

ACC

10000/142/37
(VOL. I)

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(VOL. I)

APPOINTMENTS OF SUPERIOR MILITARY COURTS
AUG. 1943 - FEB. 1945

Allied Military Government

ALLIED CONTROL COMMISSION

NAPLES PROVINCE

POZZUOLI DISTRICT

Subject: Request for Authorization to Sit as Superior Court

To : Colonel Weber, Regional Legal Officer

1. Request is made that you authorize me to sit alone as a Superior Court. There are only six JAG officers serving this Province, two of these being JAGs. Because of the reason of the shortage of officers alone, it is nearly imperative that the FLO be authorized to sit alone as Superior Court.

2. Qualifications and background

- a) Five years a practicing attorney at law
- b) Four and one-half years Judge of Law and Equity Court in State of Alabama
- c) Four years Associate Member of Alabama State Bar and Parole Board
- d) Four months JAG in Naples Province during which time Summary Court was held weekly, and also participated with another officer in Superior Court trials several times.

129

Wait R. Hill
 Robert M. Hill, Capt.
 Provincial Legal Officer

1st Ind.

R VII/19/3001/1

FROM : COL. JOHN E. WEBER, R.I.O., Region VIII, AMG.

TO : Chief Legal Officer, Legal Sub-Commission, ACC.

1. This application is recommended by me for approval.

AUG 1944

Legal
COA
188

129

2. Qualifications and background

- a) Five years a practicing attorney at law
- b) Four and one-half years Judge of Law and Equity Court in State of Alabama
- c) Four years Associate Member of Alabama State Bar and Barole Board
- d) Four months CJO in Nagles Province during which time Summary Court was held weekly, and also participated with another officer in Superior Court trials several times.

Robert M. Hill

Robert M. Hill, Capt.
Provincial Legal Officer

1st Ind.

R.VIII/19/3001/1

FROM : COL. JOHN E. WEBER, R.L.O., Region VIII, ANG.

TO : Chief Legal Officer, Legal Sub-Commission, ACC.

AUG 19/68

1. This application is recommended by me for approval.

2. Forwarded.

John E. Weber
JOHN E. WEBER
Colonel, Infantry,
R.L.O., Region VIII.

*Type out to the
Summary Court in case (B)*

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

/jpl

(59A)

file
402/2
Tel. No. 302

31 July 44

Subject: Authority to sit as Sole Member of Superior Court.

To : Senior Legal Officer, AMG, 8th Army.

Ref. OA/13 dated 28 July 44.

1. Authority is hereby granted for Edwin J. MERCER, Lt. Col. Ord.
to sit as sole member of Superior Military Courts.

RICHARD H. WILMER
Col. CAC
Acting Chief Legal Officer.

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SUBJECT:-

Superior Court Sitting Sale.

4002/12

Hq AMG
Rear Eighth Army.

OA/13

28 Jul 44.

Executive Commissioners Branch,
Hq Allied Control Commission. ✓

Copy to :- Administrative Section, Hq ACC. (attn: C.L.O.).

1. Application is made for authority for undersigned to sit alone as Superior Court.
2. Qualifications:
 - (a) Graduated L.L.B., University Michigan, 1913.
 - (b) Practised as trial lawyer exclusively 1913 - 1917.
 - (c) 1917 - 1919 as Lt. Inf., U.S. Army, acted as Summary Court, Trial Judge Advocate in both Special and General Courts Martial, Counsel for accused in about 40 General Courts Martial.
 - (d) 1919 - 1942, trial lawyer for law partnership.
 - (e) Aug 1943 to present, Legal Officer, A.M.G.

Edwin J. Mercer
 Edwin J. Mercer, Lt. Col. Ord.
 Senior Legal Officer,
 for Group Captain,
 Officer Commanding,
 A.M.G. Eighth Army.

LEGAL SUB-MISSION	
CLERK	
CHIEF COUNSEL	
CLERK	
LEGAL SECTION	
CLERK	

HEADQUARTERS
 31 JUL 1944
 A.C.C.

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394.

14 July 1944.

ACC/4002/12/L.

SUBJECT : Authority to sit as Sole Member of
Superior Court.

TO : Acting Regional Legal Officer (thru R.C.), Region 3.

1. Reference your L-3072 dated 11 July 1944.
2. Authority is hereby granted for Major G. A. FANLEY and
1st Lieut. Bernard D. CAHN to sit as sole members of Superior Military
Courts.

RICHARD H. WILDER.
Colonel, C.A.C.,
Deputy Chief Legal Officer.

for.

4002/12
✓Legal. (56A)
U - 5076HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
APO 394, U.S. Army

L-3072

11 July 1944

Subject : Superior Military Courts.

To : CLO, Legal Sub-Commission, A.C.C.

1. Application is made for the appointment of the undermentioned officers as sole judges of Superior Military Courts -

Major G.A. BAMEL, General List
1st Lieut. BERNARD D. CANN, Special Reserve.

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2. Major BAMEL has been employed from 1924 to 1943 in the Legal Parliamentary Department of the London County Council (except for the period Aug. 1939 to Aug. 1941 when he was seconded to the Ministry of Home Security) for five years on conveyancing and subsequently on advising on miscellaneous points of law. He has had no Court experience but has for the last six months acted as reviewing officer in this Region.

3. Lt. CANN graduated in 1933. He was junior attorney with the Farm Credit Administration, on staff of Securities and Exchange Commission, and on staff of General Counsel of War Production Board. He was in private practice from 1936 to 1938. Since joining the staff of this Region he has acted as prosecutor of important trials.

LEGAL SUB-COMMISSION for the Regional Commissioner:

CLO

DCLO

Chief Counsel

CJO GAB/em

Italian Section

CLERKS

G.A. BAMEL

Major, G.L.,

Acting Regional Legal Officer.

file
4002/12

ADVANCE HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

55A

7 July 44

Lt. Colonel I.G. H. CAMPBELL is hereby authorized to sit as sole member of
SUPERIOR COURT.

Richard H. Wilmer
RICHARD H. WILMER
Colonel, CAC
Acting Chief Legal Officer.

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REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

RHW/ap

1 July 44

ACC/4002/12/L

SUBJECT : Authority to sit as Sole Member
of Superior Court.

TO : Regional Legal Officer (thru RC) Region IV.

1. Reference your letter R4/Le/reg/A/4 of 28/6/44.
2. Authority is hereby granted for Captain Felix
J. Aulisi to sit as sole member of a Superior Court.

R. H. WILMER,
COL. GAC,
Deputy Chief Legal Officer.

120

File

REAR HEADQUARTERS
ALLIED CONTROL COMITE ON
LEGAL SUB-COMMISSION
APO 9394

GRU/PA

(53A)

REFERENCE : 4002/12/1. 29 Jun 44

SUBJECT : Approval of officers for Superior Courts.

TO : RLO (thru RG) Region 5.

1. Reference your R5/511/16 of 25 June 1944 authority is hereby given for the undermentioned officers to sit alone as a Superior Court.

Major H.H. Nicholls
Major P. Backhouse
Capt. E.C. Bader
Capt. W.D. Boone
Lieut. H.A. Grant

2. As Lieut. H.A. Grant has not yet had much experience in Allied Military Courts the authority in his case must be regarded as provisional and subject to revision and you will please let me know in one month's time if you think that the authority in respect of this officer should be continued. 122

3. With regard to para 2 a revised panel will be forwarded to you in due course.

GERALD R. UPJOHN,
Colonel,
Chief Legal Officer.

4002/12
 HEADQUARTERS
 REGION 4.

ALLIED MILITARY GOVERNMENT
 A.P.O. 394

Capt. Hure
Reply 4/12
Legal S.C. 20
524

To Chief Legal Officer, Legal Sub-Commission A.C.C.

From R.L.O., Region IV.

Subject Authority to sit as Sole Member of Superior Court.

Ref. R4/Le/Reg/A/4

Date 28 June 1944

1. Reference my R4/Le/Reg/A/4 of 31 May 1944 and your ACC/4002/12/L of 3 June 1944.

2. I desire to add the name of Captain Felix Aulisi as an officer authorised to sit as sole member of a Superior Court.

3. This officer is at present acting ⁹²¹ Provincial Legal Officer of Viterbo Province. He informs me that some Superior Court Cases have already arisen, and some embarrassment and difficulty is being caused by the necessity of assembling a Court of two officers, having regard to the present shortage of officers.

4. I have not previously put forward the name of this officer, as his association with the Legal Division is new, and I desired to see something of his work before making any recommendation. Having seen him at work I can only say that I am wholly satisfied with what he has done and is doing. I have not the slightest hesitation in recommending that he be authorised to sit alone ^{as a} Superior Court.

File 015

20 Nov. 44

Subject: Qualifications to sit sole as Superior Court.

To : Lt.Col. TROXELL (A)
 Maj. BACKHOUSE (B)
 Maj. BAXLET (B)
 Capt. DREYFUS / (B)
 Capt. GRAMAI (A)
 Lt. NEVANS (A)
 Lt. ROBERTAZZI (A)
 Lt. SABATINO (A)

1. Addressed officers will please state by indorsement hereon their legal experience (a) in civil life (b) in courts martial (c) as A.M.G. officers.

(sgd) Edwin J. Mercer
 Lt.Col.Ord.
 E.L.O.

- (a) Magistrate, Indian Civil Service. 1919-30 Solicitor. Articled 1931. Admitted 1935. Practised in London 1935-40.
- (b) Defending Officer in several Courts Martial 1940.
- (c) In legal branch since landing in Sicily 12 Jul. 43 with the exception of periods as CAO and offg. Prov. Commissioner totalling about 4 months. 120

(sgd.) Dreyfus, Capt.
 Provincial Legal Officer,
 SIENA.

File 015

20 Nov. 44

Subject: Qualifications to sit sole as Superior Court.

To	:	Lt.Col.	TROXELL	(A)
		Maj.	BACKHOUSE	(B)
		Maj.	BANLET	(B)
		Capt.	DREYFUS	(B)
		Capt.	GRANAI	(A)
		Lt.	NEVANS	(A)
		Lt.	ROBERTAZZI	(A)
		Lt.	SABATINO	(A)

1. Addressed officers will please state by indorsement hereon their legal experience (a) in civil life (b) in courts martial (c) as A.M.G. officers.

(sgd) Edwin J. Mercer
Lt.Col.Ord.
R.L.O.

1st Ind

File 015

Co.C, 2675 Regiment, Allied Commission, APO 394, U.S.Army, 26 Nov.44
To: Officer of the Regional Legal Officer, HQ Piemonte Region,
A.M.G., APO 394 U.S.Army.

1. Legal experience set forth as follows:

(a) In civil life: 18 months with law firm, concerned chiefly with appellate work; 40 months of practice on own individual account with fair amount of trial work.

(b) In courts-martial: Very active as Trial Judge Advocate at Greenville Army Air Base, S.C. for approximately 4 months.

(c) As AMG officer: Since 13 November 1944 prosecutor for AMG courts, Bari zone.

(sgd) George J. ROBERTAZZI
1st Lt., Ord.

File 015

20 Nov. 44

Subject: Qualifications to sit sole as Superior Court.

To	:	Lt.Col.	TROXELL	(A)
		Maj.	BACKHOUSE	(B)
		Maj.	BAMLET	(B)
		Capt.	DREYFUS	(B)
		Capt.	CEAHAI	(A)
		Lt.	HEVANS	(A)
		Lt.	ROBERTAZZI	(A)
		Lt.	SABATINO	(A)

1. Addressed officers will please state by indorsement hereon their legal experience (a) in civil life (b) in courts martial (c) as A.M.C. officers.

(sgd) Edwin J. Mercer
Lt.Col.Ord.
R.L.O.

1st Ind.

22 November 1944

Headquarters, Allied Military Government, Lazio-Umbria Region,
Legal Division, A.P.O. 394, H.C.Army.

To: Edwin J. Mercer, Lt.Col.Ord., R.L.O., Headquarters Allied
Military Government, Piemonte Region, A.P.O. 394, U.S.Army.

1. Legal experience of undersigned.

(a) in civilian life:

Member of Florida Bar.

Served two years as law clerk.

Engaged in general practice 3 years before induction in Army.

Experience almost exclusively trial work.

(b) In courts martial:

Trial Judge Advocate, 18th Field Artillery Group.

(c) As A.M.C. Officer:

Officer in charge of Italian Courts and Assistant to R.L.O.

Reg. 3, Oct. 1 - 43 to Dec. 15 - 43.

Judge, Summary Military Courts, Reg. 3, Dec.15 - 43 to Feb.1-44.

Prosecutor, General and Superior Military Courts, Reg. 3 and 4,

Feb.1 - 44 to present.

(sgd) Louis A. Sabatino
1st Lt. P.A.
Prosecutor, General and Superior
Military Courts.

HEADQUARTERS
PISA PROVINCE
ALLI MILITARY GOVERNMENT

12 December 1944

Subject: Qualifications to Sit Sole as Superior Court

To: Regional Legal Officer, HQ., Piemonte Region, APO 394

1. Reference is made to your letter on the above subject dated 20 November 1944, file 015.

2. The information requested is as follows:

(a) General practice of law - 6 years including some appellate work before the Supreme Court of Colorado. Licensed to practice in the state of Colorado and admitted to practice before the Federal District Courts of Colorado, Utah and the Eastern District of Missouri.

For one year immediately prior to being inducted into the Army, I was with the United States Dept of Justice, Antitrust Division as a special attorney. In that capacity I prepared cases for Grand Jury presentation, made such presentations and prepared and tried cases where indictments were returned. R16

(b) No actual courts martial experience.

(c) I was assigned to the Tribunale of Naples Province in Region III from February to May 1944. During these months I served as a prosecutor in Superior Courts and as a Summary Court judge. The large volume of cases there necessitated daily sessions of Superior and Summary Courts.

My next assignment was as a Summary Court Judge in Rome city. Due to the small volume of cases there however I heard few cases but assisted in the Office of the Prosecutor.

Since June 20 1944 I have been assigned as Provincial Legal Officer of Pisa Province. In addition to the regular P.L.O. duties I have heard many summary courts cases because of the shortage of P.O.s and with one other A.C. officer have heard two Superior Court cases. During this period I also have been on T.D. to serve as Prosecutor before two General Military Courts.

3. The reason for the delay in making this reply is that I was absent from this province for twenty five days on temporary duty which I have just completed.

(sgd) Edward E. Nevans jr.
1st Lt. C.M.P.
Prov. Legal Officer

~~File~~
HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

86A
/rm.

3 Jan. 1945.

AC/4002/12/1.

SUBJECT : Authority to sit as sole member of
Superior Court.

TO : Regional Commissioner (att: R.H.O.),
Cocosna Region.

Authority is hereby granted for Major ANTHONY R.
NUGENT, to sit as sole member of Superior Military Courts.

By command of Rear Admiral STONE:

(Signature)
W.E. DEHREDD,
Colonel,
Deputy Chief Legal Advisor.

HEADQUARTERS REGION VIII

ALLIED MILITARY GOVERNMENT

File Ref:

RVIII/19/3001

Date: 30 December 1944

SUBJECT: Superior Courts

TO : CHIEF LEGAL ADVISOR A.C.

1. In accordance with Art.2 Sect.5 "Rules of Procedure Allied Commission", I hereby apply for authority to sit alone as Superior Court in Allied Military Government.

2. For the past four months I have assisted Colonel John K. Weber, Regional Legal Officer, Toscana Region. My experience as a practicing lawyer covers thirty years, except nearly four in United States Army in two wars. During that period have served as prosecuting attorney, special attorney general and special commissioner to hear testimony.

A law firm bearing my name is still being conducted by my associates.

Anthony P. Nugent
ANTHONY P. NUGENT,
Major U.S.A.

1st Ind.

RVIII/19/3001

Regional Legal Officer, Toscana Region, 30 December 1944.
To: CHIEF LEGAL ADVISOR, Headquarters, AC.

1. Forwarded. It is recommended that the application be in all things approved.

LEGAL SUB-COMMISSION

Chief Counsel

CJO

Major General

CLERKS

JAN 1945

John K. Weber
JOHN K. WEBER
Colonel, Infantry
Regional Legal Officer

Has Not previously made application
R. type out usual authority

File 4002/12

84A

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

AG/4002/L.

21 December 1944.

SUBJECT : Military Courts - Additional Members.
TO : G-5, ACHQ.

1. It has been found essential to open new Military Courts in Naples, and for that purpose additional non legal members are required to sit with legally trained presidents. None such can be made available from SOUTHERN Region Hq Staff.

2. G.O.C. 3 District has informed the Regional Commissioner SOUTHERN Region that he would be willing to make a loan of officers for that purpose from training centres but that such centres are directly under ACHQ.

3. May the necessary arrangements be made to the end that such officers be supplied and that we be informed accordingly.

For the Chief Commissioner:

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G. S. Parkinson

G. S. PARKINSON, Brig.,
A/VP C A Sec.
Dep COS.

Copy to: AG/4002/1/L.
AG/4002/13/L.

File 4002/12.

83A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4002/L.

/ap.
21 December 1944.

SUBJECT : Military Courts Additional Members.

TO : Regional Commissioner, Southern Region

1. Reference your 18 Dec 1944 R/1307.
2. We are immediately requesting G-5 AFHQ to do the needful.

By command of Rear Admiral STONE:

W. E. BEHRENS, Colonel, 111
Deputy Chief Legal Advisor.

4002/12: *File*
 G
 O
 P
 Y

82A

HEADQUARTERS
 SOUTHERN REGION ALLIED COMMISSION
 OFFICE OF THE REGIONAL COMMISSIONER
 APO 394

R/1307

18 December 1944

SUBJECT : Military Court- Additional Members.
 TO : Headquarters, Allied Commission.

1. The military courts at Naples are now fully extended. It will be necessary to open new courts but this can only be done, if additional, non legal, members be found to sit with trained, legal, presidents.

2. Some additional officers have already been found through the courtesy of the Royal Navy and Royal Air Force, more, however, are needed. It is not possible for me to spare any of the specialist officers on this Hq. staff.

3. I have approached G.D.C. 3 District for the loan of officers from training centres. He tells me that he would be glad to help, but that these training centres are directly under AFHQ.

4. Will you please take this matter up with G-5, AFHQ. Alternatively will you authorize us to take it up direct with G-5.

(Sgd) J. K. DUNTON,
 Brigadier,
 Regional Commissioner.

JED/jh

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/1002/12/1.

/sa.
8 Dec 44.

SUBJECT : Authority to sit as sole member of Superior Court.

TO : Regional Commissioner, SOUTHERN Region.
(Attn : Regional Legal Officer)

Authority is hereby granted for Capt. DONALD A. ROGERS, SR,
6318439, to sit as sole member of Superior Military Courts.

By Command of Commodore STONE :

W. A. HIGGINS, **111**
Colonel,
Deputy Chief Legal Advisor.

(SOA)

4002/12 ✓

HEADQUARTERS
SOUTHERN REGION, ALLIED COMMISSION
LEGAL DIVISION
APO 394, U.S. Army

6 December 1944

L-3072

SUBJECT: Superior Military Court.

TO : Chief Legal Advisor, Legal Sub-Commission, AC, HQ.

1. Authority is requested for the under-mentioned officer to sit as a sole judge of a Superior Military Court -

Capt. DONALD A. ROGERS, SR, 0518439.

2. Captain Rogers has been a District Judge for 10 years in the State of Indiana. Presided over the trial of hundreds of criminal cases while serving as District Judge in the State of Indiana. Admitted to practise before all Courts of Indiana and for 15 years engaged in the general practice of law.

111

For the Regional Commissioner:

L.F. Dawson

L.F. DAWSON,
Lieut. Colonel, G.L.,
Reg. Chief Legal Officer
Southern Region, A.C.

RRS/no

LEGAL SUB-COMMISSIO

CLO

DCLO

Chief Counsel

CIO

Italian Section

CL RKS

for approval please.

(Yes) prepared

8 DEC 1944

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

79A

AC/4002/12/L.

/sp.
30 November 1944.

SUBJECT : Authority to sit as sole member
of Superior Court.

TO : Regional Commissioner (for R.L.O.)
Piemonte Region.

Authority is hereby granted for Lt. Col. A.R. TROXELL
to sit as sole member of Superior Military Courts.

By command of Commodore STONE:

W. E. BEHRENS,
Colonel,
Deputy Chief Legal Advisor.

Copy to: R. G., Toscana Region (for R.L.O.)

HEADQUARTERS ALLIED COMMISSION
APO 92
LEGAL SUB-COMMISSION

AC/4002/12/L.

/pa.
18 Nov 44.

SUBJECT : Appointment of Superior Court.

TO : Regional Commissioner, Southern Region.
(Attn for Regional Legal Officer).

1. Reference L-3072 of 16 Nov 44.

2. The ROLA has considered your request for authority for Lieut. WOEL to sit as sole member of a Superior Court. At present he is not willing to give this authority. This officer has only been a legal officer a short time and, it is thought, has had very limited experience as a judge. The nature of the experience which he has had at the Tribunals is not quite clear.

3. As soon as you can give assurance that Lieut. WOEL, over a reasonable period and in a substantial number of summary court cases, has satisfied you that he is fitted to sit as sole member of a Superior Court the above decision will be reconsidered.

By Command of Commodore STONE :

W. E. HERRIS,
Colonel,
Deputy Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
 100 394
 Legal Sub-Commission

/jpl

14 Nov. 44

AC/1002/12/4

Subject: Superior Military Courts.

To : Regional Commissioners (for Regional Legal Officer) Southern Region.

Ref L-3072 of 11 Nov. and AC/1172/1/L of 12 Nov.

1. (a) Authority has previously been granted for each of the following officers to sit as sole member of an Allied Superior Military Court:

Major W.G.P. GATTS
 Major P.D. COYNE PHREMY
 Major R.R. LINTON
 Capt. F.C. BARNES
 Capt. F.J. AUBREY
 Capt. R.C.T. CHRISTIAN

- (b) Similar authority is hereby granted for the following officers:-

Lt. Col. L.P. DAWSON
 Major F.E. YOUNG

2. Major YOUNG, Capt. BARNES, Capt. CHRISTIAN and Capt. AUBREY have had considerable experience as judges. In the early stages, until you have had the opportunity of forming a proper opinion on other officers, will you please draw on them as far as possible for your Superior Courts.

Major GATTS, although he has not had much experience in Court, has done a lot of review work for Col. H.G. GILLMAN. Major COYNE PHREMY is fairly new to AMC and, therefore, has not had much experience of our Courts, but he was practicing at the Criminal Bar in England before the war and has had JAC experience.

It is suggested that, at least at the beginning, Lieut. VOGEL and Lieut. ROBERTSON should be assigned to prosecution work.

3. It is not certain when CAPT. BARNES will be available for duty with you.

4. It is important that there should be good publicity, and particularly local publicity, in regard to the work of these Courts.

Please ensure that, in all notable cases, the local newspapers are supplied with, and give full publicity to, a statement of the offence charged and the sentence imposed.

Further, please arrange for a copy of all such statements issued to the local press to be sent to the Public Relations Officer, HQ. AC. These copies may be sent direct from R&I Zone or through your HQ, as you prefer.

W.A. BENFORD
 Colonel
 Deputy Chief Legal Adviser

Copy to: PPD; ref para 4
 File AC/1173/1/L

14002/12

File

76A

HEADQUARTERS
SOUTHERN REGION, ALLIED COMMISSION
LEGAL DIVISION
APO 394, U.S. Army

L-3072

11 November 1944

SUBJECT: Military Courts - Bari Zone.

TO : Chief Legal Adviser, Legal Sub-Commission, A.C., HQ.

1. I shall be glad if you will formally appoint each of the undermentioned officers to be an officer entitled to preside over a Superior Military Court and to sit alone in all such cases as may be brought before him :-

Major F.B. Young (British) w.e.f. 7 Nov. 1944
Capt. Felix J. Aulisi (American) w.e.f. 13 Nov. 1944.

granted see file 54A

L. F. Dawson

L.F. DAWSON,
Lieut. Colonel, G.L.,
Reg. Chief Legal Officer
Southern Region, A.C.

LFD/mo

LEGAL SUB-COMMISSION	
Chief Counsel	

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

75A

/rlp.
9 November 1944.

AC/4002/12/1.

SUBJECT : Authority to sit as sole member of Superior Court.
TO : Regional Commissioner (Attn: Regional Legal Officer),
TOSCANA Region.

1. Reference your 1st Ind. dated 4 Nov 44 to basic letter 455L06 of 30 Oct 44.

2. Authority is hereby granted for Major ROBERT M. WOODWARD, AIC, Provincial Legal Officer for Livorno Province, to sit as sole member of Superior Military Courts.

By command of Commodore STONE,

W. E. HEYDENS,
Colonel,
Deputy Chief Legal Advisor.

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PROVINCIAL LEGAL OFFICE
LIVORNO PROVINCE
ALLIED MILITARY GOVERNMENT

30 October 1944 - JF

Phot: 455 L06

SUBJECT: Authority to sit alone as Superior Court Judge.
TO : CIO, HQ, AC, (through RLO, Toscana Region)

1. Application is hereby made for the appointment of the undersigned to sit alone as a Superior Court Judge.

2. Applicant graduated from Northwestern University Law School in 1920, was admitted to practice before the Supreme Court of Illinois; United States District Courts and the Supreme Court of United States; served as Assistant States Attorney, Assistant Corporation Counsel and on the faculty as lecturer on law at Northwestern University Law School, member of the Illinois General Assembly for 12 years, held commission in the Judge Advocate General's Department 10 years. Engaged in the general practice of law for 23 years.

3. Heretofore sat as Judge on Summary, Superior and General, Allied Military Courts.

4. As undersigned is Provincial Legal Officer, Livorno Province and a number of important cases are set for trial, it is urgent that this authority be had as soon as possible.

Robert M. Woodward
ROBERT M. WOODWARD
Major AUS. PIO
Livorno Province

Court of Illinois; United States District Courts and the Supreme Court of United States; served as Assistant States Attorney, Assistant Corporation Counsel and on the faculty as lecturer on law at Northwestern University Law School, member of the Illinois General Assembly for 12 years, held commission in the Judge Advocate General's Department 10 years. Engaged in the general practice of law for 23 years.

3. Heretofore sat as Judge on summary, Superior and General, Allied Military Courts.

4. As undersigned is Provincial Legal Officer, Livorno Province and a number of important cases are set for trial, it is urgent that this authority be had as soon as possible.

Robert M. Woodward
ROBERT M. WOODWARD
MAJOR AUS. FLO
Livorno Province

Ist Ind.

Regional Legal Officer, Toscana Region. 4 November, 1944.
TO: Chief Legal Advisor, Headquarters, ACC.

I. Forwarded. It is recommended that this request be approved.

LEGAL SUB-COMMISSION	
CIO	
DELO	
Chief Counsel	
CJO	
Location Section	
CL RKS	
8 NOV 1944	

John K. Weber
JOHN K. WEBER
Colonel, Infantry
Regional Legal Officer.

Chief Clerk

Prepared under approval for

Signature by DELA

10

9 Nov 44

73A

HEADQUARTERS
ALL IND CONTROL COMMISSION
LEGAL SUB-COMMISSION
AFO 394

/rip.
14 September 1944.

A CC/4002/12/L.

SUBJECT : Authority to sit as sole member of a Superior Court.
TO : Regional Legal Officer (THRU: Regional Commissioner), Region XI.

1. Reference your L5007 of 8 Sept 44.
2. Authority is hereby granted for the following officers to sit as sole member of Superior Military Court;

Major P. E. Reynolds,
Lieut. T. A. Morris.

3. It is confirmed that authority has already been given for the following officers to sit as sole member of Superior Military Courts:

Major W. F. Waugh,
Capt. H.G.T. Christians,
Capt. F. C. Bader,
Capt. R. M. Hill,
Capt. L. L. Cox,

RICHARD H. WILMER,
Colonel, CAC,
Chief Legal Officer.

4002/12
✓

72A

HEADQUARTERS REGION XI
ALLIED MILITARY GOVERNMENT
APO 394
Legal Division

1/5007

8 September 1944.

Subject: Superior Courts.

To : C.L.O., ACC HQ.

1. In accordance with the provisions of Article 2 of the Consolidated Instructions, application is hereby made for authority for the undermentioned officers to sit alone in Superior Court:-

B {
Major W.F. Waugh.
Major P.E. Reynolds.
✓ Capt. H.G.T. Christians.
✓ Capt. F.C. Bader.
✓ Capt. R.M. Hill.
✓ Capt. L.L. Cox.
Lieut. T.A. Morris. A

2. If, as is believed to be the case, such authority has previously been issued in respect of certain of these officers, may confirmation please be given that such authority will continue in force in this Region.

/jm

LEGAL SUB-COMMISSION	
CLO	
DELO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	

H.M. Dickie W/Car.
H.M. DICKIE, W/Car., RAF,
R.L.O., Region XI.

Letter as 71A
altered in pencil
please

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

File
ACC/4002/12/L.

71A
/pa.
6 Sept 44.

SUBJECT : Authority to sit as sole member of a Superior Court.
TO : RLO (thru RC) Region XII.

- XI
15007 of 8 Sept 44
1. Reference your R12/LE/Reg/A/041, dated 5 September 1944.
 2. Authority is hereby granted for the following officers to sit as sole member of Superior Military Court :-

A
Major Franklin
Major Cotes-Freedy
Major Lupton

3. It is confirmed that authority has already been given for the following officers to sit as sole member of Superior Military Courts :-

B
Col. H.C. Willmer
Lt.Col. G.C.T. Ainslie (authorized as Major to continue as Lt.Col.)

Lt.Col. Mercer
Capt. Aulisi
Capt. Oates.

102
RICHARD H. WILLMER,
Colonel, CAC,
Chief Legal Officer.

70A

4002/12

REGIONAL LEGAL OFFICERS REGION 12
Allied Control Commission
APO 394

9 12/12/Reg/A/CAL.

5 September 1944.

TO : Chief Legal Officer,
Legal Sub-Commission, A.C.C.
SUBJECT: Legal Officers qualified to sit alone on Superior
Courts.

1. Reference above, I myself, Capt. Cates and Capt. Mullis
already hold your authorization to sit alone.

No 2. It is believed that Lt. Col. Mercer, Lt. Col. Ainalie
and Major Franklin also have been previously authorized by
you. Will you, please, confirm this? If they do not already
have your authorization, may they now be authorized to sit
alone? All these officers are well known to you.

only
as
Major
? new
authorization
required

No 3. Major Cates-Preedy and Major Lupton, being newcomers
to A.C.C., do not yet have your authorization to sit alone,
and I hereby ask for it on their behalf.

4. Major Cates-Preedy's qualifications are as follows:-
He was called to the Bar in 1915, and practiced in the Criminal
and Divorce Courts. He was called up for Military Service in
March 1940, and has held his present rank of Major since
November 1943. He has had considerable experience at Court
Martials and was attached to the JAG Branch in March 1943.
Since November 1943 he has been Senior Legal Adviser to the
legal aid station, A.C.C. I consider him fully qualified
to sit alone as a Superior Court.

5. With regard to Major Lupton, I attach copy of personal
Memorandum which he gave to me, and which speaks for itself.
I consider this officer also fully qualified to sit alone as
a Superior Court.

6. I should be very glad if, in order to save time, you
would inform me whether the remaining Legal Officers still to be
assigned to this Region are authorized to sit alone as a Superior
Court. Possibly at the time when you interview them and send
them forward you could give them your written authorization,
assuming you are willing to authorize them.

circled markings indicate
whether or not authorization
already granted

H. L. Wimmer

Colonel,
Regional Legal Officer
Region 12.

MEMORANDUM RE: Lupton, William R., O-918678
Major, A.U.S.
APO 794

Present Assignment - Senior officer, Board of Review, U. S. Claims Service, Italy, Hq NATOUSA.

Memo - I have requested to be relieved (thru channels) from present assignment and to be reassigned to A.C.C. Legal Sub Commission.

Orders - Orders effecting such transfer will be out in a day or two.

Army - I was commissioned at the request of Major General Wilson, with the rank of captain on 12 October 1942 and embarked for overseas service on 12 December 1942. Arrived at Casablanca, F.M. on 24 December 1942 and was assigned to serve as U. S. Foreign Claims Commissioner with Colonel Harold E. Bullis. Served in such capacity in Morocco, Algeria and Tunis. Present assignment has same status for Italy.

Civilian Occupation

1. Lawyer - General practice since 1933
2. Former County Judge and Surrogate Judge, Niagara County, New York.
3. Special attorney, Attorney General's Department, State of New York.
4. Special attorney, Federal Department of Bank Liquidations, Western District, New York.

Admissions

- 1938 - United States Supreme Court
1932 - Supreme and all courts of State of New York
1932 - Federal Court, Western District, New York

Education

St. John's University - School of Law, Brooklyn, New York.
Niagara University, Niagara Falls, New York
St. Joseph's College, Collegeville, Ind.

Other Experience

Employee - Equitable Life Assurance Society
Assistant to Vice Pres. Claims, Spencer Trask & Co.
Bankers & Brokers, New York City
International Paper Company

Outstanding Ability

Trouble shooter - Legal Officer - Liaison Inter Army - Civil Government Security

HEADQUARTERS
ALLIED CONTROL COMMISSION
LOCAL SUBCOMMISSION
AFC 394

69A

ACC/1002/1-1.

ICED/pe.
31 Aug 44.

SUBJECT : Authority to sit as sole member of a Superior Court.

TO : HQ (para 10) Region IX . 72

1. Reference R IC/10/604 of 29 Aug 44.
2. Authority is hereby granted for the following officers to sit as sole member of Superior Military Court :-

Major P.E. REYNOLDS
Capt. J. MORE

A

3. It is confirmed that authority has already been given for the following officers to sit as sole member of Superior Military Courts :-

Major G.A. GIBSON
Capt. L.L. COX
Capt. G.M. DAVIS
Capt. E.H. BLACKLOCK

B

99

RICHARD H. WINTER,
Colonel, GAC,
Chief Legal Officer.

HEADQUARTERS REGION IX
ALLIED MILITARY GOVERNMENT
Legal Division
APO 394

Ref. No.: R.IX/LB/601.

29 August 1944.

SUBJECT: Application for Authority for Judicial Officers to Sit
Alone as Superior Courts.

TO : Chief Legal Officer, Legal Sub-Commission, Headquarters,
Allied Control Commission, APO 394, U.S. Army.

1. Pursuant to paragraph 5, Article 2, Consolidated Instructions for
Allied Military Courts, application is hereby made for the following judi-
cial officers assigned to this Region to sit alone as Superior Courts:

- a. Major C. L. Gilshenan
- b. Major P. E. Reynolds
- c. Captain Louis L. Cox
- d. Captain G. M. Davis
- e. Captain J. More
- f. Captain E. N. Blacklock

(B) — Reg 2 — 287
(B) — No
(A) — Reg 4 — 418
(B) — Reg 4 — 418
(B) — No
(B) — Reg 2 — 424

2. If such authority has heretofore been granted to any of these offi-
cers, please confirm.

William H. Levitt
WILLIAM H. LEVITT
Major, J.A.G.D.
Deputy Regional Legal Officer.

LEGAL SUB-COMMISSION	
CLO	
OSO	
Chief Counsel	
CJ	12
Legal Section	
C. RKS	

Type attached dft & Submit
to CLO for his approval
Co Signature 12
30 Aug.

HEADQUARTERS
A LINED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

/pa.
26 Aug 44.

ACC/4002/12/1.

SUBJECT : Authority to sit as sole member of Superior Court.
TO : HIO (thru Regional Commissioner) Region 8.

1. Reference your RVIII/19/3001 dated 23 Aug 44.
2. Authority is hereby granted for Major H.L.GLENN to sit as sole member of Superior Military Courts.

RICHARD H. WILMER,
Colonel, CAC,
Acting Chief Legal Officer.

97

file

66A

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

ACC/4002/12/L

RHW/ RM
23 AUG 44

SUBJECT : Authority to sit as sole member of Superior Court.

TO : Regional Legal Officer (Thru RC), Region 3.

1. Reference your L-3072 dated 21 August 44
2. Authority is hereby granted for 1st Lieut. Carl C. BANNON, O-573175, A. C. to sit as sole member of Superior Military Courts.

RICHARD H. WILMER,
Colonel, GAC.
Acting Chief Legal Officer.

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
REGION VIII

Legal S.
(68A)

RVIII/19/3001/

23 August 1944

SUBJECT : Military personnel - H.L. Glenn (A)

TO : Chief Legal Officer, HQ, AGC.

1. Major H.L. Glenn, FLO Florence, has made application through 8th Army, for authority to sit alone as a Superior Court, and such application has not been received by this office.

2. May his application please be allowed or otherwise, as many Superior Court cases can be expected in that area.

h. JOHN K. WESER
Colonel, Infantry
Regional Legal Officer

Administrative List
Ant. FLO

→ CJO

105-1511-100-1000	

HEADQUARTERS
25 AUG 1944

A. C. C.
Type & submit to A/CLO
for his consideration

25 Aug

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
APO 394, U.S. Army

21 August 1944.

L-3072

Subject : Superior Military Courts.

To : CLO, Legal Sub-Commission, A.C.C.

1. Application is made for the appointment of the undermentioned officer as a sole judge of Superior Military Courts -

1st Lieut. CARL C. BANNO', O-573175, A.C.

2. Lieut. BANNO' is a Bachelor of Science in Economics, a Bachelor of Laws, and a Doctor of Juridical Science. He has been admitted to practise before all the Courts of the State of New York, and of the Eastern and Southern Districts of the U.S. Federal Courts and before the Treasury Department of the U.S. He joined the Legal Division of Region 3 early in February 1944 and was posted to NAPLES Province where he acted as a Prosecutor and a Summary Court Judge. In May he was appointed PLO SALERNO, and in August Liaison Officer to the Court of Appeal in NAPLES.

For the Regional Commissioner:

GAB/cm	LEGAL SUB COMMISSIO
	CLO
	DCLO
	Chief Counsel
	CJO
	Italian Section
	CL RKS

G.A. BAMLET,
Major, G.L.,
Actg. Reg. Legal Officer.

Type usual form & Submit
to A/CLO. R.

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

RHW/ap
12 Aug 44

ACC/4002/12/L

SUBJECT : Authority to sit as sole member of
Superior Court.

TO : Regional Legal Officer (Thru RC) Region 8

1. Reference your RVIII/19/3001 dated 8 Aug 44
2. Authority is hereby granted for Capt. B.E.
DREYFUS to sit as sole member of Superior Military Courts.

RICHARD H. WILMER,
Colonel, GAC.,
Acting Chief Legal Officer.

93

4002/12.

ALLIED MILITARY GOVERNMENT
PROVINCE of SIENA

Legal

1320

Ref: SI/6

Date 7 August 1944

Subject: AMG Courts

To: RLO Region 8

1.- As I am not yet authorized to sit alone on a Superior Court I subjoin as requested a note of my experience.

- a) Magistrate with 1st Class powers in the Indian Civil Service 1920 - 1930. Powers up to 2 years and fine.
- b) Solicitor. Admitted Feb. 1936, till date I joined Army in June 1940.

2.- On receipt of sanction, action will be taken in the cases of Pucci and Rusticci, as arranged at Yesterdays conference.



CAP

B.E. DREYFUS
Prov. Legal Officer.

1st. Ind.

8th. August 1944.

RVIII/19/3001.
R.L.O., Region VIII, AMG.
TO: Legal Sub-Commission, HQ, ACC.

1. This application is recommended by me for approval.

2. Forwarded.

Type usual permission for
consideration by CIO & CIO

12

4002/12
JOHN R. WEBER
Col. Inf., R.L.O.

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

61A

ACC/0002/12/L.

/ps.
8 Aug 44.

SUBJECT : Authority to sit as sole member of Superior Court.
TO : MLO (thru RC) Region 8.

1. Reference your HWIII/19/3001/1 dated 7 August 1944.
2. Authority is hereby granted for Capt. Robert M. Hill to sit as sole member of Superior Military Courts.

RICHARD N. WILMER.
Colonel, C.A.C..
Acting Chief Legal Officer.

91

FILE CLOSED 19 February 1945 -

SEE VOLUME II

99



PARTITO FASCISTA REPUBBLICANO
FEDERAZIONE DELL' UFFICE

IL COMMISSARIO FEDERALE

4002/12

HEADQUARTERS REGION VIII
ALLIED MILITARY GOVERN. NT

101A

File Ref: *RVIII/19/3001*

Date: 19 February 1945.

SUBJECT: Superior Courts.

TO : Legal Sub-Commission, Headquarters, AC.

1. See your letter 16 February 1945, AG/4002/12/L.

2. This letter was answered by us on 15 February 1945, RV111/19/3001/2326.

For the Regional Commissioner:


JOHN K. WEBER
Colonel, Infantry
Regional Legal Officer

HEADQUARTERS
TOSCANA REGION
ALLIED MILITARY GOVERNMENT

100A

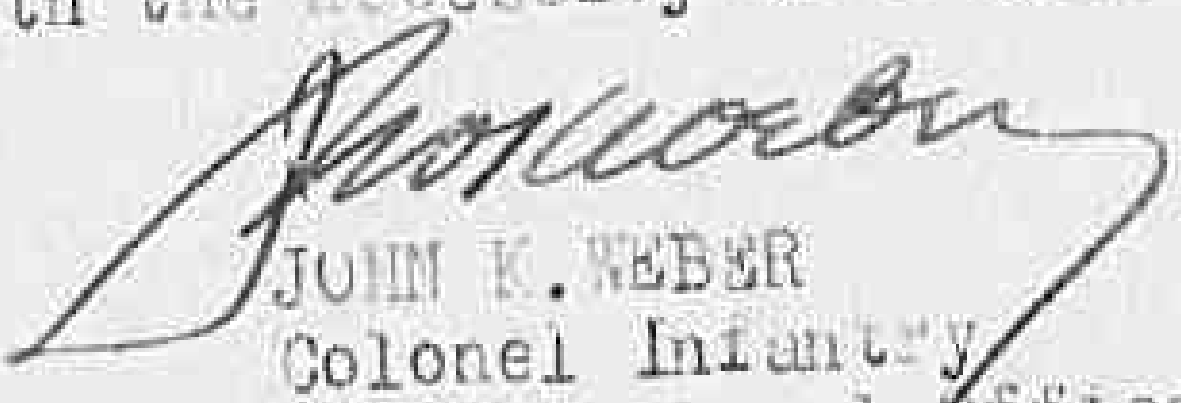
Date: 15 February 1945

File Ref:

4002/12
RVIII/19/3001

SUBJECT: Authority to sit as sole member Superior Court.
TO Legal Sub-Commission, Headquarters, AC.

- 88A
1. See your letter, 28 January 1945, AC/4002/12/L.
 2. In my opinion, First Lieutenant E.E. NEVANS is qualified to sit as a sole member of a Superior Court. I have had opportunity both in Naples and Region VIII (Toscana) to observe his approach to the judicial administration of the law. Because of such observation and resultant opinion, I so recommend.
 3. Major W.A. CALDWELL has functioned as an judge under this office for a period of several months. During said period I have observed his records, and am of the opinion that his appointment as a sole member of a Superior Court is merited. His work has been in keeping with the best traditions of the judiciary, and reflect no discredit upon the office he has administered. I recommend his appointment.
 4. Major D.D. MC COLM is a recent addition to the legal set-up in Toscana. In personal conversation, I was particularly impressed by his initial response to the tasks with which he was being confronted. To date, I have seen no evidence of his work as a judge. Under all the facts, I do not feel warranted in making a recommendation, despite a very favorable existing impression. I hasten to add, however, that I would be willing to indulge the designation if confronted with the necessity of a decision.


JOHN K. WEBER
Colonel Infantry
Regional Legal Officer

18 FEB 1945

88

HEADQUARTERS ARMED FORCES
APO 394
LEGAL SUB-COMMISSION

(991)
16 Feb 45.

AG/LOC2/12/1.

SUBJECT : Superior Courts.
TO : Regional Commissioner, TUSCANA Region.
(Attn: Regional Legal Officer)

My reply please be made to letter of this Sub-Commission reference
AG/LOC2/12/1 of 28 January 1945.

By command of Rear Admiral STONE :

W. E. BIERMAN,
Colonel,
Deputy Chief Legal Advisor.

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

98A

/pa.
16 Feb 45.

AC/ACSR/12/L.

SUBJECT : Authority to sit as sole member of Superior Court.

TO : Regional Commissioner, ARRUZTI-MARCHE Region.
(Attn: Regional Legal Officer)

Authority is hereby granted for Major Ray Dertum (A), to sit
as sole member of Superior Military Courts.

By command of Rear Admiral STONE :

W. E. KENNEDY,
Colonel,
Deputy Chief Legal Advisor.

See 97 A

4002/12

97A

TO : HQ LIED COMMISSION
(for attention of Legal Sub-Commission)

FROM : HQ AMG/AC ABRUZZI MARCHE REGION

SUBJECT : Authority to sit as sole member of Superior Court.

REF. : R5/511/1

DATE : 13 Feb. '45

With further reference to your AC/4002/12/L dated 28 Jan. '45 may I suggest that the name of Major Ray Derham (A), who is now acting as PIO Pesaro in place of Major Backhouse, be added to the new list of officers authorised to sit alone as judges of Superior Courts? Major Derham has, as you know, wide experience of Court practice in civil life.

Since coming to this Region he has sat on General Superior and Summary Courts and is now sufficiently familiar with the procedure. The Summary Court Records of his cases forwarded for review leave me in no doubt as to his sound judgement and general reliability as a judge. It is rather inconvenient that an Officer acting as PIO should not be able to sit alone on Superior Court cases and for this reason I am making this application sooner than I would otherwise have done.

98A

For the Regional Commissioner

R. G. S. Alexander

R. G. S. ALEXANDER, Major
R.I.O.

85

1146

See 98A

HEADQUARTERS
SOUTHERN REGION, ALLIED COMMISSION
LEGAL DIVISION.
APO 394, U.S. Army

L-3072

9 February 1945

SUBJECT: Authority to sit as sole member of
an Allied Military Superior Court.

TO : Chief Legal Advisor, Legal Sub-Commission, HQ, CMF.

- 88A
1. Your AC/4002/12/L dated 28 January 1945 refers.
 2. I attach hereto copies of the qualifications and of the facts as to their practical experience in respect of each of the FOUR officers mentioned in your list.
 3. I also attach a copy of Legal Officer Bari's covering letter to me.
 4. I agree with Major Boyd-Carpenter's views re Lt.s F.H. Balboni and G.J. Robertazzi and recommend accordingly.
 5. With regard to Capt. L.G. Greenfield as a Prosecuting Officer he has shown great zeal, energy and efficiency and I am inclined to think that he should be given a trial as a Superior Court Judge under an officer who might be instructed to watch his work closely and to report immediately upon any judicial shortcomings.
 6. Lt. J.J. Vogel has done and continues to do most excellent work in Naples as Prosecuting Officer. He is energetic, zealous and efficient in the discharge of his duties and has initiative and a well-developed sense of responsibility. He has given me the greatest satisfaction in all he has done since his assumption of duty on my staff. I certainly think he should be afforded an opportunity of

RF with other replies

showing what he can do as a Judge of a Superior Military Court and I recommend accordingly.

For the Regional Commissioner:

L. F. Dawson

L.F. DAWSON,
Lieut. Colonel, G.L.,
Reg. Legal Officer.

LFD/mo

ENCLS-

- 1 copy of covering ltr d/d
- 7 Feb. '45 from L.O. Apulia & Calabria
- 1 copy of 4 qualifications.

LEGAL SUB COMMISSIO I	
CLO	
DELO	
Chief Counsel	
CIO	☒
Relation Section	
CL RKS	
10 FEB 1945	

83

96B

ALLIED COMMISSION
LEGAL OFFICE
BARICONFIDENTIAL

REF : BE/LEG/1/6116

7 Feb 45

SUBJECT : Authority to sit as sole member of a Superior Court.

TO : R.I.C., Southern Region, Allied Commission.

1. Ref your L-3072 of 31.1.45, and copy AC/4002/12/L of 28.1.45 forwarded therewith.
2. Attached hereto is statement by each of the 3 officers referred to as to his background and qualifications, which has been obtained in accordance with para 3 of your letter.
3. All three officers while at BARI have been employed on prosecuting duties and have NOT sat as Judges. Comments requested must therefore be made subject to that.
4. Lieut. F.H. Balboni is in my view well fitted to sit alone as a Superior Court Judge, either under the Proclamations or Italian Law. Although his only experience with AC has been as prosecutor, from my knowledge of this officer's work I have no doubt that he would make an efficient Superior Court Judge.
5. Lieut. G.J. Robertazzi has excellent academic qualifications. I think however that he should have a little more experience before sitting alone as a Superior Court Judge. In the event of changes taking place in personnel at BARI, he is earmarked for duties as Summary Court Judge.
6. Captain L.G. Greenfield's qualifications are, on paper, higher than those of the other two officers. I am, however, of opinion that he is temperamentally unsuited for judicial work of any kind, and I am unable to recommend him for such work.

/s/ J.A. Boyd-Carpenter,

/t/ J.A. BOYD-CARPENTER
Major, IO,
Apulia & Calabria

JABC/mk

COPY

ALLIED MILITARY COURT
MUNICIPIO VECCHIO
BITONTO

5 February 1945

REF. BZ/LEG/1/6107

Subject: Particulars

To : LO. Apulia & Calabria

1. Date of birth
1 July 1914
2. Education
Grammar school and High School
Boston Latin School (post Graduate)
Holy Cross College (degree B.S.)
Boston University Law School (degree LL B)
3. Legal Experience.
1936-1939 Associated in legal office as clerk etc.
1939-1941 Member of Massachusetts Bar active
practice of law. Special investigator for
Judge of Probate Court, County of Plymouth
Massachusetts, also in very close contact with
District Attorney's office Plymouth and Norfolk
Counties, Massachusetts.
4. Army experience.
Platoon Leader.
Batallion intelligence officer
Assistant Regimental Adjutant
Company Commander
Acting Staff Judge Advocate, Replacement Depot
Asst. to Commandant, Army Headquarters
Trial Judge Advocate, General and Special Courts
Martial
Law member Courts Martial
5. Experience with A.C.
Prosecuting Officer, Bari Zone, Southern
Region.

/s/ Frederick H. Balboni

/t/ FREDERICK H. BALBONI
1st. Lt. Inf.

CO.C, 2675 REGIMENT A.C.

APO 394 U.S. ARMY

7 February 1945

SUBJECT: Officer's Personal Data

TO : Major J.A. Boyd-Carpenter, Legal Officer, Bari

1. In accordance with your request of 3 February the following information is set forth.

(a) Date of birth-6 February 1914

(b) Education-Columbia University, New York City, June 1930-June 1933; Columbia Law School, Sept. 1933-June 1936, LLB degree.

(c) Legal professional experience-Admitted to the Bar in the State of New York April 1936 and practised on own individual account until induction into the Service in July 1941.

(d) Army experience outside A.C.-Acted as defense counsel and trial judge advocate in military courts-martial at Greenville Army Air Base, S.C. during period Dec. 1943-March 1944.

(e) Experience with A.C.-Prosecutor; Allied Military Courts, Bari, Italy, from 11 November 1944 to date. Assigned to A.C. 26 Oct. 1944.

/s/ George J. Robertazzi
/t/ GEORGE J. ROBERTAZZI
1st Lt., Ord.
Serial No. O-1551722

CO. C, 2675 REGIMENT
ALLIED COMMISSION-LEGAL
A.P.O. 394 U.S.ARMV

5 February 1945.

SUBJECT : Personal information.

TO : LEGAL OFFICER.

1. In accordance with request the following information is submitted concerning the undersigned:

a. Born 23 June 1912

b. Attended the following Colleges and Universities:

1. New York University 1930
2. Ohio State University 1932
3. St. Lawrence University
College of Law 1934.

2. On or about October 1935 I engaged in the practice of Law in the City and State of New York and on or about June of 1936, I was admitted to the Bar of the Appellate Division of the Supreme Court of the State of New York. In the course of my practice I engaged in the general practice of Law. I have personally conducted and tried many criminal cases involving homicide, larceny and other major felonies. On or about January 1938, I became a member of the Bar of the United States Customs Court and thereafter I was admitted as a member of the United States Circuit Court of Appeals in and for the Second Circuit of the United States. In these various Federal Courts I tried cases and appeals involving complex issues of criminal and civil law until my entry into the Army in 1941.

3. Since my admission to the practice of Law I have been engaged in my own private practice and in the course of my career I have personally tried hundreds of cases before the Courts of original and appellate jurisdiction of the State of New York and the United States Federal Courts.

4. Since 1940 I have been a student of International Law and Diplomacy and prior to my entry into the Military Service I was preparing to make that form of legal work a career.

5. On or about June 1941, I entered the Military Service of the United States and specialized as Trial Judge Advocate for the various organizations I was assigned with.

6. On or about December 1942, I was appointed Trial Judge Advocate for the First Provisional Group at Camp Stewart, Georgia and in the course of my duties I tried upwards of five hundred cases involving crimes against the United States Army.

7. On or about June 1943, I became the Trial Judge Advocate for the 4th AA Searchlight Fighter Group and its seven battalions and in the course of my duties tried and reviewed many cases involving crimes against the Armed Forces of the United States.

7. On or about November 1944, I left the 4th AA Searchlight Fighter Group and joined the legal section of the Allied Commission and I am now acting in the capacity of prosecutor in the Bari zone. This assignment involves the preparation and trial of offenders against the Allied Military Forces and charges thereon are prepared under the Italian Penal Code.

8. In the course of my legal and professional career I have been an instructor in Criminal Law and have also instructed in Criminal Law in the Bar Examination courses in New York/

/s/ Louis G. Greenfield
/t/ LOUIS G. GREENFIELD
CAPTAIN, ALLIED COMMISSION
C-1047542

96F

ALLIED COMMISSION
NAPLES ZONE

LEGAL DIVISION,
OFFICE OF THE PROSECUTOR
TRIBUNALE, NAPLES.

3 February 1946

SUBJECT: Legal qualifications.

TO : Regional Legal Officer.

1. Pursuant to request from your office this Officer advises that he was graduated from the Law School of Georgetown University in 1936, receiving L.L.B. degree.

2. This Officer since graduation has been employed by the U.S. Government in the Legal Division of F.W.A., the law firm of Nash and Mutsabough handling both criminal and civil cases and has his own law practice for approximately three years prior to entry into service.

3. Since entering the service this officer has served as a Summary Court Judge, and trial Judge Advocate for Special and General Military Courts Martial.

4. For a period of 1 1/2 months this Officer served as Chief Prosecutor in the A.M.G. Summary Courts in Naples and later was Provincial Legal Officer for Salerno Province.

5. This Officer was also member of the Legal Section for the Southern France operation and since November has been the Central Prosecutor of A.M.G. Courts in Naples.

6. This Officer has practiced before the Supreme Court of Pennsylvania and the Federal District Courts in his area.

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JJV/ebj.

S/ James J. Vogel
T/ JAMES J. VOGEL,
1st Lt. C.M.P.
Central Prosecutor.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

ICHC/pa.
10 Feb 45.

AC/4002/12/L.

SUBJECT : Superior Military Court.

TO : Regional Commissioner, SOUTHERN Region.
(Attn: Regional Legal Officer)

1. Reference L-3072 of 8 February 1945.
2. It is much regretted but it is not possible to give the authority you ask. A Superior Court must consist of either two officers (one of whom being a "judicial officer") or of one "judicial officer" sitting alone if duly authorized. A "Judicial Officer" is "any officer of AC who is a qualified lawyer" (Consolidated Instructions Art. 1); and Lt.Col. CLAIR is not an officer of the AC.
3. While it may be a pity that Lt.Col. Clair cannot be authorized, it is not proposed to vary the rule. The reason for the rule is obvious: that this HQ knows legal officers of Allied Commission. Experience in the past has shown the inadvisability of using outside officers in this way.
4. Please make it clear to Lt.Col. CLAIR that the refusal of this application is in no way a reflection on him personally.

By command of Rear Admiral STONE :

W. E. REHRING,
Colonel,
Deputy Chief Legal Advisor.

HEADQUARTERS
SOUTHERN REGION, ALLIED COMMISSION
LEGAL DIVISION
APO 394, U.S. Army

L-3072

8 February 1945

SUBJECT: Superior Military Court.

TO : Chief Legal Officer, Legal Sub-Commission, A.C., Rome.

1. Application is made for the appointment of the undermentioned officer as a sole judge of Superior Military Courts -

Lt. Col. GUY S. CLAIR, J.A.G.D.

2. At the present time Colonel Clair sits as a Summary Court Judge of the Port Court and tries approximately 30 to 40 Summary Court cases per day. He has tried more than 6500 cases as a Summary Court judge. At the present time many Port Court cases are remanded to the Superior Court, Tribunale since his jurisdiction does not permit a sentence of more than one year of imprisonment.

3. It is my personal opinion that Colonel Clair has all the necessary qualifications to sit as a sole member of a Superior Court.

4. I am attaching hereto statement signed by Col. Clair with respect to his qualifications.

LEGAL SUB-COMMISSION

CLO

DCLO

Chief Counsel

→ CJO

Italian Sec

CL RKS

ETK/pv

For the Regional Commissioner:

In Region does
NOT appear to
have record
files 88A

L. F. Dawson
L.E. DAWSON, by E. T. Kern
Lt.Col., G.L.,
Reg. Chief Legal Officer.

Dear Major Kerr:

Here is a brief outline of training or what have
you:

A.B., Un. of So. Cal. (magna cum laude and Phi Beta
Kappa - if this means anything); LLb., Uni. of Penna;
MA., U of P; Phd., Leland Stanford; etc. Taught law
U of P, U. of Oregon and various summer schools; Member
of Bar - Pennsylvania - and there tried to dispense
justice after a period of practice in State and Federal
Courts; Member JAGD - USA - and as such have served as
SJA and Law Member. Law member on too many General
Courts at home and over-seas. I might mention that I
have tried over 6500 cases in the ACC Port Court not
taking into consideration the military cases I have
processed for trial as SJA of my organization..

Hope this serves your purpose. I cannot sit on
all cases but from time to time when you deem it necessary.

Sincerely,

Eyseloni

4002/12

HEADQUARTERS EMILIA REGION
ALLIED MILITARY GOVERNMENT
APO 394

Legal

93A

REF : RIX/LE/501/446. WHI/nee.
3 February 1945.

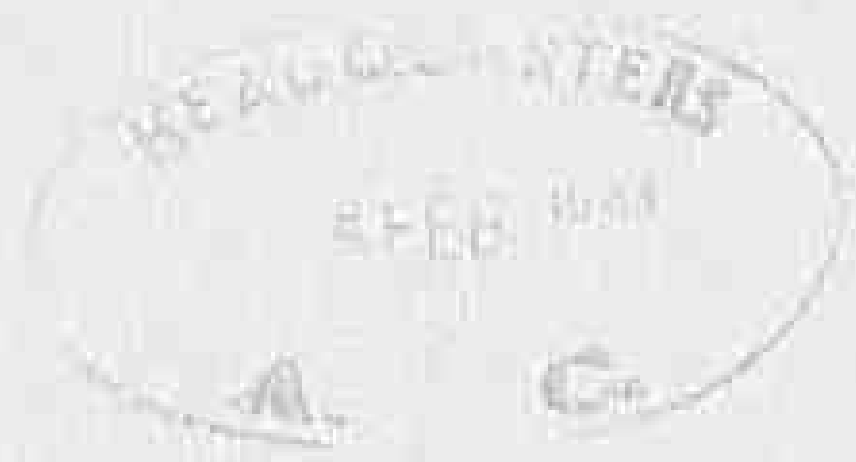
SUBJECT: Authority to Sit as Sole Member of a Superior Court.

TO : Deputy Chief Legal Advisor, Legal Sub-Commission,
Headquarters, Allied Commission, APO 394.

1. Reference your AC/4002/12/L, 28 January 1945, I do not recommend that the above authority be granted to Major B. M. Clasky.

2. Major Clasky's experience in Allied Military Courts is confined to a short period while he was temporarily stationed at Ancona. From reports received by me from Provincial Legal Officer, Ancona Province, I believe it would be advisable to wait until officer has gained more Allied Military Court experience before granting this authority.

For the Regional Commissioner:



W. H. Levit
WILLIAM H. LEVIT
Lt. Col., J.A.G.D.
Regional Legal Officer.

71

5 FEB 1945

4002/12. **CONFIDENTIAL** 92AHEADQUARTERS
AMG FIFTH ARMY
APO 464 U.S. ARMY

HMD/jm

2 February 1945.

208/3

SUBJECT: Authority to sit as sole member of a
Superior Court.

TO : HQ Allied Commission,
(for Legal Sub-Commission).

1. In reply to your letter AC/4002/12/L dated 28th January 1945, it is considered that neither Capt. C.F. Delbridge nor Lt. F.J. Moran has had sufficient experience in A.M.G. Courts to justify the grant to him of authority to sit alone in a Superior Court.

2. Capt. W.F. Fielding has had greater professional experience, but it is thought that he is temperamentally unsuited to act as sole judge in cases which may involve substantial sentences. For this reason the grant of authority to him is not recommended.

3. Lt. Col. Waugh, under whom these officers have been working during the past three months, concurs in the foregoing remarks and recommendations.

4. The undersigned would appreciate having a copy of the consolidated list referred to in your letter when this has been prepared. 75

For the Commanding General:

H.M. Dickie W/Cdr.
H.M. DICKIE,
W/Cdr., RAF.,
Legal Officer,
A.M.G. Fifth Army.

CONFIDENTIAL

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
LAZIO-UMBRIA REGION, LEGAL DIVISION
APO 394

L/1004

31 January 1945

SUBJECT : Authority to sit as sole member of Superior Court
TO : Chief Legal Adviser, Hq. Allied Commission
Legal Sub-Commission, APO 394

1. In reply to your letter AC/4002/12/L Subject Authority to sit as sole member of Superior Court, 28 Jan. 1945, it is recommended that Capt. R. Gaziano, Lazio-Umbria Region, be given authority to sit as sole member of Superior Court.

2. Capt. R. Gaziano is a professional lawyer in civilian life. He has had considerable experience in the field of criminal law and procedure. In his army duties Capt. Gaziano has been defense counsel, trial judge advocate and member of general court-martial for an infantry division. He has served as a judge of a summary court in Naples and Rome; he has served as a member of a general military court, also he has served as special defense counsel in Allied Military Courts. He has been a member of the Legal Division of AMG since September 1943. In Region III, Rome Region, Region IV and Lazio-Umbria Region he has served as Officer in charge of Italian Courts. He has been Deputy Regional Legal Officer of Region IV and Lazio-Umbria Region since June 1944.

3. He is an able, conscientious and industrious worker, upon whom the authority to sit alone as a Superior Court should be given.

For the Regional Legal Officer

LEG SUB COMMISSION

Sam B. Gilreath
SAM B. GILREATH
Major A.U.S.
Regional Legal Officer

SEG/GG.

8

8 JAN 1945

To await order

4002/16.
 TO : HQ. ALLIE COMMISSION
 (for attention of Legal Sub-Commission) ←
 FROM : HQ. AMG/AC ABRUZZI MARCHE REGION
 SUBJECT : Authority to sit as sole member of Superior Court.
 REF. : R5/511/1
 DATE : 31 Jan. '45

1. Ref your AC/4002/12/L dated 12 Jan. '45 Major Caralake is the only one of the three officers mentioned in respect of whom I consider that authority to sit as sole member of a Superior Court should be granted at the present stage. He has good general professional experience and has now acquired considerable experience of AM Courts. He is a thoroughly reliable officer.

2. I do not think either Major Dehram or Major Glerum has yet had sufficient experience of AM Courts and for this reason only I do not recommend inclusion of their names in the new list for the present.

For the Regional Commissioner

Chief Clerk	/
CL	/
Section	/
CL	/

R. G. S. ALEXANDER Major
 R.L.O.

71

6746

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

89A

AC/4002/12/L.

/sp.
27 January 1945.

SUBJECT : Authority to sit as Sole Member of
Superior Court.

TO : Regional Commissioner, PIEMONTE Region
(Attn: Regional Legal Officer).

1. Reference your letter of 21 January 1945 same
subject.

2. A list of officers authorized to sit as
Superior Court is being prepared by this Sub-Commission
and will be forwarded to you as soon as possible.

By command of Rear Admiral STONE:

W. E. BEHRENS
W. E. BEHRENS, Colonel,
Deputy Chief Legal Advisor.

70

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

SSA

AC/4002/12/L

/mt.
28 January 1945.

SUBJECT : Authority to sit as sole member of a Superior Court.
TO : Regional Commissioner (attn: Regional Legal Officer),
SOUTHERN, LAZIO-UMBRIA, ABRUZZI-MARITIME, TOSCANA,
EMILIA Regions - SCAD, AMG, 5th Army.

1. This Sub-Commission is preparing a consolidated list of officers in respect of whom authority has been granted or will now be granted to sit alone as sole judge of a superior court.

2. Attached is a list of officers now or recently in your Region in respect of whom this Sub-Commission is uncertain whether such authority should be given.

3. Your comments and recommendation in respect of these officers will be appreciated. These should be based partly on the officer's general professional experience but largely on his experience in Allied Military Courts.

4. Many of the officers to whom this letter refers have only been in AC-AMG a short time and may have had little or no experience in Allied Military Courts. It is emphasized, therefore, that if an RLO does not recommend that authority be granted in respect of certain officers, that will in no way be construed as a reflection on such officers. Their names can be added to the list later when they have had the necessary experience.

5. Please answer as soon as possible.

By command of Rear Admiral STONE:

NAM
W. E. SMITH, Jr.
Colonel,
Deputy Chief Legal Advisor. 69

Incl.

BF 12/2

(88B)

SOUTHERN REGION

Capt. L. G. GREENFIELD — yes — under supervision
 Lt. F. H. BAISCH — yes
 Lt. C. J. ROMETTAKI — No — needs more exp.
 Lt. J. J. VOGL — yes

} folio 90A

LAZIO-UMBRIA REGION

Capt. R. GATTINO — yes — strongly recommended — folio 91A

APULIA-MARCHES REGION — see also 97A

Major J. GARSLAKE — yes
 Major R. DENHAM — No — needs more exp.
 Major L. D. GLENN — No

} folio 90A

TOSCANA REGION

Major W. A. CALDWELL — yes
 Major D. S. MCCOY — ?
 Lt. E. E. IRVANS — yes

} folio 100A

EMILIA REGION

Major R. M. CLARK — yes — needs more exp. — folio 92B

THE ARMY

Capt. C. F. DELBRIDGE, Jr — No — needs more exp.
 Capt. W. F. FIELDING — No — temporarily assigned
 Lt. P. J. MORAN — No — needs more exp.

} folio 92B

68

4082/12
✓

87A

HEADQUARTERS
PIEMONTE REGION
ALLIED MILITARY GOVERNMENT
APO 394

20 January 1944

SUBJECT: Authority to sit sole as Superior Court.

TO : Chief Legal Officer, Hq. AG.

1. May the following Provincial Legal Officers, now assigned to Piemonte Region be granted authority to sit sole as Superior Courts:

Reg.	Backhouse	53A	No
"	D.D. Mc Gole		
Capt.	Dreyfus	63A	
Lt.	George J. Robertazzi		No
"	Louis A. Sabatino		No
"	Edward E. Nevins, Jr.		No

2. The respective qualifications of each officers are attached hereto.

For the Regional Commissioner:

Edwin J. Mercer
EDWIN J. MERCER,
Lt. Col., Ord.,
Regional Legal Officer.,

Sub-Commissioner	
Chief Counsel	
CLERKS	
CLERKS	

20 JAN 1945

67

File 015

20 Nov. 4

87B

Subject: Qualifications to sit sole as Superior Court.

To	:	Lt.Col.	TROXELL	(A)
		Maj.	BACKHOUSE	(B)
		Maj.	BANLET	(B)
		Capt.	DREYFUS	(B)
		Capt.	GRANAI	(A)
		Lt.	NEVANS	(A)
		Lt.	ROBERTAZZI	(A)
		Lt.	SARATINO	(A)

1. Addressed officers will please state by indorsement hereon their legal experience (a) in civil life (b) in courts martial (c) as A.F.G. officers.

(sgd) Edwin J. Mercer
Lt.Col.Ord.
R.L.O.

1. Civil Life. Solicitor. Admitted May 22. Member of Law Society. Commissioner for Oaths. Practised in partnership Sept. 25 to Aug. 37, then on retirement of partner on own account.
2. Courts Martial. Fair amount of experience as President, Member, Prosecutor and Defending Officer on General and Field General Courts. Wrote a pamphlet on procedure which was used by many officers in Sudan and Eritrea. Copy sent to J.A.G. H.E.F.
3. A.M.C. in Italy since Oct 43 and have had the usual experience in General Superior and Summary Courts.
4. Have been given power by C.L.O. to sit alone as a Superior Court.
5. Acted as R.L.O. Region 2, 21 Dec 43 to 10 Jan 44, and was D.P.L.O. Region 2 from latter date until June 44. Acted as R.L.O. Region 5 from 12 Oct to 1 Nov 44.

(sgd) Backhouse; Maj. ...

66

Major D.D. McCOLM

\ Legal experience **etc.**

M.A. (1924) LL.B. (1927) Law Agent Scotland (1930)
Member of Solicitors in the Supreme Courts Scotland (1932).

1927/30 Apprenticeship and general training including
assistantship to Legal Assessor in Burgh Court.

1930/40 In practice in Edinburgh, first in partnership
and last four years alone, before the Supreme and Inferior
Courts in civil and criminal cases, both of first instance
and on appeal.

March 1940. Joined army.

1941/44. Very considerable experience in Court-martial work
as President, Member, Prosecutor and Defending Officer.

- 2 -

5. A r t e of Captain Aulisi's legal qualifications was sent to you with my R4/Le/Rag/G/3 of 10 June 1944

H. G. Lohmeyer
Colonel
R.L.O., Region IV

FROM CLO REAR HQ AGS.
HQ REGION 5 AIG

SUBJECT: General and Superior Courts.

REF. : R5/511/16.

Copy for file 4002/12/c

25 Jan 44

51A

1. Further to the correspondence concerning the appointment of officers nominated for the General Court panel of this Region it is pointed out that there are only 10 legal officers in this entire Region and a very limited number of other officers, all of whom are thinly spread.

2. It is therefore requested that the following additions be made to the panel for this Region, nominated in the appointment of 8 April 1944.

Group A	Major G.M. WELSFORD
Group B	Major W.R. COHEN
	Major P. BACKHOUSE
	Lieut. H.A. GRANT
Group C	Major T.R. FISHER
	Major J.E. FODEN
	Major G.W. CUMMING
	Major E. HARRIS

3. It is further requested that authority to sit alone as a Superior Court judge be granted to all legal officers of the Region not hitherto authorised :

Capt. W.F. BOONE
Capt. F.J. BADER
Major P. BACKHOUSE
Lieut. H.A. GRANT

Capt. BOONE and BADER are strongly recommended. I have no personal knowledge of the work of Major Backhouse or Lieut. Grant (who may in fact have been duly authorised while in another Region) but at least provisional authority is requested for them in view of the shortage of officers.

4. If desired the records of all the above officers can be forwarded.

5. A similar authority is requested on behalf of Major M.H. Nichols, the P.C. of Ancona Province. This officer was a practising barrister at law, having been called to the Bar, Grays Inn, in Jan. 1931. At the present moment it has not been possible to allot any legal officer to Ancona Province, although it is intended to appoint Major Cohen as soon as Major Welsford can take over Pescara Province in addition to CHINI.

For the Regional Commissioner.

W.E. BEHRENS,
Colonel,
R.L.O.

REAR HEADQUARTERS
ARMED CONTROL COMMISSION
LEGAL SUB-COMMISSION
A.P.O. 394

IGH/eap

50A

ACC/1002/12/L

23 Jun 44

SUBJECT: Appointment of Superior Military Court

TO : RLO (thru RC) Region III

Reference your L-5072 dated 21 Jun 44.

Authority is hereby granted for:

Captain EWING T. KERR, AUS, O-510984

to sit as sole member of Superior Military Courts.

G. R. UPJOHN,
Colonel,
Chief Legal Officer.

67

HEADQUARTERS,
REGION 3, ALLIED CONTROL COMMISSION,
APO 394, U.S. Army.

21 June 44.

L-3072

SUBJECT : Superior Military Court.

TO : CIO, Legal Sub-Commission, ACC.

1. Authority is requested for the under mentioned officer to sit as a sole judge of a Superior Military Court -

Captain EWING T. KERR, AUS, O-518984.

2. Captain KERR has been for 18 years in general practice of law. During the years 1927-32 he tried more than 1,000 cases in the United States District Courts. He was Assistant United States Attorney for the District of WYOMING from 1930 to 1933; Special Assistant to the Attorney General of the United States in charge of criminal prosecutions from 1930 to 1933; and Attorney General for the State of WYOMING from 1939 to 1943.

3. Since his appointment to this Division in February 1944 Captain KERR has acted as Judicial Officer.

For the Regional Commissioner,

G. A. BAMEET

G. A. BAMEET,
Major, G.I.
Deputy Regional Legal Officer.

CAB/

LEGAL SUB-COMMISSION	
CLO	
OCLO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	

In my opinion Kerr is
familiar, & from being Judicial
Offr should have a sound
idea on sentences
I recommend GY/CS

10

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

48A

/Baf

AG/4002/12/L

12 Jun 44

SUBJECT: Superior Military Court.

TO : HCO (thru HQ) Region 3.

Ref I-3072 of 16 June 44.

1. Authority is hereby given for Major R. A. GILBERT, Spec. Reg. to sit as sole member of Superior Military Court.

2. The above authority will be regarded as provisional until some experience has been obtained of the way in which this officer handles cases.

60

G. E. JONES, Colonel
Chief Legal Officer.

4053/12.

HEADQUART 3
REGION 3, ALLIED CONTROL COMMISSION
APO 394, U.S. Army

(47A)

16 June 1944

L-3072

Subject : Superior Military Court.

To : C.L.O. Legal Sub-Commission, A.C.C.

1. Authority is requested for the under mentioned officer to sit as a sole judge of a Superior Military Court.-

Major B.A. CULLOTON, Spec. Res.

2. Particulars of the qualification of this officer are given in the attached letter dated 16 June 1944 from the PIO, Naples Province.

3. It will be appreciated if this matter can be dealt with as expeditiously as possible because it is desired that Major CULLOTON should try certain cases at NOLA which have been remanded for a Superior Court.

For the Regional Commissioner:

John W. Chapman
JOHN W. CHAPMAN,
Colonel, J.A.G.D.,
Reg. Legal Officer.

GAB/cn

Encl:

1. Letter dated 16 June 44 from PIO Naples Prov.

NOTE
Spoke DeLo, who agrees subject to verification of this officer's job
Bancro: Culloton is on refugees & is in no way concerned
with investigations etc. *(R)*

47B

PROVINCIAL LEGAL OFFICE
PROVINCE OF NAPLES
APO 394

3072

Date 16 June 1944

SUBJECT : Request for appointment of Maj. B.A. Culloton as
Superior Court
TO : Regional Legal Officer, Region 3.

1. As you know the shortage of Superior Courts is acute.
2. Major B.A. Culloton, Spec. Res. has been kind enough to assist as a Summary Court Judge and his work has been entirely satisfactory.
3. Major Culloton is a member of the New York bar; was for 8 years City Judge of Kingston N.Y.; and has held a responsible legal position in the New York State Tax Department for a number of years.
4. It is requested, therefore, that Major Culloton be authorized to set as a one-man Superior Court.
5. It is also requested that this matter be expedited as much as possible.

George S. Parlin

George S. Parlin
Major C.M.P.
P.L.O.

58

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

/guf

AGC/1002/12/1

16 June 1944

SUBJECT: Superior Military Courts.

TO : HQ (then HQ) Region 3.

1. In reply to your L-3072 of 11 June 44 it is regretted that permission cannot be granted to Captains BRADLEY & MONAGHAN to sit as sole judges of Superior Courts.
2. It appears from Major Parlin's letter that these two officers of the Corps of Military Police are engaged in work of law enforcement and possibly with the initiation (if not the prosecution) of investigations. For this reason it is undesirable that either of them should sit as sole member of a Superior Military Court.
3. Furthermore, it may be that they are barred from sitting in certain cases, for having "taken part in the investigation of any case before that Court" or because they "may be prejudiced by personal knowledge of the facts of the case or otherwise" - See Consolidated Instructions for Allied Military Courts Art. 2 (6): Will you please ensure that neither of these officers sits on any Court if, by any chance, he is so disqualified from sitting.
4. Professional qualifications and experience are not alone enough for this HQ to grant permission to sit as sole member of a Superior Court; before such permission is given this HQ require to know something of the personality of the officer and of his experience and knowledge of the working of Allied Military Courts.
5. As to para 4 of your letter, Region 3 is only now being alerted and nothing is known here as to either of these officers having been so designated. No request for either of them to sit as sole member of a Superior Military Court has been received.

62
G. E. URSON, Colonel
Chief Legal Officer.

57

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
APO 394, U.S. Army

I-3072

14 June 1944

Subject: Superior Military Courts.

To : C.L.O. Legal Sub-Commission, A.C.C.

1. Authority is hereby requested for the undermentioned officers to sit as sole judges of Superior Military Courts:

Captain H.B. BRADBURY CMP
Captain T.B. McNARY CMP.

2. Particulars of the qualifications of these officers is given in the attached letter dated 13 June 1944 from PLO, Naples Province.

For the Regional Commissioner:

John W. Chapman
Major Gen

JOHN W. CHAPMAN,
Colonel, JAGD,
Reg; Legal Officer.

511

GAB/mo

Encl-

1. Ltr 13 June 44 from PLO Naples Province.

LEGAL SUB-COMMISSION	
LO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	

PROVINCIAL LEGAL OFFICE
PROVINCE OF NAPLES
APO 394

Date 13 June 1944

SUBJECT : Appointment of Superior Courts
TO : Regional Legal Officer, Region 3

1. It is requested that the officers below named be authorized to sit as one-man Superior Courts. Their qualifications are as stated.
2. Captain H; B; Bradbury CMP
Before accepting a commission in the Army of the U. S. he was a Judge of the Court of Common Pleas of Connecticut. He graduated from the Yale Law School in 1929. He is now engaged in work with the Hemp Commission in Aversa. This work brings him in contact with many cases some of which should be tried as Superior Court cases.
3. T. B. Mc Nary, Captain CMP
Graduated from the Law School of UCLA about 1933. While still in Law School he worked in the office of the District Attorney. He was the D. A. for Los Angeles when he accepted a commission in the AUS. He assists Capt. Bradbury in the work of the Hemp ~~COMMISSION~~ Commission and it is also desirable that he be authorized to try Superior Court cases in connection with that work.
4. Both of the above-named officers have been designated as Superior Court officers for Region 8.

LEGAL SUB-COMMISSION	
CLO	
LO	
Chief Counsel	
CJO	
Italian Section	
CL. RKS	

George S. Parlin
GEORGE S. PARLIN,
Major, C. M. P.
Provincial Legal Officer

55

File

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

(44A)

/gmf

ACC/4002/12/L

9 June 1944

SUBJECT: Authority to sit alone as Superior Court.

TO : SLO AIG 8th Army.

1. Reference your OA/13 dated 6 June 44. *45A*
2. Authority is hereby given for the following officer to sit as sole member of a Superior Military Court:-

Capt. F.C. Bader

K

G. R. UPJOHN
Colonel
Chief Legal Officer *56*

✓ 44002/12.

SUBJECT :- Appointment of PIO
AGUILA as sole
Superior Court.

Rigne

(438)

AMC Rear Eighth Army
CA/13

6 Jun 44

CIO, HQ, ALLIED CONTROL COMMISSION.

1. Attached is description of legal experience of Captain F.C. Bader.
2. I am not acquainted with this officer and can add nothing to his statement.

1 Cancel

Edwin J. Mercer

EDWIN J. MERCER, Lt. Col, Ord,
Senior Legal Officer,
for Group Captain,
Officer Commanding,
AMC EIGHTH ARMY.

53

ALLIED MILITARY GOVERNMENT.

AQUILA PROVINCE.

Senior Legal Officer,
AMG Eighth Army Rear.

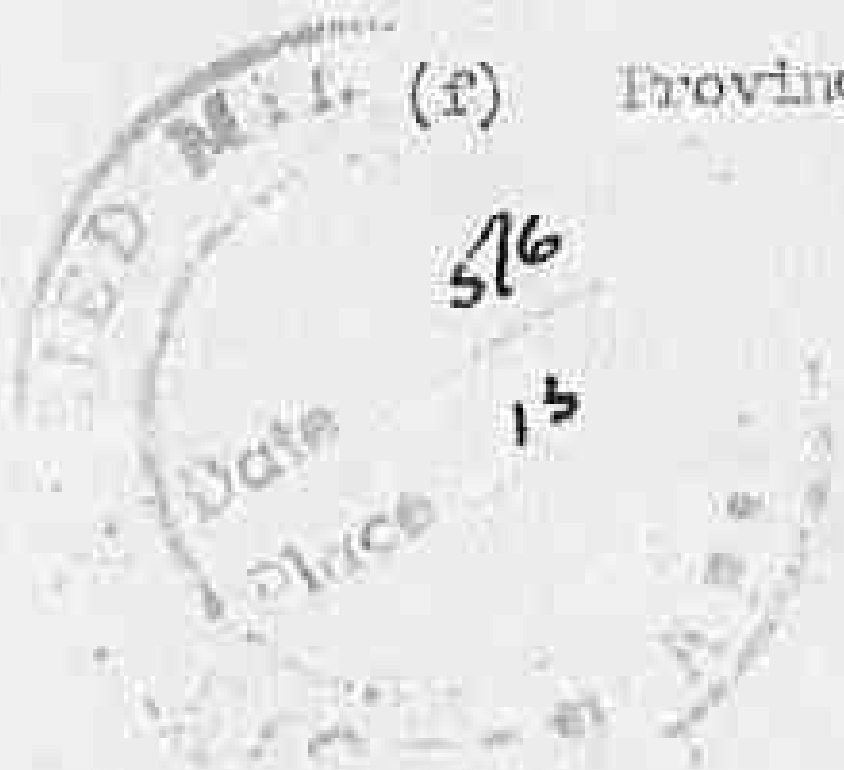
R5AQ/1703/15

1 June 44.

Legal experience.

1. In accordance with your suggestion that I be appointed to sit alone as a Superior Military Court in AQUILA Province I submit to you herewith for your consideration a statement of my experiences in legal work to be forwarded to Chief Legal Officer for his special authorization. The statement is as follows:-

- (a) Actual practice of law and trial of cases in State and Federal Courts in CINCINNATI, OHIO and elsewhere since 1926.
- (b) Engaged as trial lawyer by others in more difficult cases in civil practice.
- # (c) Stationed at Region V, HQ, Legal office reviewing summary Court cases.
- (d) Member of General Court in trial of murder case in CERIGNOLA, FOGGIA Province.
- (e) Member of General Court in trial of seven mail theft cases, FOGGIA, FOGGIA Province.
- (f) Provincial Legal Officer of AQUILA Province.



516

15

I will argue
at Reg 5
10

F. G. Lader
Captain,
Provincial Legal Officer,
AQUILA PROVINCE.

52

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394.

3 June 1944.

REFERENCE : ACC/4002/12/L.

SUBJECT : Authority to sit alone as Superior Court.

TO : R.L.O. (thru Regional Commissioner), Region 3.

1. Reference your L-3072 of 31 May 1944.
2. Authority is hereby given for the following officers to sit as sole member of a Superior Military Court :-

Colonel John K. Weber (0102751)
Capt. E. N. Blacklock (50044)
Lieut. H.G.T. Christians (135291)

GERALD R. UPJOHN
Colonel
Chief Legal Officer.

THC/vcw.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394.

3 June, 1944.

REFERENCE : ACC/4002/12/L.
SUBJECT : Authority to sit as sole member as Superior Court.
TO : R.L.O. (thru Regional Commissioner), Region 4.

In answer to your R4/LE/Reg/A/A of 31 May 1944.

1. It is confirmed that the following officers are authorized to sit as sole member of a Superior Military Court :-

Major Elder
Major MacFadyen
Capt. Cox.
Lt.Col. Purcell.
Capt. Falk.
Major Stump.
Capt. Peyton.

2. Authority is hereby given for the following officers to sit as sole member of a Superior Military Court :-

Colonel Willmer.
Major Hendrickson.
Major Vaugh.
Capt. Gates.
Capt. Howell Jones.
Capt. De-vis.

12th 50
GERALD R. UPJEN,
Colonel,
Chief Legal Officer.

IGHC/wcw.

REAR HEADQUARTERS
ALLIED GENERAL COMMISSION
LEGAL SUB-COMMISSION
APO 394.

2 June 1944.

AGC/1002/12/1.

SUBJECT : Approval of Officers as Superior Court.

TO : S.A.C., A.M.C., 8th Army.

1. Reference your CA/13 dated 26 May 1944.
2. Authority to sit as a sole member of a Superior Military Court is granted in respect of Capt. Harry S. Pollard.

R. H. ZIMMER.
Col., S.A.C.
Deputy Chief Legal Officer.

398
JUNIOR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 304.

2 June 1944.

REFERENCE : HQ/ACCC/12/1.
SUBJECT : Approval of Officers as Superior Courts.
TO : A.C.C., J.M.C., 8th Army.

1. Reference your 04/13 dated 30 May 1944.
2. This Sub-Commission in the light of past experience still believes it best to give individually the authority to officers to sit alone as superior courts.
3. Authority to sit as a sole member of a Superior Military Court is granted in respect of Major G. M. McInnes.

RICHARD H. WILSON.
Colonel, 2nd Lt.
Deputy Chief Legal Officer.

RM/aw.

Copy to : Executive Commissioner.

4002/12 ✓

8287

(38A)

HEADQUARTERS
ARMED CONTROL COMMISSION
A.C.C. & M.G. SECTION

Ref/283/101/CA

1 June 1944

TO: Legal Sub-Commission.

1. The attached copy letter from AMG Eighth Army (Ref CA/13 dated 30 May 44) is forwarded. The letter giving qualifications of Major Welsford, P.L.O., Chieti, has not been received at this H.Q.

2. Please let this HQ have a copy of your reply to AMG Eighth Army.

already dealt with

Norman E. Fiske

NORMAN E. FISKE
Colonel
Deputy Executive Commissioner.

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian section	
CL. RKS	

27

✓ 4002/12
HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
APO 394, U.S. Army

(37A)

L-3072

31 May 1944

Subject: Superior Military Courts.

To : C.I.O., Legal Sub-Commission, A.C.C.

1. Authority is hereby requested for the under-mentioned legal officers to sit as sole judges of Superior Military Courts -

0102751 Colonel John K. Weber
50044 / ~~1st~~ Lieutenant E.N. Blacklock
135291 Lieutenant H.G.T. Christians.

For the Regional Commissioner:

for Samuel
major for
JOHN W. CHAPMAN,
Colonel, JAGD,
Reg. Legal Officer.

GAB/mo

60

HEADQUARTERS RI ON 4
ALLIED MILITARY GOVERNMENT
A. F. O. 394

TO : Chief Legal Officer, A.G.C., Legal Sub-Commission.
FROM : R.L.O., Region IV.
SUBJECT: Appointment of Superior Court Officers.
REF : R4/LE/Reg/A/4.
DATE : 31 May 1944.

1. It is understood that the following officers assigned to, or earmarked for, Region IV have already been authorised to sit alone as Superior Courts:-

✓ Major Elder	--	Your reference AGC/40002/1/L of 17 Feb. 44
✓ Major MacFadyean	"	" " " " 8 March 44
✓ Capt. Cox	"	" " " " " " "
✓ Lt. Col. Purcell	"	" " " " " 22 " "
✓ Capt. Faik	"	" " " " " 5 April 44
✓ Major Stump	"	" " " " " 19 " "
✓ Capt. Peyton	"	" " " " " 3 May 44

2. Authority is now requested for the following additional officers to be authorised to sit alone as Superior Courts :-

Colonel Willmer
Major Hendrickson
Major Waugh
Captain Oates
Captain Howell Jones
Captain Davis

3. In the case of Major Hendrickson, Major Waugh and Captain Howell-Jones it is possible that a request may already have been made by S.L.O., A.M.G., 5th Army. If so, I apologise for the duplication, but should be glad to be informed whether the necessary authorisation has been granted. I am not in a position to supply personal details with regard to the above officers, as they are not at present serving with me. I believe, however, that they are sufficiently well known to you already, and I can only say that I have a high regard for their capabilities and feel fully satisfied that

all three of them are fully competent to sit alone as judges of a Superior Court.

4. As to the remaining three:-

(a) My own qualifications are known to you.

(b) Capt. Oates is a solicitor by profession, in practice on his own account before the war. He was called up for service with the T.A. on the outbreak of the war, and commissioned in the spring of 1940, acting as Coy. Commander from the middle of 1940 till April 1943 on home service. In April 1943 he proceeded to North Africa on the staff of the I.R.T.D., and transferred to A.M.G. on 8 Sept. 43, being assigned to the Legal Division. During the period while he was on home service Capt. Oates was selected as Special Defending Officer for Northern Ireland District for the trial of the more serious cases, and was legal officer for an Independent Brigade. He also had considerable Court Martial experience during his service in North Africa. Since he has been working with me Capt. Oates has not had great experience in court--but this is my own fault, as it is due to the fact that I specially selected him, as the most reliable of the officers assigned to this Division, for work at Regional H.Q.

(c) Capt. Davis is a solicitor by profession, and from 1937 to 1939 was a partner in the firm of Telfer & Co., London, W.C.2. He was called up on the outbreak of war as a trooper in the Inns of Court Regiment, and was commissioned in February 1940. Since then he has taken the Junior Staff Course, and has acted as Staff Captain "A". Prior to joining A.M.G. he had experience of Court Martial work. He has been with A.M.G. since May 1943, and has been Provincial Legal Officer of Catania and Siracusa. During this period he habitually sat alone as judge of Superior Courts. He was transferred to Region III in March of this year, since when he has acted as prosecuting officer before Superior Courts in Naples. He has not so far worked for me, and I have had as yet no personal opportunity of judging his work, but from what I have seen of him so far, I judge him to be an extremely capable officer. Capt. Falk, who has been judge of the Superior Court in which Capt. Davis prosecuted, speaks very highly of his work. I regard it as most important that when Capt. Davis takes the field as P.L.O. of Rieti Province he should have the authority to sit alone as a Superior Court.

H.C. Wilmer

Colonel,
R.L.O., Reg. 4.

*The Officer was my assistant
for some months at Catania
I would refer him*

4/10/12
SUBJECT:- Superior Courts. *4001/12*

Admin Sec
AMG Rear Eighth Army *358*

ON 13

30 May 44

EXECUTIVE COMMISSIONER'S BRANCH,
ALLIED CONTROL COMMISSION.

Copy to : ADMINISTRATIVE SECTION, ACC. ✓

approve
1. It is suggested that all PLOs, RLOs and SLOs be authorized to sit alone as Superior Courts.

2. Letter of even date describes qualifications of Major Welsford, PLO, Chieti, and it is requested that such authorization be extended to him.

HEADQUARTERS

No authorization for Welsford to sit alone as Superior Court has been granted 4/12/44
EDWIN J. MERCER, Lt.-Col. Ord.,
Senior Legal Officer,
For Group Captain,
Officer Commanding
AMG EIGHTH ARMY.

✓ 4000/12
SUBJECT :- Superior Court.

CAD,
(Through RLO Region V).

1. Capt. Pollard is considered by undersigned to be competent to sit alone as Superior Court.
2. Statement of officer's description, qualifications and experience follows :

Harry S. POLLARD
Capt. Spec Res
O-519955, Age 38.
CAD, TEXAS DIST
Superior Court Officer
~~authorized to sit alone.~~

Asst Crim. Dist. Atty. of
Dallas County, Texas, 1928-1932;

Asst Atty. Gen. of Texas, 1934-1936.
General Practice, 1923-1943.

3. This officer is assigned to Region V but stationed in Eighth Army area, therefore expression of opinion is invited by RLO, Region V, by endorsement hereon.

I agree
W. E. Behrens

EDWIN J. WARRICK, Lt. Col., Crd.
Senior Legal Officer,
AMG EIGHTH ARMY.

29 May 44

W. E. BEHRENS
LT. COL.
R. L. O.

42

5694

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394.

22 May, 1944.

ACC/4002/1/L.

SUBJECT : Approval of Officers as Superior Court.

TO : Regional Legal Officer (thru Regional Commissioner), Region 3.

1. Reference your L-3072 dated 21 May 1944.
2. Authority to sit as a sole member of a Superior Military Court is granted in respect of Lt.Col. John W. Chapman, J.A.G.D.

R. H. WILMER.
Lt.Col., C.A.G.
Deputy Chief Legal Officer.

RHW/g cm.

(32A)

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
APO 394, U.S. Army

L-3072

21 May 1944

Subject: Authority to Appoint Officer to be Superior
Military Court.

To : CLO Legal Sub-Commission, A.C.C.

1. Authority is requested to appoint as sole member
of a Superior Military Court.

Lt. Colonel John W. Chapman, J.A.G.D.

For the Regional Commissioner

GAB/cm

for Samuel
major for
JOHN W. CHAPMAN,
Lt. Col., J.A.G.D.,
Reg. Legal Officer.

LEGAL SUB COMMISSION	
CLO	
DOLO	
Chief Counsel	
CJO	
Italian Section	
CL-RKS	

40

31A

HEAD HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

/enf

ACC/4002/1/L

13 May 1944

SUBJECT: Approval of officers as Superior Court.

TO : FLO (thru PC) Region 3.

1. Reference your L-3072 dated 11 May 1944.
2. Authority to sit as sole member of a Superior Military Court is granted in respect of the officers:-

Major G. G. T. Ainslee, R.A.R.
Capt. Abraham B. Gold

R. H. WILMER
Lt. Col. CAC
Deputy Chief Legal Officer.

4002/1

(304)

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
APO 394, U.S. Army

L-3072

11 May 1944

Subject: Authority to Appoint Officer to be Superior
Military Court.

To : C.L.O. Legal Sub-Commission A.C.C.

1. Authority is requested to appoint as sole member
of a Superior Military Court :

Major G.G.T. AIRSLIE , K.A.R.
Captain Abraham E. GOLD.

*Write
letter
of approval*

For the Regional Commissioner:

John W. Chapman
JOHN W. CHAPMAN,
Lt.Col., JAGD ,
Reg. Legal Officer.

JWC/no

38

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CLERKS	

NEAR HEADQUARTERS
ARMED FORCES COMMISSION
LEGAL SUB-COMMISSION
APO 374

GHU/pa

3 May 1944 .

AMC/4002/1/1

SUBJECT : Approval of Officers as Superior Court.

TO : R.L.O. (thru R.C.) Region 3 .

1. Reference your letter L-3072 of 3 May 1944 .
2. Authority to sit as sole member of a Superior Military Court is granted only in respect of the following officer:

Capt. Frank L. PAYTON, CMP, O-501432 .

G.R. UPJOHN,
Colonel,
Chief Legal Officer .

37

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
APO 394, U.S. Army

2 May 1944.

L-3072

Subject: Appointment of Superior Military Court.

To : C.L.O. Legal Sub-Commission, A.C.C.

1. Authority is requested to appoint the officers
named below to be sole members of Superior Military Courts -

Major Donald C. Strachan, CMP, O-200246
Captain Frank L. Peyton, CMP, O-501432.

For the Regional Commissioner:

John W. Chapman
JOHN W. CHAPMAN,
Lt.Col., JAGD,
Reg. Legal Officer.

36

Copy to: Administrative Section A.C.C.

Major Campbell
Peyton only

Write

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CIO	
Italian Section	
CLERKS	

File

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

(27A)

24 April 1944

ACC/4002/1/L

SUBJECT : Approval of officers as Superior Court .
TO : S.L.O. 5th Army .

1. Reference your letter of 22 April 1944.
2. Authority to sit as sole member of a Superior Military Court is granted in respect of the following officers :

Major M.P. KUSERA
Major J.A. Boyd-CARPENTER .

G. R. UPJOHN,
Colonel
Chief Legal Officer.

U - 5074 22 Apr 44 3413

Legal S.C.

(26A)

Subject: Superior Courts.

To: C.I.O., H.Q., A.C.C. (Rgr) ✓

1. Forward herewith nominations of P.L.O., Campobasso.
2. This office indorses the nominations.

Edwin Mercer

EDWIN J. MERCER, Maj. Ord.
SENIOR LEGAL OFFICER, A.M.G., DIR ARMY

✓
4002/1

Subject:- Superior Courts.

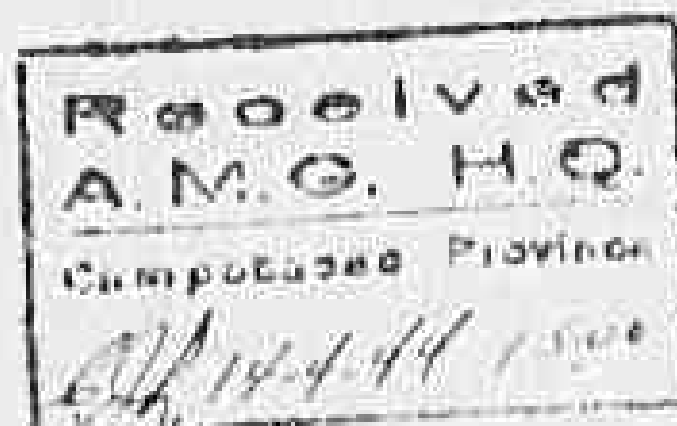
AMG H.Q. Eighth Army Rear.

O.S./13.

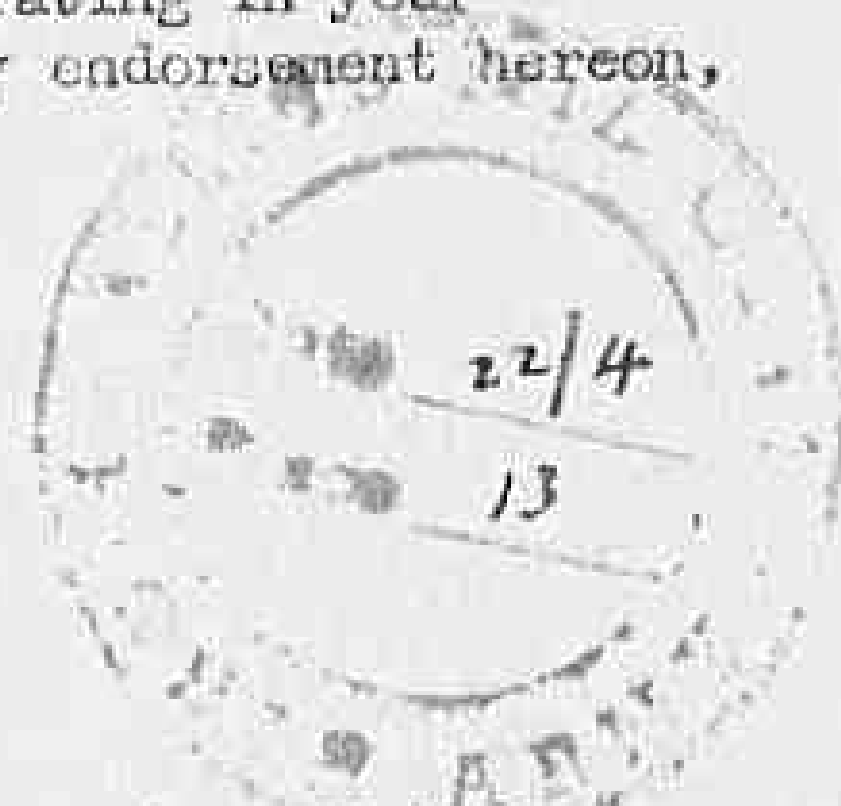
13 April 44.

To:- S.L.O. Campobasso.

1. The C.L.O. does not wish one man superior Courts excepting a Judicial Officer specially authorized by him to sit alone.
2. Will you please nominate such Judicial Officers operating in your Province as you deem qualified to sit alone as Superior Court by endorsement hereon, accompanied by a statement of their respective qualifications.



Edwin J. Mercer
Edwin J. Mercer, Maj. Gen.
Senior Legal Officer,
A.M.G. Eighth Army.

CONFIDENTIALREF. CP/LEGAL/16
19 April 1944TO : S.L.O., AMG. 8th Army

Following nominations are made.

1. MAJOR H.P. KUCERA, AUS. C.L.O. Campobasso Town. LLB Texas University. Assistant City Attorney of DALLAS, Texas 1925-1935. City Attorney, Dallas, Texas 1935 till joined Army May 1943. School of Military Government Charlottesville, Va. Summer 1943.
2. MAJOR J.A. BOYD-CARPENTER, Scots Guards. P.S.L.O., C/Basso Province. B.A. Oxford University. Pupil in chambers of Attorney-General 1931. Called to Bar by Middle Temple 1933. Practiced in London and on South Eastern Circuit from then till joining Army 1938. Practice 50% criminal. "Junior" of South Eastern Circuit 1938. Allotted to Legal Function at Civil Affairs Staff College Wimbledon October-November 1943.
3. I should prefer to postpone recommendation in case of Captain A.P. McNulty, AUS. Application for this officer's appointment as a Superior Court was made to you and to Region 5 in my CP/Legal of 20/3/44. Region 5 under reference R5/511/8 of 1st April 1944 stated C L O had given provisional approval subject to report in one month. This officer is at present away trying a number of cases which will assist in submission of report called for, which is due at end of the month.

J.A. Boyd-Carpenter
Major,
Scots Guards,
Provincial Senior Legal Officer,
Campobasso Province.

785016
REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

25A
/gnt

ACC/4002/1/L

19 April 1944

SUBJECT: Approval of Officer as Superior Court.

TO : PLO (thru RC) Region 3.

1. Ref your letter JWC/mo dated 17 April 1944 authority to sit as sole member of a Superior Military Court is granted in respect of the following officer:-

Major Walter D. Stump, O-123292

RICHARD H. FILMER
Lt. Col. CAC
Deputy Chief Legal Officer.

32

✓
24A
HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
LEGAL DIVISION
APO 394, U.S. Army

JWC/mo

17 April 1944

Subject: Request for Approval of Appointment
of Judicial Officer for Superior
Military Court.

To : C.L.O. Legal Sub-Commission, A.C.C.

Authority is requested to appoint Major
Walter D. Stump, O-123292 as sole member of a
Superior Military Court .

John W. Chapman
JOHN W. CHAPMAN,
Lt.Col., J.A.G.D.,
Reg.Legal Officer.

Chief Legal Officer.

(23A)

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

GRU/ap

ACC/4002/1/L

5 April 1944.

SUBJECT : Approval of Officers as Superior Courts.

TO : RLO (thru Regional Commissioner) Region III.

1. In answer to your letter JWC/m.o. 3/6029/L of 1 April 1944 authority to sit as sole members of Superior Military Courts is granted in respect only of the two following officers :-

Major RJG	ROLFF	279616
Capt. Eric	V.FOLK	120214

GERALD R. UPJOHN
Colonel
Chief Legal Officer.

30

(22A)

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
LEGAL DIVISION
APO 394, U.S. Army

1 April 1944

JWC/mo
3/6029/L

Subject: Approval of Officers as Superior Courts.

To : C.L.O. Legal Sub-commission, A.C.C.

Authority is requested by Naples Province
to appoint the following named judicial officers
as sole members of Superior Military Courts:

Lt.Col. Richard H. Hill 0-510614
Major R.J.G. Rolff 279616
Capt. Eric V. Folk 120214.

John W. Chapman
JOHN W. CHAPMAN,
Lt.Col., J.A.G.D.,
Reg. Legal Officer.

Major R. J. G. Rolff

*Granted in the case of Rolff & Folk
only - with letter.*

gpc

DEAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394.

26 March, 1944.

REFERENCE : AGO/1002/1/1.
SUBJECT : Approval of Officer for Superior Court.
TO : R.L.O. (thru Regional Commissioner), Region 5.

1. Reference your RS/511/8 dated 22 March 1944 authority is hereby given for Captain A. P. McNulty to sit alone on a Superior Court.

2. As Captain McNulty has not yet had much experience in Allied Military Courts the authority in his case must be regarded as provisional and subject to revision and you will please let me know in one month's time if you think that the authority in respect of this officer should be continued.

28

GERALD R. UPJOHN.
Colonel.
Chief Legal Officer.

GEN/wwv.

Copy to :- S.L.O., 8 Army.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
AMS 394.

(Handwritten initials)

(Handwritten: 20A)

REFERENCE : ACC/1002/1/L.

26 March, 1944.

SUBJECT : Approval of Officers for Superior Courts.

TO : R.L.O. (thru Regional Commissioner), Region 3.

1. Reference your 3/6029/L dated 21 March 1944 and conversation between Colonel Upjohn and Lieut. Colonel Chapman yesterday approval is hereby given for the following officers to sit as sole members of a Superior Military Court :-

Major Curry Carter.
Major C.L.P. Gilshenara.
Major H. H. Marxen.

2. As Major Carter and Major Marxen have not yet had much experience in Allied Military Courts the authority in their cases must be regarded as provisional and subject to revision and you will please let me know in one month's time if you think that the authority in respect of these officers should be continued.

GERALD R. UPJOHN, /
Colonel,
Chief Legal Officer.

GRU/vow.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

GRU/GR

22 March 1944.

ACC/H002/1/L

SUBJECT: Appointment of Judicial Officer for Superior Military Court.

TO : HLO Region 3.

Ref your 3/6029/L dated 18 March, authority to appoint Lt. Col.
Purcell as a sole member of a Superior Court is hereby granted.

G. R. URJOIN, Colonel
Chief Legal Officer.

28

4002/1

Legal Sub. Comm
Rear Hq
(18A)

TO HQ Allied Control Commission.

FROM RLO Region 5 A.F.G.

SUBJECT Appointment of Summary Court Officer.

REF R5/511/8

DATE 22 March 1944

1 Herewith is forwarded a copy of an application received from RLO Campobasso for the appointment of Capt. Arthur P. McNulty to sit as a Superior Court judge.

2 It is understood from RLO that under 8th Army regulations such an authority must be obtained before an Officer can sit as a member of a Superior Court.

3 So far as this HQ is concerned there is no objection to Capt. McNulty sitting as a member of a Superior Court, but Capt. McNulty has just been assigned to the Legal Division and, apart from his qualifications, there has been no opportunity to judge of his responsibilities to sit as a sole member of such Court.

4 Authority has been granted in this Region for RLO, DRLO and two RLO's to sit in that capacity.

For Regional Commissioner

W. E. BERRIS
Lt. Col.
RLO

23

by A.R. Troxell
A. R. TROXELL
Major F.A.
DRLO

1 Enclosure
ART/EP

1558

4000/1

17A

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
LEGAL DIVISION
APO 394, U.S. Army

JWC/cm
3/6029/L

21 March 1944

SUBJECT: Approval of Officers for Superior Courts.

To : C.L.O. Legal Sub-Commission, A.C.C.

1. Approval is requested for the following named officers to sit as sole members of Superior Military Court:

Major Curry Carter, CMP O-473375
Major C.L.P. Gilshenana, 154372 ✓
Major Marxen H. Edward, CMP O-164883

2. Major Marxen is one of the officers loaned to us by P.B.S. He is a lawyer by profession, member of the Bar of California. At the time of being loaned to us he was Court Officer for the Metropolitan Area Command, P.B.S.

John W. Chapman
JOHN W. CHAPMAN,
Lt. Col., J.A.G.D.,
Reg. Legal Officer. 21

Ref: LEGAL

16A

20th. March. 1944.

SUBJECT: Appointment-- SUPERIOR COURT.

TO: R.L.O. A.G. REGION 5 H.Q.s.

FROM: P.S.L.O. Combrobaso Province.

May approval be given for the appointment of Captain Arthur E. McNulty, U.S. Army, as a Superior Court? This Officer, who is thirty nine years of age, was a judge of the municipal court of the city of New York from September 1937 to May 1943. Prior to that he was in practice of a general nature from 1931-1937.

This Officer is at present attached to this H.Q.s from your H.Q.s. A similar application is being made to A.G. H.Q.s 8th Army.

Signed T. A. BOYD-CARPENTER

APPROVED
HAROLD K. PARSONS (signed)
St. Col.
SCA Combrobaso Province

Major.
Scots Guards.
Provincial Senior Legal Officer.
Combrobaso Province.

23

4002/1

15A
78

REGION 3, HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL DIVISION
APO 394, U.S. Army

JWC/em
7/6029/L

18 March 1944

To : C.L.C. Legal Sub-commission, A.C.C.
Subject : Appointment of Judicial Officer for
Superior Military Court.

Authorization is requested to appoint
Lt. Colonel W.J. Purcell, 108044 R.A.S.C., a judicial
officer as sole member of a Superior Military Court
for Naples Province.



JOHN W. CHAPMAN
Lt. Col. J.A.S.B.
Regional Legal Officer.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394.

REH/maf

150

ACC/4002/1/L

8 March 1944.

SUBJECT: Approval of Individual Officers as Superior Courts.

TO : RLO (thru RC) Region 3.

1. Ref your 3/6029/L dated 5 March 1944.

2. Your request that Lt. Col. Oglethorpe, Lt. Col. Thornhill, Major McFadyen and Capt. Cox be authorized to sit alone as Superior Military Courts is hereby granted.

RICHARD H. WILMER
Lt. Col. CAC
Deputy Chief Legal Officer.

4002/1

15D

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
LEGAL DIVISION
APO 394, U.S. Army

5 March 1944

JWC/mo
3/6029/L

Subject: Approval of Individual Officers as Superior Courts.

To : Chief Legal Officer, Headquarters, A.G.C.

1. Reference is to ACC/4002/L, 16 February, 1944,
and to ACC/4002/L, 27 February, 1944. — 107 133

2. It is requested that the following named judicial
officers be authorized to sit alone as Superior Military
Courts in Naples Province :

Lt.Col. J.A. Oglethorpe, R.A. 19647; and Major G.W.
Mc Fadyean, SOM L.I. 96734, both of whom have been
sitting alone as Superior Military Courts prior to
the above mentioned directive of 16 February 1944.
Captain Louis L. Cox, Inf.O-518454, has been sitting
as Summary Military Court on circuit in the Southern
Division of Naples Province.

Lt.Col. J.B. Thornhill, INF. O-172900, has been a
practicing lawyer for many years prior to his entry
into the army and since that time he has had consi-
derable experience as member of Courts Martial.

John W. Chapman
JOHN W. CHAPMAN,
Lt.Col., J.A.G.D.,
Reg.Legal Officer.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

EP/gmf

14A

17 February 1944

ACC/4002/1

SUBJECT: Appointment of Superior Court.

TO : RLO (thru RC) Region 4.

Ref your R4/LE/Reg/A/h dated 15 Feb. 1944, Major W.C. BLIVEN, K.O.
is hereby authorized to sit alone as a Superior Military Court.

GERALD WILSON
Colonel
Chief Legal Officer

19

HGW/Qd

4002/1

HEADQUARTERS REGION 4 MAIN
ALLIED MILITARY GOVERNMENT
A.P.O. 394

13A

TO : Chief Legal Officer, Legal Sub-Commission, A.C.C.
FROM : R.C.L.O., Region 4
SUBJECT : Appointment of Superior Court.
REFERENCE : R4/LB/Reg/A/4
DATE : 15 February 1944.

1. Reference A.C.C. Executive Memorandum No. 6, of 10 February 1944, paragraph 2(1), application is made for special authorisation for Major W.G.Elder, K.C. to sit alone as a Superior Military Court.

2. Statement of Major Elder's qualifications is attached hereto.

3. The reason for this application is that Major Elder has been provisionally selected to sit as a Superior Court which, it is expected, will have to be more or less permanent session in Rome. It will be extremely difficult in such circumstances to find another officer to sit more or less permanently with him. It is thought that Major Elder's qualifications are such as to render the presence of a second officer quite unnecessary.

18

H.C. Wilmer

H.C. WILMER, K.C.
Colonel,
R.C.L.O., Region 4

(13B)

Major W.G. Elder, K.C.

This Officer was called to the Bar in Canada in 1919 and has practised continuously till the outbreak of the present war. He was appointed King's Counsel in 1935. Since 1935 he has held an appointment as Provincial Police and City Magistrate. As such he has been responsible for trial (with consent of the accused) of all cases except those involving capital offenses. In the absence of consent of the accused his powers are limited to 2 years imprisonment, and for the more serious cases his function is restricted to the holding of a preliminary inquiry. In practice, I am informed, nearly all accused persons give their consent to Summary trial before the Magistrate. Appeal from his decisions is direct to the Court of Appeal.

Major Elder was a member of the Non-Permanent Active Militia from 1910 to 1914, and served overseas in a combatant role from 1915-1919. He continued to serve in the H.P.A.M. for 5 years after the last war. In the present war he was commissioned in October 1940, and raised two units, one of which he brought to England and commanded for 1 year. He then served 6 months in the J.A.G. Branch, and was responsible for reviews, opinions and organisation of legal aid. Since then he has served 6 months as H.Q. Asst. Camp Commandant, being in charge of the Court Martials, and himself acting as prosecutor in the more serious cases. He was transferred to A.M.G. in September 1943 and assigned to Region 4, Legal Division. Since then he has been attached to Region 3, has acted as Provincial Legal Officer, Benevento, for 2 months, and has sat on a number of General and Superior Court cases.

HEAD HEAD MATTERS
LEGAL CONTROL COMMISSION
LEGAL SUB-COMMISSION II
S.O. 394

1 (47)

(12A)

ACC/1002/1/1

SUBJECT: Cable (Outgoing)

TO : Adjutant General Dept.

15 February 1944

Request that the following cable be sent.

TO: GINE

URGENT

FROM: CASUAL ~~RECEIVED~~

TO : INSTO FOR THE REGION II

AUTHORITY GIVEN IN COM. 1000/1/1/1 AT COL. COMSIS AND
MAJOR BACKLOG TO SET NAME AS SUBJECTS COMPT. TOUR
2201/57/3 DATED 2 FEBRUARY 1944 REPTES

(46)

DETROIT R. HANSEN
Colonel.
Chief Legal Officer.

U.S. CONFIDENTIAL Equals British CONFIDENTIAL

OUTGOING

ORU/sk

2/13

2299

11A 13/535A

4002/1

CONFIDENTIAL

ROUTINE

PATINA

DISTO FOR AND REGION II

AUTHORITY GIVEN LIEUTENANT COLONEL MCCARTHY LIEUTENANT COLONEL COUSINS AND
MAJOR BATHHOUSE TO SIT ALONG AS SUPERIOR COURT IN TO DISTO FOR AND REGION TWO
FROM PATINA FROM UPJOHN SIGNED MACFARLANE TO YOUR TWO TWO ZERO ONE SLANT FIVE
SEVEN SLANT THREE DATED TWO FEBRUARY ONE NINE FOUR FOUR THREE

AUTHENTICATED BY:

EJ
S. J. BRIGGS
OWC, USA
Asst. Adj. Gen.

DISTRIBUTION:

- 1 - AG Files
- 1 - Legal Sub-Commission

15

U.S. CONFIDENTIAL Equals British CONFIDENTIAL

10 FEB 1944

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
REGION II

2 Feb 44

Ref: 2201/51/3

Subject: Officers Qualified To Sit As Superior Courts

To : DCCAG AMG Naples

Reference AMG /4002/L of 25-1-44, paragraph 2 sub-paragraph 1, application is hereby made for the following officers to be qualified to sit alone as Superior Courts.

NAME	PRESENT APPOINTMENT	QUALIFICATIONS
Lt. Col. G.H. McCaffrey	RCAG Region 2	RCAG Region 2
Lt. Col. D.H.S. Cousins (B)	NCLO Region 2	Barrister at Law 15 years lecture in Law at Oxford
Major F. Barkhouse (B)	BTG Region 2	Solicitor since member of Law society
Major A.J. Franklin (B)	LO Casanovo	Barrister
Major E.E. Dreyfus (B)	LO Cosenza	Solicitor
Captain B.P. Paty (A)	LO Potenza	Lawyer
Captain D.C. Little (A)	HC Cosenza	Lawyer, states attorney at Kansas
Captain A.C. German (B)	LO Matera	Solicitor
Captain R.L. Guthrie (A)	LO Reggio	Attorney
2nd Lt. J.P. Hadden (A)	LO Salerno	Lawyer

D. C. Little Lt. Col.

G. H. McCaffrey
Lt. Col. Infantry
RCAG Region II

11

984

Form 281750A

N-4258

RAD

Signal Corps, United States Army

RESTRICTED

Telegram

PRIORITY

3-10503

Received at

PENINSULAR BASE SECTION
SIGNAL MESSAGE CENTER

28 JAN 1944

RESTRICTED

PRIORITY

TO (ACTION) : CG PBS FOR FARGO

(INFORMATION): NONE

FROM : SEARS FOR POLETTI

DATE TIME SIGNED: 281405A

DATE TIME REC'D.: 281750A

REFERENCE NR. : S-6426

CITE : REO-33

action AMG/kg
Info Sec
CG

AUTHORITY URGENTLY REQUIRED OWING TO SHORTAGE OF PERSONNEL IN PROVINCES AND NEED TO KEEP ABREAST OF WORK. REFERENCE LETTER AMG 4002-L DATED 25 JANUARY SUBJECT ALLIED MILITARY COURTS IN OCCUPIED TERRITORY PARAGRAPH TWO (1) REQUEST PROVISIONAL AUTHORITY FOR FOLLOWING JUDICIAL OFFICERS TO SIT ALONE AS SUPERIOR COURTS PENDING SUBMISSION OF FORMAL APPLICATION LT COLONELS HILL AND LONGFITT, 13 SQUADRON LEADER DICKIE, MAJORS CAMPBELL AND GILSHENAN CAPTAINS VECCHIELLA, DAVIS, MATTHEWS AND PEYTON LIEUTENANTS CHRISTIANS AND PARKER.

Acc Iss: 1

Adm Iss (2)

FORM #18-A

11523

CRYPTO

RESTRICTED

CIVIL AFFAIRS OFFICE
Province of Trapani.

for file 4002/c.

SCAO/3017/TR
October 19, 1943.

2
84

SUBJECT: Court Appointments.
TO : C.L.O., HQ. ANGOT.

1. In conformity with ANGOT/4002/B there are attached hereto two copies each of Military Court appointments in Trapani Province.

RK for

FLOYD E. THOMAS,
Lt. Col., Inf.,
S.C.A.O. - Trapani.

12

*one is appointment of Maj. Hawaiian
as Summary Court, g.v.*

CIVIL AFFAIRS OFFICE
Province of Trapani

SCAO/3016/TR
October 19, 1943.

1
9
8B

Amendment to Special Order.

Special order of the Headquarters dated 12 Oct. '43 appointing Lt. Col. Joseph A. Langfitt, Senior Legal Officer, as a Summary Military Court and Superior Military Court for Trapani Province is hereby amended by inserting the following after the words "Summary Military Court": "effective as of 12 Oct. 1943."

RG Capt, Mayo
for

11

FLOYD E. THOMAS,
Lt. Col., Inf.,
C.A.O. - Trapani.

Copy for 4002

22 *80*

5C40/3013/TP

October 18, 1943.

MEMORANDUM TO: Chief Legal Officer, ANGOT HQ., Palermo.

In conformity with ANGOT/4002/L there are attached hereto two copies of orders appointing Lt. Col. Joseph A. Langfitt, Senior Legal Officer, as a Summary Military Court and Superior Military Court.

Bluff, N.Y.

FLOYD L. THOMAS,
Lt. Col., Inf.,
S.C.A.C. - Trapani.

October 18, 1943.

Special Order.

I hereby appoint Lt. Col. Joseph A. Langfitt,
Senior Legal Officer, as a Summary Military Court and
Superior Military Court for Trapezi Province.

W. H. M. Wign
for

FLOYD E. THOMAS,
Lt. Col., Inf.,
S.A.A.O. - Trapezi.

Copy for 4002/c

A. M. G. O. T.

GOVERNO MILITARE ALLEATO TERRITORI OCCUPATI PROVINCE OF RAGUSA

N. I

Ragusa, li 16/10/1943

SUBJECT: Special Order

William D. Staples, Capt. C.M.P. Spec. Res. Army of United States, assigned to this Province as Legal Officer by the Legal Division, A.M.G.O.T. HQ. Palermo, is hereby appointed and authorized to sit as a Summary and a Superior Military Court for this Province.

4002/c

[Signature]

1st. Col.
S.C.A.O. A.M.G.O.T.
Province of Ragusa

8

ALLIED MILITARY GOVERNMENT
Palermo Province

CP/HMD/jb

1 October 1943

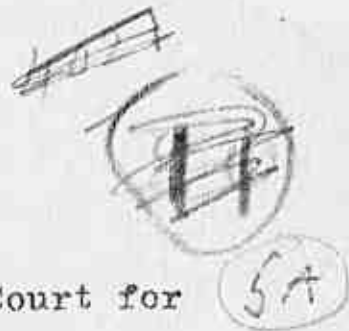
In exercise of the powers conferred upon me,
I Lt. Colonel Charles Poletti Senior Civil Affairs Officer
for the Province of Palermo hereby appoint the undermentioned
officers to sit as Superior or Summary Military Courts to hear
and determine such cases as may arise in the said Province
or any part thereof in accordance with the provisions of
Proclamation No.4

Colonel John W. Chapman
Major Sir Charles Buchanan
Major A.S. Alexander
Capt. C.A.G. Moore.

CHARLES POLETTI
Lt. Colonel, AUS
Senior Civil Affairs Officer.

SUBJECT:- Superior Court.

To: Edwin J. Mercer, Major
S.L.O.



Addressed officer is hereby appointed Superior Court for
Province of Catania.

1st Ind.

To: C.L.O., AMGOT Hq., Altus. C.J.D.

1. Forwarded for information only.

Catania.
27 Sep 43.

*Edwin Mercer
Maj. Ord. S.L.O.
Catania.*

J. Williams

Lt. Col.
S.C.A.O.

6

Subject:- Legal AppointmentsMajor A.C. Wright

HEADQUARTERS

Legal

9 SEP 1943

4002

AMGOT

Ref: 1/1/L

1. Major Albert C. Wright (B) 263 346, is hereby appointed a Judicial Officer of Superior Military Courts and is likewise appointed Summary Military Courts in and for the Province of Enna.
2. He is authorized to employ such interpreters and stenographers as are necessary in the proper discharge of his duty.
3. Records and reports of proceedings will be transmitted through this office, attention Senior Legal Officer.

Enna?
9 Sep 43Lt Col.,
L.C.A.O.

Copy to: AMGOT HQ (2) for attention Chief Legal Officer.

A. M. G. O. I.

GOVERNO MILITARE ALLEATO TERRITORI OCCUPATI

PROVINCE OF RAGUSA

Subject:- Constitution of Allied Military Courts
To/ Chief Legal Officer of Palermo

Date 6/9/

Ref. your A.M.G.O.I./4002/ L of 10 August 1943 herewith copy
of order appointing Superior and Summary Courts.

[Signature]
Major
S.L.O.
Province of Ragusa

[Handwritten notes]
1943
4

4352

CHIEF MILITARY GOVERNMENT
Palermo Province

CP/EKM/JS

2 September 1943

(3B)

In exercise of the powers conferred upon me,
I Lt. Colonel Charles Poletti Senior Civil Affairs
Officer for the Province of Palermo hereby appoint
the undermentioned officer to sit as Superior or
Summary Military Courts to hear and determine such
cases as may arise in the said Province or any part
thereof in accordance with the provisions of
Proclamation No. 4

Major A.C. WRIGHT



3

CHARLES POLETTI
Lt. Colonel, AUS
Senior Civil Affairs Officer

MILITARY COURTS

I hereby appoint Major Gilshenan to act as a Superior Military Court and Capt. Dreyfus to act both as a Superior Military Court a Summary Military Court, in the Province of Ragusa.

(Sd)

J. D. McABURN

LT. Colonel
E.C.A.C.

Ragusa

30 Aug. 43



WTR.

MILITARY COURTS

I hereby appoint Major Gilshenan to act as a Superior Military Court and Capt. Dreyfus to act both as a Superior Military Court and a Summary Military Court, in the Province of Ragusa.

Lt. Colonel
S.C.A.O.

Ragusa
30 Aug. 43



0937