

ACC

10000/142/36
(VOL.4)

GENE
FEB.

10000/142/36
(VOL.4)

GENERAL MILITARY COURTS (APPOINTMENTS & PANELS)
FEB. 1946 - JAN. 1947

4002/11

HQ ALCOM



HQ AMG UDINE PROVINCE

31

JAN 47

6211

UNCLASSIFIED

PARA ONE PD REFERENCE YOUR SIGNAL PETER CHARLIE SLANT ABLE
CHARLIE SLANT JIG ABLE NAN DATED TWENTY-EIGHT JANUARY PD

PARA TWO PD PROVINCIAL COMMISSIONER DOES NOT REPEAT NOT HAVE
POWER TO CONVENE GENERAL COURTS

11

IVISION

JOHN R. HAYES
Maj. AGD
Adjutant

HQA

Exec Com.

A Provincial Commissioner does NOT have power to convene a General Military Government Court.

The question arises, Is Bidine a Province within the meaning of the term?

I have not seen any directive raising it to the status of a Region. Query: could it be a "Protectorate"?

My impression is that 13th Corps was the actual authority for ARMA, Bidine. Am I in error?

10

[Signature]
C. La

30 Jan 47

Please speak to me

Answer. No. We will convene such Court
me

ALLIED CONTROL COMMISSION
DEPUTY EXECUTIVE COMMISSIONER

Chief Legal Adviser

Ex Comm would like
you to speak to him
on this matter please.

J. B. Hunt-Smith.
Lt. Col.

P.S.O. to Ex Comm.

30 Jan 47.

4002/11

INCOMING MESSAGE

LEGAL.

HEADQUARTERS ALLIED COMMISSION

✓ Originator's Reference: PC/AC/JAN
 Date/Time of Origin: JAN. 28 1530A

Message Centre No: H/9481

Date Time Rec'd: JAN. 29 1030

Precedence: ROUTINE

FROM: HQ AMG UDINE PROVINCE
 TO: HQ AECOM (LEGAL DIVISION)

6211

UNCLASSIFIED.

Has provincial commissioner power to convene general courts.

LEGAL SUB - COMMISSION	
CJO - CLA	
DCLO	
CHIEF COUNSEL	
ITALIAN SECTION	
Recd	29 JAN 1947

AC DIST

ACTION LEGAL
 INFO CHIEF COMMISSIONER
 EX COMM
 FLOAT
 FILE

ACTION



4002/11 ✓

HEADQUARTERS ALLIED COMMISSION
APO 394
Office of the Executive Commissioner

25 February 1946

109A

ENTER AND E

Ref: 601/93/43

SUBJECT: Powers of P.C. UDINE

TO : P.C. UDINE.

1. In view of the special position of UDINE Province, the following powers, superior to those usually held by a Provincial Commissioner, are given to you.

a) FINANCIAL

Your authority for expenditure is laid down in Establishment Memorandum No. 33 dated 15 December 1944, as amended by Establishment Memorandum No. 33, Change No. 2, dated 12 February 1946. Amended instructions will be issued shortly with regard to entertainment expenses.

b) LOCAL GOVERNMENT

You have the right of appointment of the more important officials but the approval of this HQ is required for these appointments. Minor officials may be appointed by you without any reference to this HQ. The appointment of Prefect will be made only by this HQ.

c) JUDICIAL

i) You may convene Courts as provided in the Consolidated Instructions for Allied Military Courts.

ii) Removal and appointment of Italian judicial officials is subject to approval of this HQ.

iii) You may review and allow appeals on sentences of MG Courts up to two years imprisonment and for fines up to 50,000 lire, except in cases which have been tried by your Chief Legal Officer and in cases involving Italian Law. These exceptions will be forwarded to this HQ for review or appeal. All other appeals and review of

8

b) LOCAL GOVERNMENT

You have the right of appointment of the more important officials but the approval of this HQ is required for these appointments. Minor officials may be appointed by you without any reference to this HQ. The appointment of Prefect will be made only by this HQ.

c) LEGAL

i) You may convene Courts as provided in the Consolidated Instructions for Allied Military Courts.

ii) Removal and appointment of Italian judicial officials is subject to approval of this HQ.

iii) You may review and allow appeals on sentences of AMG Courts up to two years imprisonment and for fines up to 50,000 liras, except in cases which have been tried by your Chief Legal Officer and in cases involving Italian Law. These exceptions will be forwarded to this HQ for review or appeal. All other appeals and review of sentences exceeding the above mentioned limits will be dealt with by this HQ.

2. It is pointed out that Italian legislation is operative in UDINE as in the territory handed back to the Italian Government without any express AMG Order, and your attention is drawn to Legal Sub-Commission letter AC/4010/4/L of 21 January 1946.

For the Chief Commissioner:

sgt. M.S. DUGH

Brigadier,
Executive Commissioner.

Copy to: VP, Civil Affairs Section
VP, Economic Section
Executive Officers (A) and (B)
Chief Financial Adviser

8178

4002/11/2

FILE

CH/NE

108A

**HEADQUARTERS
ALLIED MILITARY GOVERNMENT**

13 CORPS

VENEZIA GIULIA

LEGAL DIVISION

REFERENCE No.: VG/AMG/LD/132/8617 21 November 1946

SUBJECT : Authorization to act as Superior Court Judge.

TO : HEADQUARTERS ALLIED COMMISSION
Legal Division

1.- Ref. your AC 4002/11/2, dated 12 November.

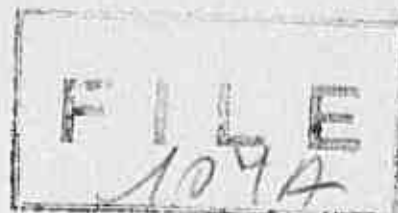
2.- Receipt of authority for Major Mathews to
act as Superior Court Judge is acknowledged.

For the Senior Civil Affairs Officer :

Charles F. Munroe
CHARLES F. MUNROE
LT. COLONEL, INFANTRY
CHIEF LEGAL OFFICER

LEGAL SUB - COMMISSION	
GJD-GIA	
RGLO	
CHIEF COUNSEL	☒
ITALIAN SECTION	
Recd	NOV 23 1946

HEADQUARTERS ARMY COMMISSION
APO 794
LEGAL DIVISION



JKW/na
12 November 1946

AC/4002/11/1

SUBJECT : Authorization to act as Superior Court
Judge.

TO : Hq. AMC
VERACIA GUINIA
Legal Division.

1. See your letter of 22 October 1946,
No VC/AMC/LD/132/3242.

2. Authority to sit alone as a Superior
Court Judge is hereby granted to Major Percy A. Mathews,
JAGD.

3. Please have Major Mathews acknowledge
this communication, copy for our files.

By command of Rear Admiral STONE:

JOHN K. WEBER,
Colonel,
Chief Legal Advisor.

3316

CMA/EF

HEADQUARTERS
ALLIED MILITARY GOVERNMENT

~~SECRET~~
VENEZIA GIULIA
LEGAL DIVISION

22 October 1946

Reference No.: VG/AMG/LD/132/3242

Subject : Authorization to act as Superior Court Judge.

To : ALLIED COMMISSION (for Legal Division).

1. Major Percy A. Mathews JAGD 319337 reported to this Division for temporary duty for 45 days. He was formerly assigned to 10th POE by W/HQ PBS JA Section.

2. It is necessary that he be authorized to sit alone as a Superior Court Judge as provided in Art. 2, 4(a) of the Consolidated Instruction.

3. Attached is a statement of his legal education and training.

4. This Division feels that he is well qualified to sit as a Superior Court Judge and requests that such authorization be granted.

For the Senior Civil Affairs Officer:

5

Incl.:

LEGAL SUB - COMMISSION	
GIO - CIA	
EGLO	
CHIEF COUNSEL	
ITALIAN SECTION	
NOV 4 - 1946	

Charles M. Munnecke
CHARLES M. MUNNECKE
Lt. Colonel,
Chief Legal Officer

22 October 1946

QUALIFICATION of MAJOR MATTHEWS.

Graduate Millsaps College LLB 1914
 Graduate Chicago Kent College Law 1916
 Admitted to Bar State Mississippi 1917
 Admitted to Bar Montana 1935
 Admitted to Bar Washington 1938

" " " U.S Court Claims 1928
 " " " U.S Supreme Court 1928

General Practice of Law in Washington DC from 1922-
 Now have law office in Washington DC.

Chief Attorney for U.S Veterans Administration in
 trial of War Risks Insurance cases in Federal Courts of
 Montana, Washington, Idaho, California and West Virginia.
 Assistant to U.S Attorney General in defence of these suits
 against U.S.

Staff Judge Advocate Camp Sutton, N.C.
 " " " " Tyson, Tennessee.
 " " " Fort Bragg N.C.

Came over seas June 1946 as Assistant Staff Judge
 Advocate P.B.S.

Member American Bar Assn. 1935.

105A

I, M. CARR, Brigadier, C.B.E., M.C., by virtue of the powers conferred upon me by the General Officer Commanding the Allied Forces in Italy and Military Governor, hereby and on behalf of the Military Governor appoint Major D.D. McCORM to be President, Lieut. J.A. BREARLY and Lieut. F.H. STREET as members of a General Military Court for the trial of Lieut. Oskar GEISENFELDER, Cpl. SCHULTZE and Cpl. Johann GEIGER and all other surrendered enemy personnel who may be lawfully brought before it.

Dated this 15th day of March 1946.

M Carr Brigadier

M. CARR,
Brigadier,
VP CA Sec.

File 4002/11

(104A)

Mr. Nicholas P. LORE, Department of State, Counsel
to Allied Commission, is hereby appointed Prosecutor for the
trial of such cases as may be brought before the General
Military Court in Naples.

Dated this 6th day of March 1946.

JOHN R. WHELAN,
Colonel, Infantry,
Chief Legal Advisor.

10317

I, M. CARR, Brigadier, C.B.E., M.C., by virtue of the powers conferred upon me by the General Officer Commanding the Allied Forces in Italy and Military Governor, hereby and on behalf of the Military Governor appoint Major Frank L. VECCHIOLLA to be President, Col. James J. CARNES and Major J.S. REAKES as members of a General Military Court for the trial of all persons who may be brought before it in Naples.

Dated this 7th day of March 1946.

M Carr Brigadier

M. CARR,
Brigadier,
VP CA Sec.

|0800|