

ALLIED MILITARY GOVERNMENT

BRITISH - UNITED STATES ZONE
FREE TERRITORY OF TRIESTE



OFFICIAL GAZETTE

VOLUME II

No. 2 - 21 January 1949

Published by the A. M. G. F. T. T. under the Authority of the Commander
British - United States Forces Free Territory of Trieste.

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18074

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Printed by the G.P.O. under the authority of the Government
of the United States of America at the Government

ALLIED MILITARY GOVERNMENT

British - United States Zone - Free Territory of Trieste

Order No. 2

PROVISIONS CONCERNING BAILIFFS („UFFICIALI GIUDIZIARI“) AND THEIR AUTHORIZED CLERKS

WHEREAS it is deemed advisable and necessary to make certain economic provisions in favour of bailiffs („Ufficiali Giudiziari“) and their authorized clerks exercising their functions in that part of the Free Territory of Trieste administered by the British-United States Forces (hereinafter called the „Zone“),

NOW, THEREFORE, I, RIDGELY GAITHER, Brigadier General, U. S. Army, Director General, Civil Affairs,

ORDER:

ARTICLE I

Section 1. — With effect from 1 January 1949, the Bailiffs of the Pretura and of the Tribunal in the Zone who, by computing the revenue set forth in No. 1 of Art. 1 of the Organic Text approved by R. D. 28 December 1924, No. 2271, exclusive of:

- a) the transfer allowance;
- b) the fixed fees for service by mail;
- c) the fees for travelling (diritti di accesso);
- d) the expense at a rate not over L. 850 monthly for each clerk;
- e) the State tax of 10% under the first para of Art. 2 of the Law 22 December 1922, No. 1675, and 10% for the remaining expenses,

do not receive yearly the sum of L. 78,487.40, shall be entitled to a supplementary allowance to reach that sum.

Section 2. — With effect from 1 January 1949, the Bailiffs of the Court of Appeal in the Zone who, with their revenue — exclusive of the exceptions set forth in the preceding Section — do not receive yearly the sum of L. 80,170.40, shall be entitled to a supplementary allowance to reach that sum.

Section 3. — The minimum yearly compensation guaranteed to Bailiffs, in accordance with the preceding Sections, is increased as follows:

- a) for Bailiffs of the Pretura and of the Tribunal to:
 - Lire 80,170.40 after the first four years of service,
 - Lire 83,199.80 after the second four years of service,
 - Lire 86,565.80 after the third four years of service,
 - Lire 89,595.20 after the fourth four years of service,
 - Lire 92,288 after the fifth four years of service;

b) for Bailiffs of the Court of Appeal to :

- Lire 83,199.80 after the first four years of service,
- Lire 86,565.80 after the second four years of service,
- Lire 89,595.20 after the third four years of service,
- Lire 92,288.80 after the fourth four years of service,
- Lire 95,990.60 after the fifth four years of service.

Section 4. — For the increase provided for by the preceding Section, service performed by any Bailiff prior to the issuance of the Law 24 March 1921, No. 298, shall in each case be taken into account.

ARTICLE II

With effect from 1 January 1949 the amounts set forth in Art. V Section 1 of Order No. 179, dated 21 August 1946, providing for payment to the Treasury of 50% and 70% of the amounts collected by the Bailiffs, already increased by Art. II of Order No. 412 (179 A), dated 9 July 1947, are hereby further increased by 30%.

ARTICLE III

Section 1. — Whenever the amount due to a Bailiff for percentages on credits recovered by the State exceeds 30.000 lire for two months, the judicial clerk shall forward the surplus to the chief judicial clerk of the Court of Appeal.

Section 2. — The latter shall apportion the total amounts received in accordance with the preceding Section, equally among all Bailiffs of the district in actual service on the 15th of the month for which the apportionment is made.

ARTICLE IV

All fees and indemnities established for acts performed by Bailiffs in civil and penal matters pursuant to the provisions in effect on the date of publication of this Order, are hereby increased by 30%.

ARTICLE V

The amount of each fee collected by Bailiffs from parties shall be made into a round figure by increasing fractions to one lira.

ARTICLE VI

With effect as from the first of the month subsequent to the effective date of this Order the „Cassa Unica“ mentioned in Art. 103 of the Organic Text approved by R. D. 28 December 1924, No. 2271, shall be compulsory in all offices within the Zone to which two or more Bailiffs are assigned.

ARTICLE VII

With effect from 1 January 1949 the amount to be paid by the Bailiffs to their authorized clerks with the right of recovery from the Treasury in accordance with Art. V of Order No. 412 (179 A), dated 9 July 1947, is hereby fixed at the rate of Lire 7,800 monthly.

ARTICLE VIII

The previous provisions relating to Bailiffs and their clerks in so far as consistent with this Order shall remain in force.

ARTICLE IX

This Order shall become effective on the date of its publication in the Official Gazette.

Dated at TRIESTE, this 17th day of January 1949.

RIDGELY GAITHER

Brigadier General, U. S. Army
Director General, Civil Affairs

Ref. : LD/A/49/3

Order No. 3

ORGANIZATION OF THE ORGANIC PLAN OF JUDICIAL OFFICES AND SECRETARIATS AND OF BAILIFFS

WHEREAS it is deemed necessary in the interest of the administration of justice to modify and amend the organic plan of the judicial offices and secretariats and of the bailiffs in the British-United States Zone of the Free Territory of Trieste. (hereinafter referred to as the Zone),

NOW, THEREFORE, I, RIDGELY GAITHER, Brigadier General, U. S. Army, Director General, Civil Affairs,

ORDER :

ARTICLE I

With effect from 1 January 1949 the organic plan of the judicial offices and secretariats within the Zone shall be as follows :

1) *Court of Appeal :*

- a) 1 „cancelliere capo“ of grade VI or VII who shall also perform the functions of secretary of the First President of the Court of Appeal ;
- b) 8 subordinate „cancellieri“, 1 of whom of grade VII, 2 of grade VIII, 5 of inferior grade or assistants („aiutanti cancellieri“).

2) *Procura Generale* :

- a) 1 chief-secretary („segretario capo“) of grade VI or VII ;
- b) 3 subordinate secretaries, 2 of whom of grade VIII and 1 of inferior grade.

3) *Tribunal* :

- a) 1 „cancelliere capo“ of grade VII ;
- b) 24 subordinate „cancellieri“, 1 of whom of grade VII, 6 of grade VIII, 17 of inferior grades.

4) *Procura di Stato* :

- a) 1 chief-secretary of grade VII ;
- b) 8 subordinate secretaries, 2 of whom of grade VIII and 6 of inferior grades.

5) *Pretura* :

- a) 1 „cancelliere capo“ of grade VII or VIII ;
- b) 19 subordinate „cancellieri“, 2 of whom of grade VIII and 17 of inferior grades.

ARTICLE II

With effect from 1 January 1949 the organic plan of bailiffs („ufficiali giudiziari“) within the Zone shall be as follows :

- a) *Court of Appeal* : 1 bailiff
- b) *Tribunal* : 2 bailiffs
- c) *Pretura* : 3 bailiffs

ARTICLE III

The „cancellieri“, the secretaries, and the bailiffs in excess of the organic plan established by this Order will remain in service in each judicial office in the Zone which will be assigned to them, without any alteration of their juridical status.

ARTICLE IV

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

Dated at TRIESTE, this 17th day of January 1949.

RIDGELY GAITHER

Brigadier General, U. S. Army
Director General, Civil Affairs

Ref. : LD/A/49/6

Order No. 4

INCREASE OF BREAD ALLOWANCE IN FAVOUR OF SPECIFIED CATEGORIES OF ASSISTED PERSONS

WHEREAS it is deemed advisable and necessary to increase the amount of the bread allowance to specified categories of assisted persons as contemplated in Order No. 438 dated 3 September 1947, in that Zone of the Free Territory of Trieste administered by the British-United States Forces,

NOW, THEREFORE, I, RIDGELY GAITHER, Brigadier General, U. S. Army, Director General, Civil Affairs,

ORDER:

ARTICLE I

With effect from 1 October 1948, the amount of the bread allowance established in Order No. 438 dated 3 September 1947, is increased to Lire 616 per month.

ARTICLE II

This Order shall become effective on the date of its publication in the Official Gazette.

Dated at TRIESTE, this 17th day of January 1949.

RIDGELY GAITHER

Brigadier General, U. S. Army
Director General, Civil Affairs

Ref. : LD/A/49/9

Order No. 5

CANTIERE NAVALE „FELSZEGY“

WHEREAS the assets of the „Cantiere Navale FELSZEGY“ are deteriorating in value and it is considered expedient to authorize the Utilization of Resources Corporation to take possession of, direct and control the property of the „Cantiere Navale FELSZEGY“, under Order No. 243 dated 24 April 1948,

NOW, THEREFORE, I, RIDGELY GAITHER, Brigadier General, U. S. Army, Director General, Civil Affairs,

ORDER:

ARTICLE I

ADMINISTRATION OF „CANTIERE NAVALE FELSZEGY“

Section 1. — The Utilization of Resources Corporation is hereby authorized to take possession of, direct and control the property and resources of, and administer „Cantiere Navale FELSZEGY“ as provided for in Order No. 243 dated 24 April 1948.

Section 2. — The Utilization of Resources Corporation is further empowered to nominate and appoint an Administrator or Administrators having the necessary qualifications to develop, utilize and protect the property and resources of the „Cantiere Navale Felszegy“.

ARTICLE II

SCOPE AND LIMITATION OF ADMINISTRATION

The Utilization of Resources Corporation will continue the administration of the „Cantiere Navale FELSZEGY“ for such period as it may consider necessary or as may be necessary to restore the „Cantiere“ to a state of solvency. In the event of it proving impracticable to make the „Cantiere“ solvent, the Utilization of Resources Corporation is empowered either to reorganize the „Cantiere“ or to put the firm into liquidation.

ARTICLE III

EFFECTIVE DATE

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

Dated at TRIESTE, this 19th day of January 1949.

RIDGELY GAITHER

Brigadier General, U. S. Army

Director General, Civil Affairs

Ref.: LD/A/49/14

Order No. 6

APPOINTMENT OF ADMINISTRATOR TO „CANTIERE NAVALE FELSZEGY“

WHEREAS by Order No. 5 dated 19 January 1949 the Utilization of Resources Corporation was authorized to take possession of, direct and control the property and resources, and administer the „Cantiere Navale FELSZEGY“ and was empowered to nominate and appoint an Administrator to develop, utilize and protect the property and resources of the „Cantiere Navale FELSZEGY“, and

WHEREAS Carlo Nicolò GIACOMELLI, Via Coroneo 32, Trieste, Naval Architect has been selected by the Utilization of Resources Corporation to be Administrator of the „Cantiere Navale FELSZEGY“ in terms of said Order No. 5,

NOW, THEREFORE, I, RIDGELY GAITHER, Brigadier General, U. S. Army,
Director General, Civil Affairs.

ORDER:

ARTICLE I

APPOINTMENT OF ADMINISTRATOR

Carlo Nicolò GIACOMELLI, Via Coroneo 32, Trieste, Naval Architect, is hereby nominated and appointed Administrator of the „Cantiere Navale FELSZEGY“, and will take immediate possession of, direct and control all the property and resources of „Cantiere Navale FELSZEGY“, including cash and bank accounts.

ARTICLE II

PARTICULAR POWERS OF THE ADMINISTRATOR

Section 1. — The Administrator will block all bank accounts and take over all cash and bank accounts in his name on behalf of the „Cantiere Navale FELSZEGY“. No withdrawal of cash will be made except on his signature and he will keep proper accounts of his intromissions therewith.

Section 2. — The Administrator will investigate the state of the finances of the „Cantiere Navale FELSZEGY“ and prepare and submit a Profit and Loss Account and a Balance Sheet, at the earliest moment to the Utilization of Resources Corporation.

Section 3. — The Administrator will make arrangements for the collection of debts due to the „Cantiere Navale FELSZEGY“.

Section 4. — The Administrator is authorized to sign all documents, including receipts and discharges as Administrator on behalf of the „Cantiere Navale FELSZEGY“.

Section 5. — The Administrator will give due warning by Notice in the Official Gazette and by other means to all the creditors and debtors of the „Cantiere Navale FELSZEGY“ of his appointment.

Section 6. — The Administrator will carry out such further instructions or orders as may be given to him in writing by the Utilization of Resources Corporation.

ARTICLE III

EFFECTIVE DATE

This Order will become effective on the date of its publication in the Official Gazette.

Dated at TRIESTE, this 19th day of January 1949.

RIDGELY GAITHER

Brigadier General, U. S. Army
Director General, Civil Affairs

Ref.: LD/A/49/15

Administrative Order No. 3

AUTHORITY GRANTED TO „SEMINARIO VESCOVILE DIOCESANO“ OF TRIESTE AND CAPODISTRIA TO ACCEPT A DONATION

WHEREAS the „Seminario Vescovile Diocesano“ of Trieste and Capodistria have presented a petition to the Allied Military Government for authority to accept a donation made in their favour by the „Venerando Monastero di S. Cipriano“ in Trieste by deed of donation dated 10 December 1948, Rep. No. 2557 of Notary Dott. Ezio Galante in Trieste, and

WHEREAS the above petition has been duly approved by the Zone President of Trieste, and

WHEREAS there appears to be no reason why the said petition should not be granted,

NOW, THEREFORE, I, RIDGELY GAITHER, Brigadier General, U. S. Army, Director General, Civil Affairs,

O R D E R :

1. — Authority is hereby granted to the „Seminario Vescovile Diocesano“ of Trieste and Capodistria to accept the donation made in their favour by the „Venerando Monastero di S. Cipriano“ in Trieste by deed of donation dated 10 December 1948, No. Rep. 2557 of Notary Dott. Ezio Galante in Trieste, according to the aforesaid deed of donation and the clauses contained therein.

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

Dated at TRIESTE, this 15th day of January 1949.

RIDGELY GAITHER

Brigadier General, U.S. Army
Director General, Civil Affairs

Ref. : LD/B/49/3

Administrative Order No. 4

AUTHORITY GRANTED TO THE „CASA FAMIGLIA DELLA GIOVANE MATER DEI“ TO ACCEPT A DONATION

WHEREAS the „Casa Famiglia della Giovane Mater Dei“ have presented a petition to the Allied Military Government for authority to accept a donation made in their favour by the Rev. Don Antonio Ulcigrai in Trieste by deed of donation dated 13 March 1948, No. Rep. 39990 of Notary dott. Bruno Sandrin of Trieste,

WHEREAS the above petition has been duly approved by the Zone President of Trieste, and

WHEREAS there appears to be no reason why the said petition should not be granted,

NOW, THEREFORE, I, RIDGELY GAITHER, Brigadier General, U. S. Army, Director General, Civil Affairs,

ORDER:

1. — Authority is hereby granted to the „Casa Famiglia della Giovane Mater Dei“ to accept the donation made in their favour by the Rev. Don Antonio Ulcigrai in Trieste by deed of donation dated 13 March 1948, No. Rep. 39990 of Notary Dott. Bruno Sandrin of Trieste, according to the aforesaid deed of donation and the clauses contained therein.

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

Dated at TRIESTE, this 17th day of January 1949.

RIDGELY GAITHER

Brigadier General, U. S. Army
Director General, Civil Affairs

Ref. : LD/B/49/4

Administrative Order No. 5

APPOINTMENT OF THE BOARD OF DIRECTORS OF MAGAZZINI GENERALI OF TRIESTE

WHEREAS the Board of Directors of Magazzini Generali of Trieste was appointed by Administrative Order No. 68 dated 16 March 1948 as amended by Administrative Order No. 89 dated 27 August 1948,

WHEREAS in consequence of changes that have taken place it is now deemed advisable to amend the above mentioned Order,

NOW, THEREFORE, I, JOHN L. KEEFE, Lt. Colonel Inf., Executive Director to the Director General, Civil Affairs,

ORDER:

ARTICLE I

Article 1 of Administrative Order No. 68 dated 16 March 1948, as amended by Administrative Order No. 89 dated 27 August 1948, shall be further amended as follows:

1. — Mr. J. Robert CAMPPELL shall be appointed Chief Department of Commerce in place of Lt. Colonel S. KIGER.

2. — Mr. B. M. SMITH shall be appointed new member of the Board as Chief of the Department of Production.

ARTICLE II

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

Dated at TRIESTE, this 18th day of January 1949.

JOHN L. KEEFE

Lt. Col. Inf., U. S. Army

Executive Director to the

Director General, Civil Affairs

Ref. : LD/B/49/5

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