having sub-leased the property shall, from February 1st, 1947, pay to the owner of the building :

*a)* as to property sub-leased, unfurnished or for use other than dwelling, a sum equal to half the difference existing between the legally authorized rent paid by the first-sub-lessee in accordance with this General Order and that due by him to the owner.

*b)* as to property sub-leased after having been furnished by the first lessee a sum equal to one-third of the difference indicated in letter *a)* of this Article.

*Section 2.* — The direct lessee having sub-leased shall inform thereof the owner within 15 days from the effective date of this Order and as to future sub-leases such term shall elapse from the date of the sub-lease agreement.

*Section 3.* — The sub-lease of the whole property on the part of the direct lessee is presumed, whenever the direct lessee does not permanently live therein.

## ARTICLE VIII

### TERMINATION OF LEASE AGREEMENT BETWEEN THE OWNER AND THE DIRECT LESSEE

*Section 1.* — In case of sub-lease, the owner of the property shall have the right to ask the termination of the agreement stipulated with the direct lessee :

1) if the direct lessee has omitted to give the information prescribed under Section 2 of the preceding Article, notwithstanding the owner's warning and after fifteen days from the latter ;

2) if the lessee has given an information not corresponding to the truth in order to evade wholly or partially the obligation concerning the payment in favour of the owner of the property as mentioned in Section 1 of the preceding Article ;

3) if the lessee has sub-leased the property for a use other than dwelling without being authorized thereto or if he has sub-leased the whole leased property.

*Section 2.* — If the sub-lease of the whole property has been stipulated prior to this General Order, the first sub-lessee may ask the owner to substitute the direct lessee in the lease agreement, and the owner may not object thereto, except in case the leased property is misused or in case there are moral or other grave reasons.

## PART III

### OBLIGATION TO REPAY THE OWNER OF THE PROPERTY FOR THE COST OF SERVICES RENDERED

## ARTICLE IX

### KIND OF SERVICES AND APPROPRIATION OF COST

*Section 1.* — With effect from February 1st, 1947, the direct lessees of property fitted with the following services :

- a)* services of janitors,
- b)* lighting and cleaning of staircases,
- c)* lifts and central heating,
- d)* cleaning of chimneys,



shall repay to the owner of the property the difference between the current cost of the afore-said services and the cost for said services on September 8, 1943, hereinafter referred to as major burden.

*Section 2.* — The amount of the major burdens shall be appropriated to all direct lessees, who benefit from the services set forth in letters „a“ and „b“, in proportion to the number of used premises of each apartment.

*Section 3.* — The amount of such major burdens concerning the use of the lift shall be appropriated to all the direct lessees, who use it, in proportion to the numbers of floors and of used premises of each apartment.

*Section 4.* — The amount of the said major burdens concerning the central heating shall be appropriated to all the direct lessees in proportion to the number of radiators fitted in the respective apartment.

*Section 5.* — The amount of such major burdens concerning the cleaning of chimneys shall be computed separately for each direct lessee.

## PART IV

### DECISION OF DISPUTES

#### ARTICLE X

##### DECISIONS OF DISPUTES DERIVING FROM THIS ORDER

The Rent's claims offices provided by Article IV of General Order No. 54 shall hear and decide on all matters arising out from the application of this Order in accordance with the provisions contained in General Order No. 54 and No. 54 B.

#### ARTICLE XI

##### COMPETENCE OF RENT'S CLAIMS OFFICES IN OTHER DISPUTES

There shall be devolved to the Rent's claims offices :

- 1) the disputes relating to the revision of rents in accordance with R. D. L. 24 March 1942, No. 200, still pending before the authorities provided in Article 1 thereof,
- 2) the disputes relating to the revision of sub-lease-rents in accordance with R. D. L. 29 August 1942, No. 1189, still pending before the authorities as provided for by Article 1 of the a resaid R. D. L.,
- 3) the disputes, even if pending, which concern the reduction of rents due for buildings damaged by events of war, in accordance with Article 6 of R. D. L. 25 January 1943, No. 162,
- 4) the disputes, even if pending, relating to the increase of rents in accordance with para 6 of Article 13 of R. D. L. 16 June, 1938, No. 1387, and para 6 of Article 2 of R. D. L. 12 March 1941, No. 142.

#### ARTICLE XII

##### EFFECTIVE DATE

This General Order shall take effect on the 1st day of February, 1947.

Dated at TRIESTE, this 7th day of January 1947.

**ALFRED C. BOWMAN**

Colonel, J.A.G.D.

Senior Civil Affairs Officer

# General Order No. 85 (73 B)

## AMENDMENT TO GENERAL ORDER No. 73 — LIST OF HOLIDAYS RECOGNIZED BY LAW

*WHEREAS in Article I, Section 2 of General Order No. 73, the date of 14th January has been erroneously quoted in the list of religious holidays recognized by law as that of the Patron Saint of Gorizia, while it appears that such date is the 16th March;*

*WHEREAS it is considered necessary to amend part of Article I, Section 2, of the said Order accordingly:*

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

### ORDER:

#### ARTICLE I

#### AMENDMENT OF ARTICLE I, SECTION 2, OF GENERAL ORDER No. 73

Article I, Section 2, of General Order No. 73 is hereby amended in part to read, „in lieu of the date of 14th January, that of 16th March, as corresponding to the religious holiday of the Patron Saint of Gorizia.“

#### ARTICLE II

#### EFFECTIVE DATE

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

Dated at TRIESTE, this 31st day of December 1946.

**ALFRED C. BOWMAN**

Colonel, J.A.G.D.

Senior Civil Affairs Officer

# General Order No. 87 (55 C)

## PAYMENTS TO THE FISHING CONSORZIO OF VENEZIA GIULIA

*WHEREAS, it is deemed advisable and necessary to amend General Order No. 81 to make provisions for and increase in revenue for the Fishing Consorzio, in those parts 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

#### REVISION OF RATE OF PAYMENT TO FISHING CONSORZIO

Article I of General Order No. 81 (55 B) is hereby deleted and the following substituted in lieu thereof:

That the following paragraph shall be added to Article V of General Order No. 55, dated June 19, 1946, as Section 2 thereof.

„Each Fish Collecting Center will pay to the Consorzio per la Tutela della Pesca nella Venezia Giulia (hereinafter called the Consorzio) 50% of the monies it collects as its share for the collecting, handling and distribution of fish.“

## ARTICLE II

### EFFECTIVE DATE

This Order shall come into effect as of 1 October 1946.

Dated at TRIESTE this 31st day of December 1946

**ALFRED C. BOWMAN**

Colonel, J.A.G.D.

Senior Civil Affairs Officer

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## Order No. 225

### PAYMENTS IN RESPECT OF MOTOR VEHICLES REQUISITIONED BY THE ALLIED AUTHORITIES

*WHEREAS it is deemed desirable and necessary to provide rules for the presentation of claims in respect of the use, deterioration, and damage or loss of motor vehicles requisitioned by the Allied Authorities and for the fixing and payment of the amount due for such use, deterioration, and damage or loss, 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

#### DEFINITIONS

„The Commission“ shall mean the Commission constituted in terms of Section 1 of Article III of this Order. „The Ispettorato“ shall mean the Ispettorato Compartimentale della Motorizzazione Civile of Trieste. „Vehicle“ shall mean and include all motor vehicles and all trailers designed to be drawn by such vehicles.

#### ARTICLE II

### RECEPTION AND CUSTODY OF VEHICLES RESTORED BY ALLIED AUTHORITIES

*Section 1.* — The Ispettorato Compartimentale della Motorizzazione Civile of Trieste shall receive and retain custody of all motor vehicles, held on requisition by the Allied Authorities, which shall be released by them.

*Section 2.* — A receipt in duplicate for each such motor vehicle so released shall be issued by the Ispettorato and such receipt shall contain all the details required on that form. The examination of the vehicle shall be done by two Engineers of the Ispettorato and both shall sign on both copies of the schedule attached to the receipt a certificate of the correctness of the details contained therein.

*Section 3.* — All vehicles requisitioned by the Allied Authorities which, at a date to be notified by the Allied Military Government by means of an Administrative Order to be published in the Allied Military Government Gazette, have not yet been returned to the Ispettorato, shall be considered to have been requisitioned with full ownership (requisizione definitiva).



## ARTICLE III

### CONSTITUTION OF COMMISSION

*Section 1.* — A Commission which shall have its seat at the Office of the Ispettorato is hereby constituted with the following members:

The Director of the Ispettorato;

A representative of the Intendenza di Finanza appointed by the Intendente of Trieste;

The Director of the Automobile Club of Trieste;

The Secretary of the Commission shall be an employee of the Ispettorato to be appointed by the Director.

*Section 2.* — The members and secretary of the Commission shall be paid a fee, to be fixed by Allied Military Government, for every meeting attended by them.

## ARTICLE IV

### TREATMENT OF VEHICLES RELEASED BY ALLIED AUTHORITIES

*Section 1.* — The Commission shall make investigations in order to find the owner of each vehicle received by the Ispettorato.

*Section 2.* — If the vehicle is found to belong to any Statal, Communal or Provincial body or to any of the Bodies or persons set forth in Article 2 of the consolidated law (Testo Unico) approved by R. D. 31 January 1926 No. 452 and amended by Article 3 of the law 24 March 1942 No. 479, it shall immediately be returned by the Commission to such owner.

*Section 3.* — If the vehicle is found to belong to any other owner than those specified in Section 2 above its receipt shall be notified by the Ispettorato to the Government of the Territory, together with a brief description of the vehicle and notes on its general condition. If within 60 days of such notification the Government of the Territory or a competent agent thereof has not ordered the requisition of the vehicle, it shall be returned to the owner.

*Section 4.* — Requisitions made in terms of Section 3 above shall be carried out and paid for according to the provisions of Articles 34, 41 and subsequent Articles of the Rules for the carrying-out of Requisitions approved by R. D. 18 August 1940 No. 1741, in so far as such provisions are applicable.

*Section 5.* — Where the vehicle was requisitioned in a place other than that in which the Ispettorato has stored it, the return of such vehicle to the owner shall be made subject to the provisions of para 3 of Art. 74, para 1 of Art. 75, and of Art. 117 of the Regulations approved by R. D. 11 December 1927 No. 2598, as amended.

*Section 6.* — When the owner of a vehicle, after having been notified, fails to collect the vehicle within the prescribed time, he will be charged with the custody expenses of such vehicle.

## ARTICLE V

### PROCEDURE WHEN THE OWNER CANNOT BE FOUND, AND THE CAR HAS BEEN REQUISITIONED AGAIN BY THE STATE

*Section 1.* — In the event of the owner of the vehicle not having been found, and if the vehicle has been requisitioned in terms of Sections 3 and 4 of Art. IV, the Order of requisition provided for under Art. 42 of R. D. 18 August No. 1741 shall not contain the indications set forth in para 4 of the said Article, and the order shall be served upon the Secretary of the Commune in which the Commission resides.

*Section 2.* — Notice of the amounts due to the owner in terms of Article VIII and IX shall be published by the Commission in the Allied Military Government Gazette, and shall contain sufficient data to identify the car, and such notice in the Gazette shall constitute publication for all purposes and the interested party shall be deemed to have notice thereof.

*Section 3.* — If the owner of the car has not presented himself within 30 days of the publication, the Commission shall order that the sum payable, deduction being made of the expenses, be paid into the Cassa Depositi e Prestiti at the disposal of the persons entitled to payment, giving particulars to identify the car.

*Section 4.* — The Cassa Depositi e Prestiti shall pay the sum to the person entitled thereto against presentation of the „Libretto di circolazione“ or of any other equivalent document.

*Section 5.* — The provisions of this Article are also applicable if the requisition on hire by the State is converted into requisition with full ownership (requisizione definitiva); and the provisions of Sections 2, 3 and 4 of this Article shall be applied for payment to owners whose vehicles are deemed to have been so requisitioned in terms of Section 3 of Article II, and who cannot be found.

## ARTICLE VI

### PROCEDURE WHEN THE OWNER CANNOT BE FOUND AND THE CAR HAS NOT BEEN REQUISITIONED AGAIN

*Section 1.* — If the owner of the vehicle has not been found and the vehicle has not been requisitioned in terms of Section 3 and 4 of Article IV, the Commission shall make publication thereof in the Allied Military Government Gazette, giving particulars to identify the car.

*Section 2.* — If the owner of the car has not presented himself within 30 days of the publication, the car shall be disposed of by public auction and the proceeds thereof (deduction being made of the expenses) shall be paid into Cassa Depositi e Prestiti at the disposal of the person entitled to payment, giving particulars to identify the car.

*Section 3.* — The amounts due to the owner in terms of Art. VIII shall be deposited together with the proceeds of the sale.

*Section 4.* — Cassa Depositi e Prestiti shall pay the sums so deposited to the person entitled to payment against presentation of the „libretto di circolazione“ or other equivalent document.

*Section 5.* — The provisions of Section 1, 2 and 4 of this Article shall be applied also in the case of vehicles, which have been requisitioned by the State in terms of Section 3 and 4 of Article IV, and which are ordered to be returned to the owners who, however, cannot be found.

## ARTICLE VII

### VALUATION OF VEHICLES AND PARTS

*Section 1.* — For the purposes of this Order, the value of any complete vehicle or part thereof shall be the 1940 list price of such vehicle or part increased or reduced in accordance with the provisions of this Article.

*Section 2.* — The market value of the vehicle shall be established by multiplying the 1940 list price by 8.50 in the case of an efficient vehicle complete with five (5) tires; or by multiplying the basic 1940 list price by 4.25 in the case of a vehicle without tires.

*Section 3.* — The market value of the vehicle established by Section 2 of this Article shall be subject to the following increases and reductions:

#### Increases

- (1) 10% in the case of custom built bodies.
- (2) 3% in the case of leather upholstery.
- (3) Value of the tires on the vehicle at the time of requisition if not equipped with a full set of five (5).

The value of each tyre shall be established by multiplying the 1940 list price of the vehicle by 4.25 and dividing by five (5).

## Reductions

- (1) 5% for each year prior to 1940 that vehicle was manufactured.
- (2) Value of the car parts missing at the time of requisition of the vehicle, which shall be the 1940 list price of the part.

## ARTICLE VIII

### PAYMENT FOR USE, DEPRECIATION, LOSS AND DAMAGE

*Section 1.* — For the use and normal depreciation of a vehicle during the time of its use by the Allied Forces, the owner thereof shall be paid for every year of such use an amount equal to fifteen percent of the value of the vehicle at the date of requisition calculated in terms of Article VII of this Order.

*Section 2.* — For vehicles deemed requisitioned with full ownership in terms of Section 3 of Article II, and for tyres, tubes, spare parts and other accessories requisitioned by the Allied Authorities the owner thereof shall be paid the value of such vehicle, tyre, tube, part or accessory at the time of requisition, calculated in terms of Article VII above, and interest at the rate of five per cent per annum, or such value from the date of requisition to the date of payment.

*Section 3.* — For any part of the vehicle missing when it is returned to the Ispettorato, the owner shall be paid the 1940 list price of the part multiplied by 4.25 plus 20% for assembling expenses. Missing tyres shall be considered as missing parts but their value shall be established in accordance with Section 3, Article VII.

*Section 4.* — No amounts shall be paid in terms of Section 3 above in respect of vehicles returned by the Allied Authorities directly to their owners, unless adequate evidence is furnished of the extent of the damage claimed to be in excess of normal deterioration.

*Section 5.* — If a vehicle is returned to the Ispettorato in such condition as to exclude its repair, the Commission shall estimate the value of the wreck, and shall deduct such value from the value of the vehicle at the time of requisition. The difference between such values represents the amount due to the owner for deterioration, to which shall be added five percent per annum on the value of the vehicle at the time of requisition.

*Section 6.* — The value of the vehicle parts requisitioned separately shall be the 1940 list price multiplied by 4.25 plus 5% per annum. The value of tyres requisitioned separately shall be calculated in accordance with Section 3, Article VII, plus 5% per annum.

*Section 7.* — Should the owner of any vehicle requisitioned by the Allied Forces have paid in advance any circulation or other tax in respect of such vehicle, and if the requisition took place a month or more prior to the expiry of the period to which such payment referred, the owner shall be repaid such portion of that payment as is proportionate to the number of complete months between the date of requisition and the expiry of such period.

## ARTICLE IX

### AWARDS BY COMMISSION AND APPEALS AGAINST THEM

*Section 1.* — The Commission created in terms of Article III of this Order shall set a value in terms of Article VII on every vehicle requisitioned by the Allied Authorities, and shall calculate the amounts due to the owner thereof in terms of Article VIII, which amounts shall be reported to the owner by the Commission.

*Section 2.* — Within 30 days of the notification to the owner of the amounts computed by the Commission as due to him in terms of this Order, the owner may appeal to the Comitato Giurisdizionale Territoriale set up by Articles 77 and 78 of R. D. 18 August 1940 No. 1741, as amended by Order No. 226.

*Section 3.* — Such appeals shall be dealt with in accordance with the provisions of R.D. 18 August 1940 No. 1741, in so far as they are applicable.



## ARTICLE X

### PAYMENT OF AMOUNTS DUE TO OWNERS

*Section 1.* — Payment of amounts due to owners for requisitions by the Allied Authorities shall be made from Public Funds, through an agency to be appointed by Allied Military Government; and the making of such payments shall be subject to the terms of Article 31 of R. D. 29 July 1927 No. 1814.

*Section 2.* — Payment of amounts due to owners for requisition by the Public Administration in terms of Sections 3 and 4 of Article IV shall be made out of its own funds by the department or organisation receiving the vehicle.

*Section 3.* — Interim periodical payments of the amounts due to owners in terms of Section 1 of Article VIII of this Order may be ordered by the Commission.

*Section 4.* — Such interim payments shall be ordered by the Commission only in those cases in which enough detailed evidence is available to enable the amounts thereof to be computed once for all. The amounts so computed shall not be altered otherwise than in terms of Section 2 and 3 of Article IX of this Order. No interim payments shall be made the amounts of which have not been arrived at in terms of this Section.

*Section 5.* — Interim payments made under Sections 3 and 4 of this Article shall be deducted from the final amount if the vehicle is not returned to the owner.

## ARTICLE XI

### NOTIFICATION BY THE PUBLIC OF VEHICLES REQUISITIONED

*Section 1.* — All persons from whom the Allied Authorities have requisitioned vehicles, trailers, and tyres, tubes, spare parts and other accessories for vehicles or trailers shall within 30 days of the publication of this Order in the Allied Military Government Gazette, declare to the Ispettorato the fact of such requisition.

*Section 2.* — Such declaration shall be made in the form to be laid down by the Ispettorato and shall be signed by the declarer and the declarer shall furnish to the Ispettorato whatever information shall be required of him with regard to such requisition.

*Section 3.* — The Commission shall examine all such declarations and other information and if satisfied that any vehicle not properly requisitioned was in fact withdrawn from the owner by the Allied Authorities, shall request that such vehicle be requisitioned by Allied Authorities with effect from the date of such withdrawal.

## ARTICLE XII

### RESOLUTION OR SUSPENSION OF INSURANCE CONTRACTS

*Section 1.* — The contracts of Insurance in respect of all vehicles requisitioned by the Allied Authorities shall if the vehicle is deemed to have been requisitioned with full ownership in terms of Section 3 of Article II, be considered resolved in terms of the third paragraph of Article 9-bis of the consolidated Law (Testo Unico) approved with R. D. 31 January 1926 No. 452, as amended by Article 8 of the Law 24 March 1942 No. 479, and the owner of such vehicle shall be entitled to reimbursement of a proportion of the premium paid, in terms of the fourth and fifth paragraphs of the above-mentioned Article 9-bis.

*Section 2.* — Should the vehicle be returned to the owner the contract of insurance shall be deemed to have been suspended and extended in terms of the third paragraph of Article 12 of the above-mentioned consolidated Law, as amended by Article 10 of the Law 24 March 1942 No. 479.

## ARTICLE XIII

### EFFECTIVE DATE

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

Dated at Trieste, this 7th day of January 1947.

**ALFRED C. BOWMAN**

Colonel, J.A.G.D.

Senior Civil Affairs Officer

# Order No. 226

## RECONSTITUTION OF THE „TERRITORIAL JURISDICTIONAL COMMITTEE“ FOR DECISION ON DISPUTES CONCERNING REQUISITIONS

*WHEREAS, it is considered necessary to reconstitute within the Territory the Territorial Jurisdictional Committee set up by Articles 77 and 78 of R. D. 18 August 1940, No. 1741, as amended :*

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

### ORDER :

#### ARTICLE I

#### CONSTITUTION AND COMPOSITION OF THE TERRITORIAL JURISDICTIONAL COMMITTEE

*Section 1. — A Territorial Jurisdictional Committee is hereby constituted and shall have its seat in Trieste at the office of the „Intendente di Finanza“; the Committee shall be competent to decide within the Territory all disputes described in Article II of this Order.*

*Section 2. — The Territorial Jurisdictional Committee shall be composed of the following persons : three magistrates of the Judicial Order of whom one shall be the President and one the Vice-President, both of a grade not lower than the 6th, and one of a grade not lower than the 7th, all to be designated by the First President of the Court of Appeal ; a representative of the „Avvocatura Distrettuale dello Stato“ designated by the „Avvocato Distrettuale Capo“ ; a member designated by the Trieste Area President chosen amongst his officials ; a member designated by the „Intendente di Finanza“ of Trieste chosen amongst his officials ; four engineers designated respectively by the „Ufficio Tecnico Erariale“, by the „Genio Civile“, by the President of the Commune of Trieste and by the „Ispettorato della Motorizzazione Civile“ of Trieste. The Secretary of the Territorial Jurisdictional Committee shall be an employee of the „Intendente di Finanza“ of Trieste.*

*Section 3. — The Territorial Jurisdictional Committee shall make decisions with a quorum constituted by the President or the Vice-President and by four members of whom one shall be a magistrate ; the other three of the said four members shall be called from time to time by the President to take part in the judging counsel.*

*Section 4. — The members and secretary of the Territorial Jurisdictional Committee shall be paid a fee, to be fixed by Allied Military Government, for every meeting attended by them.*

#### ARTICLE II

#### COMPETENCE OF THE COMMITTEE

*Section 1. — The Territorial Jurisdictional Committee shall be competent to decide on all disputes concerning the following :*

- a) appeals made in accordance with Article IX, Section 2 of Order N. 222, dated January 7, 1947 ;*
- b) application of the provisions approved by R. D. 18 August 1940, N. 1741, regardless of the value of the dispute and of the Authority who issued the disputed decision ;*
- c) requisitions by Civil Authorities of means of transportation and of quadrupeds, effected in accordance with R. D. 19 July 1940 N. 1265 ;*
- d) requisitions by merchant vessels, effected in accordance with the law 13 July 1939 No. 1154 ;*
- e) requisitions effected on the ground of Art. 19 of the Consolidated Text („Testo Unico“) of the Communal and Provincial Law approved by R. D. 3 March 1934, No. 838 ;*
- f) all other requisitions not included in the above legislative provisions, by whomsoever ordered.*

*Section 2.* — The decisions of the Territorial Jurisdictional Committee shall be final. A request for reconsideration („domanda di revocazione“) of the decisions of the Committee may be made to the same Committee within the terms and time limits prescribed by the Civil Procedure Code.

### ARTICLE III

#### PROCEDURE

As to the decision of the disputes mentioned in Section 1 of the foregoing Article the provisions of R. D. 18 August 1940, No. 1741 and of the Regulations approved by R. D. 21 June 1941, No. 688 shall be followed in so far as they are applicable and not inconsistent with the provisions of this Order.

### ARTICLE IV

#### EFFECTIVE DATE

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

Dated at Trieste, this 7 day of January 1947.

**ALFRED C. BOWMAN**

Colonel, J.A.G.D.

Senior Civil Affairs Officer

## Order No. 250 (37 B)

### LIABILITY OF RAILROADS IN THE TRANSPORTATION OF GOODS

*WHEREAS, by Order No. 37 the liability of the Railroads of the State arising out of the transportation of goods has been extended until the formal declaration of the termination of the war; and*

*WHEREAS, it is now considered that the circumstances determining the issuance of some of the provisions contained in said Order No. 37 have ceased to exist within that part of Venezia Giulia administered by the Allied Forces (hereinafter referred to as the „Territory“), and that, therefore, such provisions may be repealed without awaiting the formal declaration of the termination of the war,*

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

#### ORDER:

### ARTICLE I

#### REPEAL OF ARTICLES I AND III OF ORDER No. 37

The provisions of Articles I and III of Order No. 37 shall cease to have effect as to transports of goods which will be accepted after the effective date of this Order.

### ARTICLE II

#### EFFECTIVE DATE

This Order shall come into effect on the date of its publication in the Allied Military Government Gazette.

Date at TRIESTE, this 9th day of January, 1947.

**ALFRED C. BOWMAN**

Colonel, J.A.G.D.

Senior Civil Affairs Officer



## Order No. 258

### CHANGE OF NAME OF „ASSOCIAZIONE NAZIONALE PER IL CONTROLLO DELLA COMBUSTIONE — SEZIONE VENETA ORIENTALE“ AND APPROVAL OF ITS TARIFFS

WHEREAS, it is considered that supervision over the construction and managing of steam-boilers and pressure vessels, as well as control of combustion of thermal plants in that part of Venezia Giulia administered by the Allied Forces (hereinafter referred to as the „Territory“) are exercised by the „Associazione Nazionale per il Controllo della Combustione — Sezione Veneta Orientale in Trieste“, via S. Spiridione No. 12 (hereinafter called „Associazione“); and

WHEREAS, it is considered desirable to change the name of the „Associazione“, inasmuch as it exercises its activity within the Territory, and to fix for the year 1946 the tariff-rates and contributions due by members (consortisti) within the Territory to the „Associazione“:

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

#### ORDER:

#### ARTICLE I

##### CHANGE OF NAME AND TRANSFER OF FUNCTIONS

As from the effective date of this Order the „Associazione Nazionale per il Controllo della Combustione — Sezione Veneta Orientale di Trieste“ shall assume its new name of „Associazione Giuliana per il Controllo della Combustione“.

This Order provides for the transfer of the functions, activities and duties of the Associazione Nazionale per il Controllo della Combustione — Sezione Veneta Orientale di Trieste, in as far as the Territory is concerned, to the „Associazione Giuliana per il Controllo della Combustione“.

#### ARTICLE II

##### APPROVAL OF TARIFF-RATES AND CONTRIBUTIONS FOR THE YEAR 1946

The „Associazione“ is hereby authorized to charge the members (consortisti) of its association within the Territory the tariff-rates and the contributions set forth in tables A, B and C, as provided for in Article III of this Order.

#### ARTICLE III

##### DEPOSITING OF TABLES A, B AND C

The tables A, B and C mentioned in preceding Article together with the annotations set out therein, shall constitute a part of this Order. Such tables shall be deposited at the offices of the Area Presidents of the Territory and of the „Associazione“ and may be inspected at any time by the parties interested.

#### ARTICLE IV

##### EFFECTIVE DATE

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

Dated at TRIESTE, this 27th day of December 1946.

ALFRED C. BOWMAN

Colonel J.A.G.D.

Senior Civil Affairs Officer

# Order No. 277

## RE-CONSTITUTION OF THE COMMITTEES FOR FORESTRY

*WHEREAS, by the Consolidated Text of Laws governing the Provincial Councils of Corporations and the Provincial Offices of Corporations published by R. D. 20 September 1934, No. 2011, the functions of the Committees for Forestry, established by R. D. 20 December 1923, No. 3267, have been transferred to the Provincial Councils of Corporations afterwards called Provincial Economics Councils : and*

*WHEREAS, by Order No. 11, dated 31 August 1945, the Provincial Economic Council and Offices have been dissolved and Chambers of Commerce, Industry and Agriculture and Offices of Industry and Commerce have been instituted in their place, with functions and powers formerly exercised by the said dissolved Bodies : and*

*WHEREAS, the present structure of the Chambers of Commerce, Industry and Agriculture does not correspond with the tasks of the aforesaid Committees for Forestry and therefore it is deemed necessary and opportune to reestablish Committees for Forestry in those parts of Venezia Giulia now 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 OF COMMITTEES FOR FORESTRY

A Committee for Forestry is hereby constituted at each Chamber of Commerce, Industry and Agriculture respectively at Trieste, Gorizia and Pola.

The Committees of Forestry shall prepare and approve their own Regulations.

#### ARTICLE II

#### DUTIES AND FUNCTIONS

The Committees for Forestry established by the preceding Article, shall have the duties and shall function according to the terms contained in R. D. L. 30 December 1923 No. 3267 Article 181, relating to the re-organisation and reform of laws governing forests and mountainous areas and to Regulations thereto published by R. D. 16 May 1926 No. 1126 and to subsequent amendments.

#### ARTICLE III

#### CONSTITUTION OF COMMITTEES

The Committees for Forestry established by the present Order at the aforesaid Chambers of Trieste, Gorizia and Pola, shall consist :

- 1) of an expert in mountainous problems who shall be appointed by the Agriculture Division of the Allied Military Government and act as President ;
- 2) of two experts in mountainous problems appointed by the Giunta of the respective Chamber ;
- 3) of the Area Forestry Inspector or of a Forestry Inspector delegated by him ;
- 4) of the Chief-engineer of Genio Civile or of an engineer delegated by him ;
- 5) of the Area Inspector of Agriculture ;
- 6) of a member appointed by each Commune of the concerned Area who shall take part in the work of the Committee only in connection with questions relating to the area of the Commune represented by him ;
- 7) of a Forestry official, designated by the Area Forestry Inspector, who shall act as Secretary.

## ARTICLE IV

### EFFECTIVE DATE

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

Dated at Trieste, this 31st day of December 1946.

**ALFRED C. BOWMAN**

Colonel, J.A.G.D.,

Senior Civil Affairs Officer

## Order No. 278

### PENSIONS FOR THE PERSONNEL OF PUBLIC TRANSPORTATION SERVICES DISMISSED FOR POLITICAL REASONS

*WHEREAS it is deemed advisable and necessary to make certain amendments in the laws relating to pensions for the personnel of public transportation services who were dismissed for political or racial reasons, in those parts 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

*Section 1. — Except as otherwise hereinafter specifically stated, all the provisions contained in the undermentioned decree of the Italian Government: D.L.L. N. 848 of 9 November 1945, pensions for the personnel of Public Transportation services „in concessione“ who were dismissed for political reasons „Trattamento di pensione degli addetti ai pubblici servizi di trasporto in concessione già licenziati per motivi politici“, shall be adopted and made part of this Order by reference and shall have the same force and effect in the Territory as if such provisions had been herein set forth in full.*

*Section 2. — A copy of the above mentioned Decree shall be deposited in all Istituto Nazionale Previdenza Sociale Offices of the Territory and may be freely examined by all persons concerned.*

#### ARTICLE II

All references to the Italian State and any Departments, Bodies, Ministers or Officials acting under its authority mentioned in the Decree specified in Article I hereof shall be deemed as deleted and shall be considered as made to the Allied Military Government and Officials and bodies operating in the Territory under the control of the Allied Military Government and nothing herein contained shall confer any jurisdiction upon the Italian State or any person or body acting under its authority with regard to any person, property or matter in the Territory.

#### ARTICLE III

The decree specified in Article I shall come into force in the Territory on the date that this Order is signed by me.

Dated at Trieste, this 28th December 1946.

**ALFRED C. BOWMAN**

Colonel, J.A.G.D.

Senior Civil Affairs Officer



# Order No. 282

## PROVISIONS CONCERNING LOCAL GOVERNMENT TAX COLLECTION

*WHEREAS it is deemed opportune to issue provisions concerning local government tax collection in those parts 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

##### AUTHORIZATION FOR THE FIXATION OF TARIFFS

- a) Local Bodies which have not yet fixed the tariffs of local government taxes for 1946, are hereby authorized to do so within three months of the effective date of this Order.
- b) The time-limits established by Article 274 and following articles of the Consolidated Text, 14 September 1931, No. 1175, for complying with the various provisions, shall be computed as from the date on which the tariff has been established.

#### ARTICLE II

##### ESTABLISHMENT OF TIME LIMITS

- a) For the purpose of the enforcement of local government taxes for 1947, the time limit established by Article 273 of the Consolidated Text, 14 September 1931, N. 1175, is hereby extended to five months after the effective date of this Order.
- b) The same extension applies to time-limits established by Article 274 and following articles of the said Consolidated Text.

#### ARTICLE III

##### COMMISSIONS ON ADDITIONAL REVENUE

- a) In the case of contracts (both if on a commission or on a fixed installment basis) undertaken prior to and after the effective date of General Order N. 36, the following commission on the additional revenue derived from the enforcement of the new tariff shall be paid to the contractor ;
- b) for the collection of amounts not exceeding Lit. 200.000.— per annum 2% ;
- c) for any additional collection (per annum) :

from Lit. 200.001 to Lit. 500.000 .....	1.50%
from Lit. 500.001 to Lit. 1.000.000 .....	1.00%
from Lit. 1.000.001 to Lit. 2.000.000 .....	0.75%
from Lit. 2.000.001 to Lit. 5.000.000 .....	0.50%
from Lit. 5.000.001 to Lit. 10.000.000 .....	0.30%
from Lit. 10.000.001 to Lit. 20.000.000 .....	0.20%
over Lit. 20.000.000 .....	0.10%
- d) Such additional revenue, less the above commission, shall be paid to the Commune at the time fixed in the contract for the payment of monies collected, or for the payment of the instalments.

## ARTICLE IV

### PAYMENT BY SYNDICATES

Until the new amount of instalments has been fixed, the syndicates, pending final adjustment, shall pay, on account of the additional taxes collected and in addition to the instalments as established in accordance with General Order No. 36, article VII, Section 3, a sum equal to one-half of the amount of such instalments.

## ARTICLE V

### INCREASE OF GUARANTIES

Guaranties deposited by collectors and „Consorti degli esercenti“ shall be increased in proportion to the increased amount of revenue and accordance with the provisions of Article 81 and 87 of the Consolidated Text 14 September 1931, No. 1175.

## ARTICLE VI

### EFFECTIVE DATE

This Order shall come into force the day of its publication in the Allied Military Government Gazette.

Dated at Trieste 7th day of January 1947.

**ALFRED C. BOWMAN**

Colonel, J.A.G.D.

Senior Civil Affairs Officer

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## Order No. 286

### INCREASE OF FEES FOR ACCOUNTANTS (RAGIONIERI) AND COMMERCIALISTS (DOTTORI COMMERCIALISTI)

*WHEREAS, it is deemed advisable under present economic situation, to increase the existing fees relating to the works of accountants (ragionieri) and commercialists (dottori commercialisti) in 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 FOR ACCOUNTANTS (RAGIONIERI) AND COMMERCIALISTS (DOTTORI COMMERCIALISTI)

*Section 1. — The maximum fees for professional works of accountants (ragionieri) approved by Decree of the Chief of Government 20 January 1938, No. 137, and those of the fees for commercialists (dottori commercialisti) approved by Decree of the Chief of Government 1 December 1941, No. 1609, are hereby increased within the Territory by 200 percent, with effect as from 1 December 1946.*

*Section 2. — The increase established by the preceding Article shall not apply to fees for professional works performed before 1 December 1946.*

## ARTICLE II

### EFFECTIVE DATE

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

Dated at TRIESTE, this 9th day of January, 1947.

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

## Order No. 287

### ESTABLISHMENT OF A TERRITORIAL MEDICAL COMMISSION FOR THE DEFINITION OF MEDICAL LEGAL CASES RELATING TO MILITARY PERSONNEL AND PERSONNEL OF PUBLIC ADMINISTRATIONS

*WHEREAS, the law 11 March 1926, No. 415 and R. D. 15 April 1928, No. 1028, and amendments thereto, have constituted and determined the functions of Hospital and Medical Commissions (Commissione Medica Ospedaliera) for medical legal ascertainties of wounds, injuries and infirmities of personnel depending on Military and other Public Administrations; and*

*WHEREAS, R. D. 12 July 1923, No. 1491, has instituted War Pensions Medical Commissions; (Commissioni Mediche per le Pensioni di Guerra) for sanitary ascertainties relating to the causes and the extent of deterioration of physical integrity of Military personnel; and*

*WHEREAS, R. D. 12 July 1923, No. 1491 has instituted a Superior Medical Commission with the task to revise the decision of War Pensions Medical Commissions and with advisory functions to Bodies charged with the determination of pensions; and*

*WHEREAS, a War Pensions Medical Commission (Commissione Medica per le pensioni di guerra) has been established in that part of Venezia Giulia administered by the Allied Forces (hereinafter referred to as the „Territory“), with the seat at Trieste; and*

*WHEREAS, by Order No. 63 Commissions for temporary determination of State pensions have been constituted in the Territory requiring decisions of Hospital Medical Commissions and of the Superior Medical Commission which do not exist in the Territory; and*

*WHEREAS, it is considered advisable and necessary to establish a Territorial Medical Commission (hereinafter referred to as the „Commission“) with functions conferred by the above mentioned laws on the aforesaid Hospital Medical Commissions and the Superior Medical Commission;*

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

### ORDER:

#### ARTICLE I

### ESTABLISHMENT OF A TERRITORIAL MEDICAL COMMISSION

A Territorial Medical Commission (hereinafter referred to as the „Commission“) is hereby established with functions conferred by Law 11 March 1926, No. 416 and by R. D. 15 April 1938, No. 1024, and amendments thereto, on the Hospital Medical Commissions, and with functions conferred by R. D. 12 July 1923, No. 1491, and amendments thereto, on the Superior Medical Commission.



## ARTICLE II

### CONSTITUTION AND DUTIES OF THE COMMISSION

*Section 1.* — The Commission shall consist of a Chairman and a substitute Chairman and of five other members, four of them permanent and one substitute, all appointed by the Allied Military Government.

*Section 2.* — The Commission shall be composed of the Chairman or his substitute and of four members: *a)* when deciding on appeals against decisions taken by the War Pension Commissions; and *b)* when requested to give its opinion according to Art. 57, R. D. 12 July 1923, No. 1491 and to Art. II, Section 2 of Order No. 63, to the Area Pension Commissions established by said Order No. 63.

*Section 3.* — In cases other than those set forth in Section 2 of this Article the Commission shall be composed of the Chairman or his substitute and of two members.

## ARTICLE III

### APPEALS AGAINST DECISIONS TAKEN BY THE WAR PENSIONS MEDICAL COMMISSION OF TRIESTE

*Section 1.* — Appeals against decisions of the War Pensions Medical Commission of Trieste shall be lodged with the Territorial Commission within 90 days from the notification of such decisions.

*Section 2.* — Appeals against decisions taken by the War Pensions Medical Commission of Trieste between 12 June 1945 and the effective date of this Order shall be admissible within 90 days from the said effective date.

## ARTICLE IV

### DECISIONS OF THE COMMISSION

Any and all decisions taken by the Territorial Commission are unappealable and have executory power but may be revised by the Allied Military Government.

## ARTICLE V

### EFFECTIVE DATE

This Order shall become effective on the date of its publication in the Allied Military Government Gazette.

Dated at TRIESTE, this 22nd day of December 1946.

**ALFRED C. BOWMAN**

Colonel, J.A.G.D.  
Senior Civil Affairs Officer

# Order No. 288

## JURISDICTIONAL COMPETENCE OF HARBOUR-MASTERS

*WHEREAS it is deemed advisable and necessary to raise the limit of value of cases within the civil jurisdictional competence of harbour-masters,*

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

### ORDER:

#### ARTICLE I

#### RAISING OF THE LIMIT OF VALUE WITHIN COMPETENCE OF HARBOUR-MASTERS

The limit of value of the cases relating to Articles 589 and 603 of the Navigation Code (Codice della Navigazione) and within the competence of the harbour-masters is hereby raised to fifty thousand Lire.

#### ARTICLE II

#### PROVISIONS CONCERNING PENDING CASES

The Tribunal 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, and all cases pending before them on the effective date of this Order.

#### ARTICLE III

#### EFFECTIVE DATE

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

Dated at Trieste, this 31st day of December 1946.

**ALFRED C. BOWMAN**

Colonel, J.A.G.D.

Senior Civil Affairs Officer

# Order No. 291

## PERMISSION TO ACCEPT AN INHERITANCE MADE TO THE CONGREGATION OF THE PROVIDENCE SISTERS (CONGREGAZIONE DELLE SUORE DELLA PROVVIDENZA) OF GORIZIA

*WHEREAS the Congregation of the Providence Sisters (Congregazione delle Suore della Provvidenza) has presented a petition to the Allied Military Government, asking for permission to accept an inheritance made to said Congregation by the holographic last will and testament dated 12.12.44 of Adele CERRUTI, deceased, which will was duly published on 14 February 1945, by instrument No. rep. 10.140 of Notary Antonio GRUSOVIN of Gorizia, and*

*WHEREAS the said petition has been duly approved in writing by the President of the Area of Gorizia, 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 the Congregation of the Providence Sisters (Congregazione delle Suore della Provvidenza), be, and it hereby is granted permission to accept the inheritance made to the said Congregation by the holographic last will and testament dated 12.12.1944 of Adele CERRUTI of the late Giovanni Battista, deceased, published on the 14.2.1945 by instrument No. rep. 10.140 of notary Antonio GRUSOVIN of Gorizia in accordance with the said last will and testament and subject to all of its provisions.

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

Dated at Trieste, this 7th day of January 1947.

**ALFRED C. BOWMAN**

Colonel, J.A.G.D.

Senior Civil Affairs Officer

# Order No. 292

## INSTITUTION OF A PROVISIONAL ADDITIONAL REGISTRATION TAX ON TRANSFERS OF REAL PROPERTY

*WHEREAS it is deemed advisable to institute a provisional additional registration tax on transfers of real property in those parts 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

#### DECLARATION CONCERNING THE CURRENT COMMERCIAL VALUE OF TRANSFERRED PROPERTY

In transfers of real property or of rights on real property, including transfers to partnerships, effected by deeds between living persons or by reason of death, the party requesting registration shall, independently of prices agreed upon or declared in the deed or in the statement („denuncia“), file with the „Ufficio del Registro“ a declaration of the current commercial value of the property transferred, signed by the parties obliged to the payment of the registration tax.

All taxes and dues shall be assessed on the basis of such declaration.

The formality of registration shall be subject to the filing of the declaration.

#### ARTICLE II

#### INSTITUTION OF A PROVINCIAL ADDITIONAL TAX

If the value of the transferred property as given by the Finance Administration in accordance with existing laws, is higher than 150% of the value stated in the declaration provided for by Article I of this Order or exceeds the latter by one million lire or more, a provisional additional registration tax, equivalent to the amount of the tax assessed on the difference between the commercial value estimated by the Administration and that declared in terms of Article I hereof, shall be due by the taxpayer.

#### ARTICLE III

#### TIME LIMIT FOR THE PAYMENT OF THE PROVISIONAL ADDITIONAL TAX

The taxpayer shall be advised of the amount of the additional registration tax provided for by the foregoing Article, together with a statement of the officially assessed value. Such tax shall be payable to the competent „Ufficio Registro“ within 5 days from the notification of the notice relating thereto.

No appeal by the taxpayer to the District Commission against the notice of assessment shall be allowed unless it is established that the additional registration tax has been paid within the time limit established in the foregoing para.

#### ARTICLE IV

#### ABSORPTION OR REFUND OF THE PROVISIONAL ADDITIONAL TAX

The provisional additional registration tax shall be absorbed by the eventual „complementare“ tax due on the value of the transferred property as finally established.

Refund of the additional registration tax with in terms of the foregoing para is not due by the taxpayer, shall be requested by the latter within 6 months of the date on which the taxable value has been finally established. Any request made after this time limit shall have no effect.



## ARTICLE V

### PROVISIONS FOR FURTHER ADDITIONAL TAX

Irrespective of the nature of the transaction, if the value either as assessed by the Finance Administration and not appealed from, or as finally determined by the Commission on appeal, less one-quarter, exceeds the value stated in the declaration referred to in Article I hereof, the taxpayer, in addition to the „complementare“ tax due on the difference between the two values, shall be liable to a further additional tax of not less than one-tenth of the „complementare“ tax due and not exceeding the amount thereof increased by one-fifth. In any case the minimum further additional tax shall not be lower than 1.000.— lire.

## ARTICLE VI

### EFFICACY OF PROVISIONS NOT INCONSISTENT WITH THIS ORDER

All provisions in force at present and not inconsistent with those contained in this Order shall maintain their effect.

## ARTICLE VII

### EFFECTIVE DATE

This Order shall take effect from the date of its publication in the Allied Military Government Gazette and the provisions contained therein shall apply to the deeds and declarations which will be filed for registration as from such date.

Trieste, 9th January 1947.

**ALFRED C. BOWMAN**

Colonel. J.A.G.D.  
Senior Civil Affairs Officer

## Order No. 293

### INCREASE IN COMMISSION ON THE SALE OF POSTAGE STAMPS AND STAMPED PAPER

*WHEREAS, it is deemed advisable to increase the rate of commission on the sale of postage stamps and stamped paper („carte valori“) in those parts 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

### INCREASES IN COMMISSIONS

*Section 1.* — The rate of commission due to retailers on the sale of postage stamps and stamped paper („carte valori“) is hereby fixed at 2½%. (two and half percent).

*Section 2.* — The rate of commission on supplies of postage stamps and stamped paper by „Casse Provinciali delle Poste“ to „Ricevitori Postali“ is hereby fixed at 3 percent which shall include the commission due to retailers on postage stamps and stamped paper transferred to the latter for re-sale.

*Section 3.* — The rate of commission established by the foregoing sections shall come into force in respect to the purchasing and/or supplying of postage stamps and stamped paper from the first day of the month following that in which this Order is published in the Allied Military Government Gazette.

## ARTICLE II

### EFFECTIVE DATE

This Order shall become effective on the day of its publication in the Allied Military Government Gazette.

TRIESTE, 27th December 1946.

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

## Order No. 298

### ARBITRATION BY THE CHAMBER OF COMMERCE, INDUSTRY AND AGRICULTURE IN TRIESTE

*WHEREAS, it is considered advisable and necessary to provide for certain modifications of the Rules of Procedure relating to arbitration by the Chamber of Commerce, Industry and Agriculture in Trieste approved by Min. Decree 29 December 1936,*

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

### ORDER:

#### ARTICLE I

#### MODIFICATION OF ARTICLE 2 OF THE RULES

Article 2 of the Rules of Procedure relating to arbitration by the Chamber of Commerce, Industry and Agriculture in Trieste is hereby rescinded and in lieu thereof shall be substituted:

„The Giunta of the Chamber of Commerce, Industry and Agriculture shall appoint at least 40 arbiters for the Arbitration Board from among the persons designated by the Association of wholesale traders, by the provincial association of industrialists and by the association of Giulian agriculturists.“

„The aforesaid appointment of arbiters shall be subject to the approval of the Area Commissioner“.

#### ARTICLE II

#### MODIFICATION OF SOME TERMS USED IN THE RULES

Whenever the following terms occur in the text of the Rules mentioned in the Preamble: „Provincial Council of Corporative Economy“ (Consiglio Provinciale dell' Economia Corporativa) or „Presidential Committee of the Provincial Council of Corporative Economy“ (Comitato di presidenza, del Consiglio Provinciale dell' Economia Corporativa), they shall be substituted respectively by the words „Chamber of Commerce, Industry and Agriculture“ and „Giunta of the Chamber of Commerce, Industry and Agriculture“.

#### ARTICLE III

### EFFECTIVE DATE

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

Dated at TRIESTE, this 27th day of December 1946.

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

# Order No. 299

## COMPULSORY WORKMEN'S COMPENSATION INSURANCE FOR OCCUPATIONAL ACCIDENTS AND DISEASES

*WHEREAS it is deemed advisable and necessary to confer the force of law upon the administrative provisions issued in January 1942 relating to the improvements of the benefits granted under compulsory workmen's compensation insurance for occupational accidents and diseases in those parts 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

##### ADOPTION OF LEG. DECREE No. 202

*Section 1.* — Except as hereinafter specifically mentioned, all the provisions contained in the undermentioned Decree of the Italian Government: Legislative Decree of the Provisional Chief of the State dated 23 August 1946, No. 202, entitled „Passing into Law of the administrative provisions of January 1942 relating to the improvement of the benefits granted under compulsory workmen's compensation insurance for occupational accidents and diseases“ shall be adopted and made part of this Order by reference, and shall have the same force and effect in the Territory as if they had been herein set forth in full.

*Section 2.* — A copy of the above mentioned Legislative Decree has been deposited in all „Istituto Nazionale per l'Assicurazione contro gli infortuni sul lavoro“ Offices of the Territory and may be freely examined by all persons interested.

#### ARTICLE II

##### SUBSTITUTION OF ALLIED MILITARY GOVERNMENT FOR REFERENCE TO ITALIAN STATE

All reference to the Italian State and any Department Bodies Ministers or Officials acting under its authority referred in the Legislative Decree specified in Article I of the present Order shall be deemed to be deleted and, instead, shall be substituted Allied Military Government. Nothing herein contained shall confer any jurisdiction upon the Italian State or any person or body acting under its authority with regard to any person property or matter in the Territory.

#### ARTICLE III

##### EFFECTIVE DATE

The Legislative Decree specified in Article I hereof shall come into force in the Territory on the date that this Order is signed by me.

Dated at TRIESTE, this 31st day of December 1946

**ALFRED C. BOWMAN**

Colonel, J.A.G.D.  
Senior Civil Affairs Officer



## Order No. 300

### SEAMEN'S PENSIONS, AND EXTENSION OF INSURANCE UNDER „PREVIDENZA MARINARA“ INSURANCE SCHEME TO SEAMEN CALLED TO THE ARMED FORCES

*WHEREAS, it is deemed necessary to make certain amendments to the laws relating to pensions of seamen in 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

*Section 1. — Except as hereinafter specifically mentioned, all provisions contained in D.L.L. 22 March 1946, No. 391, „Provisions for the increase of pensions to seamen and extension of insurance under „Previdenza Marinara“ Insurance scheme to Seamen called to Armed Forces“ issued by the Italian Government, shall be adopted and made part of this Order by reference and shall have the same force and effect within the Territory, as if they had been herein set forth in full.*

*Section 2. — A copy of the above mentioned Decree has been deposited in all Offices of the „Istituto Nazionale della Previdenza Sociale“ of the Territory and may be freely examined by all persons who are interested therein.*

##### ARTICLE II

All references to the Italian State and any Departments, Bodies, Ministers or Officials acting under its authority referred to in the Legislative Decree Specified in Article I hereof, shall be deemed to be deleted, and instead shall be considered as made to the Allied Military Government and to the Officials and Bodies operating in the Territory under the control of the Allied Military Government, and nothing herein contained shall confer any jurisdiction upon the Italian State or any person or body acting under its authority with regard to any person, property or objects within the Territory.

##### ARTICLE III

The provision contained in Article 17 of the Legislative Decree referred to in Article I hereof is hereby deleted and shall not be considered as part of this Order.

##### ARTICLE IV

The Legislative Decree specified in Article I hereof shall come into force within the Territory on the date this Order is signed by me.

Dated at Trieste, this 7th day of January 1947.

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

## Order No. 301

### INCREASE OF FEES DUE FOR PROFESSIONAL WORK OF LAWYERS IN CERTAIN CASES

*WHEREAS, it is considered necessary to increase the fees due for professional work of lawyers in cases pertaining to the competence of „giudici conciliatori“ and „pretori“ in those parts 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 DUE FOR PROFESSIONAL WORK**

*Section 1.* — The minimum fee due for professional work of lawyers in cases pertaining to the competence of the „giudice conciliatore“ is hereby fixed at Lire 800.— maximum Lire 1750.—

*Section 2.* — The minimum fee due for professional work in cases pertaining to the competence of the „pretore“ is hereby fixed at Lire 2500.— maximum Lire 9000.—

**ARTICLE II**

**EFFECTIVE DATE**

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

Dated at TRIESTE, this 31st day of December 1946

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

**Order No. 302 (38 B)**

**RECONSTITUTION OF INSPECTORATES OF AGRICULTURE AND OTHER OFFICES**

*WHEREAS, by Order No. 38, the Provincial Inspectorates of Agriculture have been re-constituted under the denomination of Area Inspectorates of Agriculture, within that part of Venezia Giulia administered by the Allied Forces, and*

*WHEREAS, in Article II, Section C, Order No. 38, establishing the table of organization for the personnel of such Inspectorates, it has been erroneously omitted to specify that other officials may also be appointed in case of further necessity:*

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

**ORDER:**

**ARTICLE I**

**AMENDMENT TO SECTION C OF ARTICLE II OF ORDER No. 38**

Section C of Article II of Order No. 38 is hereby amended so that the second para thereof shall be considered as deleted and substituted by the following:

„In addition to the personnel mentioned in the foregoing para, in cases of necessity other officials may be appointed by the Area Commissioner in the Area Inspectorates and in the Offices depending thereupon, with the grade and in the group specified in each single occasion“.

**ARTICLE II**

**EFFECTIVE DATE**

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

Dated at TRIESTE, this 31st day of December 1946.

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

## Administrative Order No. 86

### TEMPORARY APPOINTMENT OF THE TYPIST PISTRIN OLGA AS „AVVENTIZIA“ OF CATEGORY III.

*WHEREAS the Procuratore Generale di Stato at the Court of Appeal of Trieste recommended the appointment of the typist PISTRIN OLGA as „avventizia“ of category III, and*

*WHEREAS, said appointment is advisable,*

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

#### ORDER:

1) PISTRIN OLGA, typist at the Pretura of Trieste is hereby temporary appointed as „avventizia“ of category III at said Office and shall be entitled to the emoluments due to personnel of such category, with effect from November 1, 1946.

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

Dated at TRIESTE, this 27th day of December 1946.

**ALFRED C. BOWMAN**

Colonel, J.A.G.D.

Senior Civil Affairs Officer

## Administrative Order No. 89

### TEMPORARY PROMOTION OF THE PERSONNEL OF THE „ARCHIVIO NOTARILE“ OF TRIESTE

*WHEREAS the chief of the „archivio notarile“ of Trieste proposed the promotion to higher grade of the assistants of his office ALDA BERTOLI and OLGA GRILANZ; and*

*WHEREAS the First President and the Procuratore Generale of the Court of Appeal of Trieste recommended promotion of above; and*

*WHEREAS said proposal is advisable;*

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

#### ORDER:

1) ALDA BERTOLI and OLGA GRILANZ, assistants of the „archivio notarile“ of Trieste, are promoted from the grade XII to the grade XI.

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

Dated at TRIESTE, this 7th day of Jan. 1947.

**ALFRED C. BOWMAN**

Colonel, J.A.G.D.

Senior Civil Affairs Officer



# Administrative Instruction N. 1 on transportation

## RAILWAY TARIFF FOR TRANSPORT OF TRANSIT-GOODS

1. — With effect from October 1st, 1946 and till further notice, the following taxes shall be applied as regards out-going and incoming goods carried on the State railways respectively to or from a foreign country. Whereas the taxes due for transportation of such goods shall be expressed in Swiss-francs, the computation thereof shall be as follows:

- a) The basic prices as per tariff (Inland service and „Volume unico“ according to whether the transport is from rail to rail or has been effected upon the basis of a direct international tariff) shall be replaced by those obtained by multiplying the prices themselves by the coefficient 0.153, without taking into account the increased percentage now in force. Price thus obtained, — to be rounded up at second decimal cipher when third decimal equals or exceeds 5, — represent the basic prices and shall be expressed in Swiss-francs.
- b) After having calculated the basic prices in the aforesaid manner, such prices will be multiplied by the taxable weight of the goods to be forwarded, computed in accordance with the provisions of „Conditions and Tariff“; the tax thus obtained shall be expressed in Swiss-francs. The amount of such tax shall be rounded up to the next 10 cents of a franc. As regards the forwarding of goods of less than the minimum weight foreseen for a single waggon, or average between two minimum weights, the provisions of Article 69 relating to regulations and tariffs shall be applicable.

2. — Casual accessory taxes (transit-dues, fees due for payment of tariff-rates (freight) on arrival of the goods, dues and accessory custom-dues) shall be applied also as regards transportation of such goods at rates as provided for by existing legislation and expressed in Italian Lire.

3. — As to transports leaving sea-ports, (also) the total amount of State railways' accessory (taxes) charges, calculated without taking into account the increased percentages, shall be converted into Swiss-francs, by multiplying with the coefficient 0.153.

Dated at Trieste, this 9th January 1947.

**ALFRED C. BOWMAN**

Colonel, J.A.G.D.

Senior Civil Affairs Officer

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## Notice No. 20

### USE OF MILITARY PAYMENT CERTIFICATES

United States authorized Personnel stationed in the European and Mediterranean Theaters have recently adopted special military script of various denominations of dollars and cents known as „Military Payment Certificates“ to be used solely for the payment by the United States Government to authorized personnel and in turn to be used only by such authorized personnel in dealing with United States Military Establishments in accordance with applicable rules and regulations.

Finance Officers within the theaters are not permitted to accept such certificates from any one other than duly authorized personnel. Such certificates have no value to persons other than duly authorized personnel which includes only members of the United States Armed Forces and a restricted number of duly authorized American Civilians.

Dated at TRIESTE, this 7th day of January 1947.

**ALFRED C. BOWMAN**

Colonel, J.A.G.D.

Senior Civil Affairs Officer

# PART II

## TRIESTE AREA

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### Area Order No. 50 D

#### RESTRICTIONS ON THE USE OF ELECTRICAL CURRENT

WHEREAS it is considered necessary to make certain further amendments to Area Order N. 50, dated 5 November 1946, already amended by Area Order N. 50 B and 50 C,  
NOW, THEREFORE, I, A.H. GARDNER, Lt. Col. Area Commissioner, Trieste, in virtue of the powers vested in me by General Order No. 84, dated 4 November 1946,

#### ORDER:

##### ARTICLE I.

Section 1. — Art. I Sec. 2 of Area Order N. 50b is hereby cancelled.

Section 2. — On Sundays electrical current shall be switched off throughout the Area from 1315 hours to 1615 hours.

Section 3. — Art. I Sec. 5 of Area Order No. 50 is hereby cancelled.

Section 4. — Industrial enterprises taking their supply direct from SELVEG and industrial enterprises within the Free Port Area controlled by the Magazzini Generali shall have the electrical current switched off every Monday between 0730 and 1700 hours. In the case of commercial enterprises in the Free Port Area the use of electrical current for power or lighting purposes is prohibited between 1730 and 0700 hours daily.

##### ARTICLE II.

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

Dated in Trieste, this 19th day of December 1946.

A. H. GARDNER  
Lt. Col.  
Area Commissioner Trieste

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### Area Administrative Order No. 49

#### APPOINTMENT OF NEW MEMBER TO THE EPURATION COMMISSION OF FIRST INSTANCE, TRIESTE

Pursuant to the powers given to me by Section III of General Order No. 7, I, A. H. GARDNER, Lieut. Colonel, Area Commissioner, Trieste Area :

#### HEREBY APPOINT:

Signor OLIMPIO EDER to be a Member of the Epuration Commission of First Instance, Trieste, in place of Signor MARIO COVA resigned.

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

Dated at TRIESTE, this 27th Day of December 1946.

A. H. GARDNER  
Lieut. Colonel  
Area Commissioner Trieste Area

# GORIZIA AREA

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## Area Order No. 120 D

### AMENDMENT TO AREA ORDERS No. 120 AND 120 B

*WHEREAS it is deemed necessary to amend Area Orders No. 120 and 120 B,*

*I, FRED O. MAVIS, Lt. Col. Inf., Area Commissioner for Gorizia Area, by virtue of the power vested in me by General Order No. 84, Art. 3.,*

#### ORDER:

##### ARTICLE I

Section 7, Art. 1 of Area Order No. 120 is hereby amended to read and provide as follows:

Industrial enterprises taking their supply of electricity direct from S.E.L.V.E.G. shall reduce their consumption so as not to exceed 80% of the consumption figure for the month of October 46.

These industrial establishments shall not use any electrical current from said source of supply, between the hrs 0730 and 1700 on Dec. 26th — 2nd January 47 and thereafter during this period of time on Monday of each week.

##### ARTICLE II

Section 5., Art. 1 of Area Order No. 120 B is hereby amended to read and provide as follows:

All current throughout the Area with the exceptions mentioned in Section 7, Art. 1 of Area Order No. 120, will be switched off daily between the hrs of 1230 and 1630.

##### ARTICLE III

Any provisions of Area Order No. 120 and 120 B which are in conflict with this amendment are hereby rescinded.

This Order shall come into force with effect from 24th December 1946.

Dated at Gorizia, this 30th day of December 1946.

**FRED O. MAVIS**

Lt. Col. Inf.

Area Commissioner Gorizia Area



# VOLUME II

## GAZETTE No. 8

### ALLIED MILITARY GOVERNMENT

#### CONTENTS

##### PART I

#### HEADQUARTERS, TRIESTE

General Order	Page
No. 64 (54 C) Increase and control of rents .....	355
No. 85 (73 B) Amendment to General Order No. 73 — List of holidays recognized by Law .....	359
No. 87 (55 C) Payments to the Fishing Consorzio of Venezia Giulia.....	359
 Order	
No. 225 Payments in respect of motor vehicles requisitioned by Allied Authorities .....	360
No. 226 Reconstitution of the „Territorial Jurisdictional Committee“ for decisions on disputes concerning requisitions .....	365
No. 250 (37 B) Liability of railroads in the transportation of goods .....	366
No. 258 Change of name of „Associazione Nazionale per il controllo della combustione — Sezione Veneta Orientale“ and approval of its tariffs .....	367
No. 277 Re-constitution of the Committee for Forestry.....	368
No. 278 Pensions for the personnel of public transportation services dismissed for political reasons .....	369
No. 282 Provisions concerning local government tax collection .....	370
No. 286 Increase of fees for accountants (ragionieri) and commercialists (dottori commercialisti) .....	371
No. 287 Establishment of a territorial medical commission for the defi- nition of medical legal cases relating to military personnel and personnel of public administrations .....	372
No. 288 Jurisdictional competence of harbour-masters .....	374
No. 291 Permission to accept an inheritance made to the Congregation of the Providence Sisters (Congregazione delle Suore della Provvidenza) .....	374
No. 292 Institution of a provisional additional registration tax on transfers of real property .....	375
No. 293 Increase in commission on the sale of postage stamps and stamped paper .....	376
No. 298 Arbitration by the Chamber of Commerce, Industry and Agri- culture in Trieste .....	377
No. 299 Compulsory workmen's compensation insurance for occupational accidents and diseases .....	378

Order		Page
No. 300	Seamen's pensions, and extension of insurance under „Previdenza Marinara“ insurance scheme to seamen called to the Armed Forces .....	379
No. 301	Increase of fees due for professional work of lawyers in certain cases.....	379
No. 302 (38 B)	Reconstitution of Inspectorates of agriculture and other offices .....	380
<b>Administrative Order</b>		
No. 86	Temporary appointment of the typist Pistrin Olga as „avventizia“ of category III .....	381
No. 89	Temporary promotion of the personnel of the „archivio notarile“ of Trieste .....	381
<b>Administrative Instruction</b>		
—	Administrative Instruction No. 1 on transportation — Railway tariff for transport of transit - goods.....	382
<b>Notice</b>		
No. 20	Use of Military Payment Certificates .....	382

## P A R T II

### TRIESTE AREA

<b>Area Order</b>		
No. 50 D	Restrictions on the use of electrical current .....	383
<b>Area Administrative Order</b>		
No. 49	Appointment of new member to the Epuration Commission of first instance, Trieste .....	383

### GORIZIA AREA

<b>Area Order</b>		
No. 120 D	Amendment to Area Orders No. 120 and 120 B .....	384