

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

785015

ACC

10000/100/155

18

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

785015

10000/100/155

MORALS & CONDUCT
FEB. - JUNE 1944

98

785015



AG 400.7 REPM

HEADQUARTERS
MINISTAR BADA SECTION
APO 782

SUBJECT: Sentences Awarded for Illegal Disposition of Government Property.

TO : See Distribution.

Under the provisions of paragraph 50, General Order Number 116, this Headquarters, dated 14 June 1944, subject: "Property Loss Prevention Authority (PLPA)", company or smaller unit commanders will assemble their units and read to them the following sentences awarded for illegal disposition of Government property. This information will be imparted to every individual in the organization, and after having been read will be posted on bulletin boards and at other conspicuous places.

a. In that Private Ivory Cooper, Company ***Quartermaster Service Battalion, did, at ***Quartermaster Service Battalion (Italian) vicinity of ***, on or about 3 December 1943, feloniously take, steal, and carry away 2 bags barrack value of about \$1.08, 12¹/₂ pairs shoes, service value of about \$45.75, 10 pairs socks, light wool value of about \$2.50, 3 drawers, woolen value of about \$3.09, 1 jacket, field value of about \$8.76, 17 jackets, herringbone twill value of about \$35.19, total value of about \$95.07, property of the United States furnished for the Military Service thereof.

Sentence - To be dishonorably discharged the service, to forfeit all pay and allowances due or to become due, and to be confined at hard labor at such place as the reviewing authority may direct, for ten (10) years. (Two previous convictions considered).

b. In that Private Albert J. Holmes, Jr., ***Quartermaster Service Company (then Company ***, ***Quartermaster Service Battalion), did, at *** on or about 16 January 1944, knowingly and willfully apply to his own use and benefit, a United States Army 2¹/₂-ton truck of the value of about \$2200.00, property of the United States furnished and intended for the military service thereof.

In that Private Albert J. Holmes, Jr., ***Quartermaster Service Company (then Company ***, ***Quartermaster Service Battalion), did, at ***, on or about 31 January 1944, knowingly and willfully apply to his own use and benefit, a United States Army GMC truck, of the value of about \$2200.00, property of the United States furnished and intended for the military service thereof.

Sentence - To be dishonorably discharged the service, to forfeit all pay and allowances due or to become due, and to be confined at hard labor at such a place as the reviewing authority may direct for a period of ten (10) years. (One previous conviction considered.)

By order of Colonel OXX:

L. F. Nickel

L. F. NICKEL
Lt. Col., J.G.O.
Adjutant General

DISTRIBUTION:

"A" & "B"

U.S. RESTRICTED Equals British RESTRICTED

HEADQUARTERS PENINSULAR BASE SECTION
A.P.O. 782, c/o P.M., New York, N.Y.

AG 250.1 BPAGG-C

SUBJECT: Passengers in Ships and Craft of Eighth Amphibious Force.

TO : See Distribution.

1. The following instructions dated 13 May 1944 relative to personnel boarding Ships and Craft of the Eighth Amphibious Force will be adhered to by all personnel of this command:

a. When two or more passenger officers are embarked with enlisted passengers and/or equipment, there shall be established a Passenger Officer-of-the-Watch who shall be responsible for maintaining order and cleanliness in those spaces occupied by passenger enlisted personnel and/or equipment.

b. Enlisted sentries shall be posted in all spaces occupied by enlisted passengers.

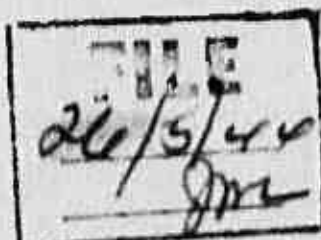
c. Policing details shall be posted to maintain cleanliness in all spaces occupied by passengers and/or equipment, and such spaces shall be left clean upon debarkation.

d. Alcoholic beverages shall not be consumed on board.

2. Commanding Officers having personnel to be transported will be held responsible that the senior passenger in command has in his possession a copy of these instructions.

By command of Major General WILSON:

DISTRIBUTION:
WAF 2 WAF
5 CG Fifth Army



Rear 1st -
1- Det 1st (H&C)
1- File

L.F. Nickel
L. F. NICKEL
Lt. Col., A.C.D.
Adjutant General

ACC-DIST
Spec Affs (at Br.)
2675 Regt.
G-H (Transportation)
Hq. Comdt. Mamm

FILE

HEADQUARTERS
PENINSULAR BASE SECTION
A. F. O. 782

AD 250.1 31720

14 May 1944

Subject: Persons Subject to Military Law.

To : All Unit Commanders, Peninsular Base Section.

1. Under article of War 2, "all persons accompanying or serving with the Armies of the United States in the field" are subject to military law and may be tried by court-martial.

2. Under international law, when enemy territory is occupied by an invading power, it is the duty of the invading power to establish and maintain a government for the control and protection of the civilian population. The native civil population is subject to military law, but it is customarily tried not by courts-martial but by provost courts or military tribunals set up and operated by the invading powers.

3. In Italy, therefore, not only the military forces, but all persons accompanying or serving with the Armies of the United States will be tried by court-martial for offenses properly brought before such courts. This will include military personnel, U.S.O. and Red Cross personnel, merchant seamen, lease-lend personnel, and all others serving directly with or under the Armies in the field, but will exclude naval, coast-guard, and diplomatic personnel of the United States.

4. Native inhabitants, whether citizens of Italy or citizens of other countries, will be tried for their offenses by the courts established by Allied Military Government, which is the agency established by the invading powers for the government and control of the occupied territory. All offenses committed by native inhabitants will be vigorously prosecuted, and unit commanders are directed to lend every reasonable assistance to the Allied Military Government in the apprehension, prosecution and confinement of such offenders.

5. The foregoing will be brought to the attention of all military personnel of this command and all civilians who are in the PAB territory.

DISTRIBUTION:
"A" and "E"

/s/ Arthur R. Wilson
ARTHUR R. WILSON
Major General, U.S. Army
Commanding.

Reproduced by:

Reas: HQ, ACC EW 13 May 44

1st Ind

REAR HEADQUARTERS, ALLIED CONTROL COMMISSION, APO 394, 13 May 1944

EWC/afp

4826

250.1 + 100000 + 100000
+ P.B.S.

1. Under article of War 2, "all persons accompanying or serving with the Armies of the United States in the field" are subject to military law and may be tried by court-martial.

2. Under international law, when enemy territory is occupied by an invading power, it is the duty of the invading power to establish and maintain a government for the control and protection of the civilian population. The native civil population is subject to military law, but it is customarily tried not by courts-martial but by provost courts or military tribunals set up and operated by the invading powers.

3. In Italy, therefore, not only the military forces, but all persons accompanying or serving with the Armies of the United States will be tried by court-martial for offenses properly brought before such courts. This will include military personnel, U.S.O. and Red Cross personnel, merchant seamen, lease-lend personnel, and all others serving directly with or under the Armies in the field, but will exclude naval, coast-guard, and diplomatic personnel of the United States.

4. Native inhabitants, whether citizens of Italy or citizens of other countries, will be tried for their offenses by the courts established by Allied Military Government, which is the agency established by the invading powers for the government and control of the occupied territory. All offenses committed by native inhabitants will be vigorously prosecuted, and unit commanders are directed to lend every reasonable assistance to the Allied Military Government in the apprehension, prosecution and confinement of such offenders.

5. The foregoing will be brought to the attention of all military personnel of this command and all civilians who are in the RAS territory.

DISTRIBUTION:
"A" and "B"

Reproduced by:

Rear Hq. ACC FK 13 May 44

1st Ind

REAR HEADQUARTERS, ALLIED CONTROL COMMISSION, APO 394, 18 May 1944 EJC/afp

TO: All Heads, Sections, Sub-Commissions, and Departments, this HQ.

To be brought to the attention of all concerned in your command.

By command of Lieut General MASON ACALLAN

DISTRIBUTION:

E. J. Chiora
E. J. CHIORA
CWO, USA
Asst Adjutant

2010.7.2 The above is a summary
+ P.B.S.

FILE UNDER NO. A. C. C. 2675- -

2458 BLUE

INDEX SHEET SYNOPSIS

Letter (Mimeo.) 29 March 1944. Ref. 201.36

From: A. C. C. 2675th Regiment.

To: Company Commanders of the Regiment.

Foreign Service on WD AGO Forms 66-1

DOCUMENT FILED UNDER NO. 201.36 SERVICE RECORDS.

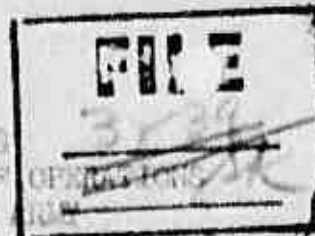
3081

INSTRUCTIONS - Under «Synopsis» make brief entry showing date of communication and from whom received and synopsis sufficient to identify the papers. When these index sheets become numerous under a subject they will be entered on the consolidated index sheets and then destroyed.

785015

CONFIDENTIAL

HEADQUARTERS
NORTH AFRICAN THEATER OF
UNITED STATES
APO 534



JC/rhh

MP 509

Det Hy. & Hy. Co

AG 100.72/457 -0

12 April 1944.

SUBJECT: Illegal Disposition of Government Property.

TO : All Concerned.

1. A recent examination of organization payrolls in this theater indicates that a widespread practice has appeared in which Statements of Charges are utilized to condone the sale of Government property by enlisted men.

2. Disciplinary action will be taken in the case of organization commanders condoning wrongful disposition of United States Government property through charges against the individual on Statement of Charges.

3. In all cases of violation of the provisions of Section I, Circular Number 35, this headquarters, 16 March 1944, where the facts warrant, offenders will be tried by Courts-Martial.

By command of Lieutenant General DEVERS:

3080
/s/ H. V. Roberts
H. V. ROBERTS,
Colonel, AGD,
Adjutant General.

DISTRIBUTION:

- 12 - CG, SCS, NATCUSA
- 2 - CG, Army Air Forces, MTO
- 2 - CG, Fifth Army
- 2 - CG, Seventh Army
- 2 - ea Separate Unit, other than
Armies, Air Forces or Base Sec-
tions
- 1 - G-1
- 1 - IG
- 1 - JA
- 1 - G-4
- 1 - Finance
- 2 - AG Records
- 1 - H & D



Reproduced by:
HQ 2675th Regt, ACC

CONFIDENTIAL

785015

15 APR Rec'd

3083

HEADQUARTERS
2675TH REGIMENT
ALLIED CONTROL COMMISSION
(PROVISIONAL)
APO 394

F

MKG/pf

File: 250/400.

15 April 1944

SUBJECT: Illegal Disposition of Government Property.

TO : All Unit Commanders, this Regiment.

3079

1. Section I, Circular #35, Headquarters NATCUSA, is quoted for information of all concerned.

"I - ILLEGAL DISPOSITION OF GOVERNMENT PROPERTY.

1. The attention of all military personnel is directed to the provisions of Articles of War 84 and 94, which prohibit the sale, wrongful disposition, misappropriation or diversion to unauthorized persons of United States Government property. In this connection, particular attention is directed to the fact that abandonment, misappropriation, or bartering in any way, of Army rations, gasoline and oils, captured material, clothing and equipment, and Army Exchange supplies of all types fall under the provisions of these Articles and Army Regulations.

2. All military personnel who observe any act of abandonment, pilfering or illegal diversion of United States Government property will without delay apprehend the offender, obtain the name, grade, organization and serial number of the offender, obtaining similar information concerning witnesses, if any, and submit a detailed report of the incident to the appropriate commander having courts-martial jurisdiction; or, if apprehension is not possible all information available will be obtained and a similar detailed report of the incident will be made. The information obtained from offenders will be checked against their War Department identification cards and tags. Where there is any doubt as to the veracity of information given, the individual will be turned over to the Military Police. Negligence on the part of any United States military personnel in reporting crimes of this nature will be considered dereliction of duty and will be punished accordingly.

3. All commanders having courts-martial jurisdiction will issue such additional instructions as may be necessary to enforce compliance with the foregoing directives and will take strict disciplinary action in all such cases.

4. The foregoing will be read and explained to all military personnel, and kept posted on bulletin boards in all organizations."

By order of Colonel PARKER:

Morris K. Goldstein
MORRIS K. GOLDSTEIN,
1st Lt., Infantry,
Adjutant.

2501
3079 Rec'd

FILE UNDER NO. 250.1 MORALS & CONDUCT.

**INDEX SHEET
SYNOPSIS**

Circular No.41- 29 March 1944.-

From: P. E. S.

- I-Illegal Disposition of Government Property
- II-Defective Ammunition
- III-Stolen Vehicles

DOCUMENT FILED UNDER NO. P.E.S. Circular No.41.

3177

INSTRUCTIONS - Under «Synopsis» make brief entry showing date of communication and from whom received and synopsis sufficient to identify the papers. When these index sheets become numerous under a subject they will be entered on to consolidated index sheets and then destroyed.

785015

2391
ENC/hjp

6 February 1944

In reply refer to:
250.1

MEMORANDUM FOR: His Excellency Marshal Messe
Chief of the Supreme General Staff

SUBJECT: German atrocities

Your letter of 3 February on the above subject has been received and, in accordance with your request, is being forwarded to Allied Force Headquarters for further reference to the Allied Governments for any action or protest which might possibly be taken.

For the Deputy President, Allied Control Commission:

HENRY W. STONE
Captain, USMC
Acting Chief of Staff

cc: Gen MacFarlane

3077

250.1 - Message to Gen MacFarlane (Germany)

