

ACC

10000/142/44

PROPOSAL TO
DEC. 1945

142/44

PROPOSAL TO SET UP REVIEW BOARD FOR A.M. COURT CASES
DEC. 1945

C. A. Sec.

Since writing the above letter, a discussion of this matter has been had with the Executive Commissioner, and I doubt the need for sending it forward, as the E. C. is fully aware of the problem. However, if you deem it necessary to follow thru on the topic, I am signing the same for such purpose.

John
J. A. [unclear] 5-10-46

9

~~File away 5 March 66~~

Qid

HEADQUARTERS ALLIED COMMISSION
AIO 394
LEGAL SUB COMMISSION

JKW/ns
4 December 1943

AC/4002/18/L

SUBJECT : Review of A-G Court Cases
TO : Civil Affairs Section

1. Attention is urgently called to the condition that has arisen in the review of A-G cases by Legal Sub Commission, due to the withdrawal of personnel and the lack of proper rank among the remaining officers to carry on the work of review, which cannot and must not be halted notwithstanding any future plan which might bring about a general amnesty.

2. Under the rules of Procedure in A-G Courts these cases must be reviewed by an officer not below the rank of Lt. Colonel.

3. The whole Allied Commission Legal set-up in all Italy does not have one American Lt. Colonel and only has two Majors. The Legal Sub-Commission has three American Officers—a Colonel, a Major and a Captain. In addition it has one British Lt. Colonel.

4. An Chief Legal Advisor at time is fully occupied, and the further necessity of sitting on General Courts in various places makes it impossible for me to carry on the work of review. Lt. Colonel Hannaford is constantly engaged with the Italian Section and also is not experienced in reviewing cases.

5. More than twelve hundred petitions for review have accumulated and they are still arriving at the rate of twenty or more a day.

6. As a matter of urgent necessity and in order that the reviewing of cases will not come to a standstill, I propose that Major Anthony F. NUGENT, American, be immediately promoted to the rank of Lt. Colonel and placed at the head of a review board.

7. Major Nugent was my chief assistant in the field for seven months before being brought to Rome as Chief Counsel and is thoroughly experienced in review work. His judgment is sound and he works with accurate speed without becoming confused by a multitude of problems.

8. My suggestion is for action to be taken in a matter of days as the burden is mounting too rapidly to permit much further delay.

JOHN K. WEBER,
Colonel, Inf.,
Chief Legal Advisor.

5

Copy to files: AC/4002/L
AC/4083/1/L

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

JKN/ns
4 December 1945

AC/4002/18/L

SUBJECT : Review of A A G Court Cases
TO : Civil Affairs Section

1. Attention is urgently called to the condition that has arisen in the review of AMG cases by Legal Sub Commission, due to the withdrawal of personnel and the lack of proper rank among the remaining officers to carry on the work of review, which cannot and must not be halted notwithstanding any future plan which might bring about a general amnesty.
2. Under the rules of Procedure in AMG Courts these cases must be reviewed by an officer not below the rank of Lt. Colonel.
3. The whole Allied Commission Legal set-up in all Italy does not have one American Lt. Colonel and only has two Majors. The Legal Sub-Commission has three American Officers—a Colonel, a Major and a Captain. In addition it has one British Lt. Colonel.
4. As Chief Legal Advisor my time is fully occupied, and the further necessity of sitting on General Courts in various places makes it impossible for me to carry on the work of review. Lt. Colonel Hannaford is constantly engaged with the Italian Section and also is not experienced in reviewing cases.
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JOHN K. WEBER,
Colonel, Inf.,
Chief Legal Advisor.

Copy to files: AC/4002/L
AC/4003/1/L

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

JRW/nc
4 December 1945

AC/4002/18/-

SUBJECT : Review of A & G Court Cases
TO : Civil Affairs Section

1. Attention is urgently called to the condition that has arisen in the review of A & G cases by Legal Sub Commission, due to the withdrawal of personnel and the lack of proper rank among the remaining officers to carry on the work of review, which cannot and must not be halted notwithstanding any future plan which might bring about a general amnesty.

2. Under the rules of Procedure in A & G Courts these cases must be reviewed by an officer not below the rank of Lt. Colonel.

3. The whole Allied Commission legal set-up in all Italy does not have one American Lt. Colonel and only has two Majors. The Legal Sub-Commission has three American Officers--a Colonel, a Major and a Captain. In addition it has one British Lt. Colonel.

4. As Chief Legal Advisor my time is fully occupied, and the further necessity of sitting on General Courts in various places makes it impossible for me to carry on the work of review. Lt. Colonel Bennaford is constantly engaged with the Italian Section and also is not experienced in reviewing cases.

5. More than twelve hundred petitions for review have accumulated and they are still arriving at the rate of twenty or more a day.

6. As a matter of urgent necessity and in order that the reviewing of cases will not come to a standstill, I propose that Major Anthony P. NUGENT, American, be immediately promoted to the rank of Lt. Colonel and placed at the head of a review board.

7. Major Nugent was my chief assistant in the field for seven months before being brought to Rome as Chief Counsel and is thoroughly experienced in review work. His judgment is sound and he works with accurate speed without becoming confused by a multitude of problems.

8. My suggestion is for action to be taken in a matter of days as the burden is mounting too rapidly to permit much further delay.

JOHN K. WELSH,
Colonel, Inf.,
Chief Legal Advisor.

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AC/4083/1/L

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

AC/4002/18/-

JKW/ns
4 December 1945

SUBJECT : Review of A & G Court Cases

TO : Civil Affairs Section

1. Attention is urgently called to the condition that has arisen in the review of A&G cases by Legal Sub Commission, due to the withdrawal of personnel and the lack of proper rank among the remaining officers to carry on the work of review, which cannot and must not be halted notwithstanding any future plan which might bring about a general amnesty.
2. Under the rules of Procedure in A&G Courts these cases must be reviewed by an officer not below the rank of Lt. Colonel.
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6. As a matter of urgent necessity and in order that the reviewing of cases will not come to a standstill, I propose that Major Anthony F. KUGANI, American, be immediately promoted to the rank of Lt. Colonel and placed at the head of a review board.
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JOHN K. WEBER,
Colonel, Inf.,
Chief Legal Advisor.

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Copy to files: AC/4002/-
AC/4083/1/L

HEADQUARTERS ALLIED COMMISSION
APO 374
LEGAL SUB COMMISSION

JRW/ns
4 December 1945

AG/4002/18/-

SUBJECT : Review of A M G Court Cases
TO : Civil Affairs Section

1. Attention is urgently called to the condition that has arisen in the review of AMG cases by Legal Sub Commission, due to the withdrawal of personnel and the lack of proper rank among the remaining officers to carry on the work of review, which cannot and must not be halted notwithstanding any future plan which might bring about a general amnesty.

2. Under the rules of procedure in AMG Courts these cases must be reviewed by an officer not below the rank of Lt. Colonel.

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JOHN K. WHEELER,
Colonel, Inf.,
Chief Legal Advisor.

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AG/4083/1/L

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