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

785016

ACC

10000/142/247

2110

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

785016

10000/142/247

CIVILIANISING OF ACC PERSONNEL
JULY 1944 - NOV. 1945

2120

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

785016

FILE CLOSED 30 November 1945

File

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

26A

AC/4077/6/L.

30 November 1945

SUBJECT : British Civilian Personnel- Documentation.

TO : G-1 (H) H AC

1. Reference your G-1 B/7/A of 27 November 1945.
2. Herewith particulars of British Civilian Personnel assigned to this Sub-Commission :-

Mr. Musgrave Thomas joined 29 June 1945.

35

G.G. HANNAFORD,
Lt. Col.,
Deputy Chief Legal Advisor.

MEMORANDUM

REFERENCE : G-1B/7/A

27 November 1945

SUBJECT : British Civilian Personnel - Documentation

TO : Distribution as appended

FROM : G-1 (B) H.Q., A.C.

1. GIC have now ruled that documentation for British Civilian Personnel will be maintained by 2nd Echelon.

2. This will involve the rendition of the following information by this HQ:-

- (a) Joinings
- (b) Quittings
- (c) Admission and discharge from hospitals
- (d) Changes of grade
- (e) Changes of Next of Kin

3. Will you kindly arrange that such information is supplied to Allied Civilian Personnel Dept. and to G-1 (Br).

4. Attached is a nominal roll of personnel as at 27 Nov 45, in respect of whom this documentation is required.

5. Any discrepancy between this nominal roll and the British Civilian Personnel on strength or attached, should be reported to G-1 (B) without delay.

FOR VICE PRESIDENT ESTABLISHMENTS SECTION

/ma

K. WILKS-JONES
Lt. Colonel,
G-1 (B)

DISTRIBUTION:

Vice President, Economic Section
Director, Labour Sub Commission
Director, Transportation Sub Commission
Director, Industry & Utilities Sub Commission
Director, Food and Agriculture Sub Commission
Director, Coal Division
Vice President, Civil Affairs Section
Director, Legal Sub Commission
Director, D.P. & R. Sub Commission
Mr. HALFORD Political Advisors Office

IR

CIR

DOLO

Chief Counsel

CIR

IR

CIR

LABOUR SUB COMMISSION

Mr. W. ERATNE
 Mr. R. ARDAY
 Miss G. TOOTH
 Miss S. L. BLANARD
 Mr. T. HIND
 Mr. F. PROCTOR
 Mr. E. NAYLOR
 Miss M. MCNAMARA

TRANSPORTATION SUB COMMISSION

Mr. A. G. ALLMAN
 Mr. U. GILLARD

INDUSTRY AND UTILITIES SUB COMMISSION

Mr. A. G. BACHMANN
 Mr. R. HADLEY
 Mr. H. THOROGOOD

(Pleasee report date the last named left for UK)

COAL DIVISION

Mr. R. BODENHAM
 Mr. F. HUSSELL
 Mr. R. SMITH

FOOD AND AGRICULTURE SUB COMMISSION

Mr. J. HURDLEMAN

POLITICAL ADVISORS' OFFICE

Mr. A. HALFORD

33

Mr. A. C. BAKER
Mr. R. BAKER
Mr. H. THOMAS

(Please report date the last round left for (R))

COAL DIVISION

Mr. R. BAKER
Mr. F. BAKER
Mr. R. BAKER

FOOD AND AGRICULTURE SUB COMMISSION

Mr. J. BAKER

POLITICAL ADVISORY OFFICE

Mr. A. BAKER
Mr. H. BAKER
Miss E. BAKER

LEGAL SUB COMMISSION

Mr. A. BAKER

DISPLACED PERSONS AND REPARATION SUB COMMISSION

Mrs. M. A. BAKER

Legal Sub-Com

ZAP

RESTRICTED

HEADQUARTERS
ALLIED COMMISSION
APO 394

12 September 1945

Adj. 230.3

SUBJECT: Assignment

TO : All Concerned

1. Pursuant to the authority contained in letter orders, United States State Department, dated 4 June 1945, and having reported this headquarters in compliance thereof, Mr. Nicholas Francis Lopes, American civilian, is assigned to Legal Sub-Commission, this Headquarters, for duty as Counsel to the Allied Commission.

BY COMMAND OF REAR ADMIRAL STONE:

Lyon E. Humphrey
LYON E. HUMPHREY
WOJG, USA
Asst Adjutant

Col. Wilbur L. Brown with Col. Parker
SEP 14

DISTRIBUTION:

- 2 - Mr. Lopes
- 1 - Allied Civ pers dir
- 1 - Legal Sub-Com
- 2 - Files

RESTRICTED

32

IFG	
CIO	
OCIO	
Chief Counsel	
CIO	
Legal Section	
CL RKS	
SEP 14	

26 6/23/6 ✓ *Legal Sub-Com* *(23A)*

RESTRICTED

HEADQUARTERS
ALLIED COMMISSION
APO 394

10 July 1945

Adj: 230.3

SUBJECT: Assignment

TO : All Concerned

Pursuant to authority contained in Cable, PROOFERS, 96384 CLO, dated 26 May 1945, Mr Alban Musgrave Thomas, British civilian, War Office - London, is assigned to Legal Sub-Commission, this Headquarters, effective 2 July 1945.

BY COMMAND OF REAR ADMIRAL STONE:

Angelo Pascarella
ANGELO A. PASCARELLA
CWO, USA
Asst Adjutant

DISTRIBUTION:

- 2 - Civilian coned
- 1 - Legal Sub-Com ✓
- 1 - Allied Civ Pers Dir
- 1 - 201 File (Thomas)
- 2 - Files

RESTRICTED

→ Judge Thomas Holds copies
1 File 1945

22A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4023/6/L.

/rlp.
27 June 1945.

SUBJECT : Civilians (Br) for the Allied Commission (Italy).

TO : CA Sec.

1. Reference your G-1B/132/A of 19 June 1945.
2. It is considered that the Other Rank personnel of this sub-commission as under mentioned could be replaced by civilians as indicated below:

NUMBER	RANK	NAME	DUTIES	REPLACEMENTS
S/13058698	W/Sgt	PAPIS, E. A.	Supervisory	British Civilian
				with good knowledge
				of office routine,
				capable of super-
				vising office staff,
S/154168	W/Sgt	WHITE, W.	"	ditto
S/11427589	L/Cpl	BOARDMAN, Wright	Genl Duty Clerk	British Civilian of
				lower clerical grade

3. Until the conclusion of AMO the above requirements represent the minimum needs of this sub-commission. It will be appreciated that in addition there are held 4 EMs on the T/O.

4. At the conclusion of AMO it is probable that the strength of the sub-commission will be reduced and a total of 3 EM/OR civilian replacements could be dispensed with.

5. Italian civilians cannot be employed except on purely typing duties owing to the confidential nature of the work and none of the clerks replaced is employed solely on such duties.

30

W. E. HENNING,
Colonel,
Chief Legal Advisor.

4023/6

P21A
Legal
=

Tel Ext 442

HEADQUARTERS ALLIED COMMISSION
APO 394
1-1 (3)

REFERENCE : 1-1/152/A

19 June 1945

SUBJECT : Civilians (c) for the Allied Commission (ACAC)

1. : Distribution below

1. It is desired to plan for the replacement, by civilians, of British Other Rank personnel in this HQ.

2. Will you, therefore, please make a survey of Other Rank posts which can be civilianized and forward your recommendations to this Branch giving the following information:-

(a) Qualifications of individuals or groups of individuals by equivalent army ranks, e.g. general duty clerks, shorthand typists, statisticians, office supervisors, specialists, etc.

(b) Any particular post which can be filled by an Italian civilian as opposed to a British civilian.

3. It will be assumed that civilians can be provided in equivalent army ranks from Private to W.O.1.

4. Please base your calculations on the phased program assuming that our Sub-Commission will remain very approximately at the same strength as at present for 3 months, but will then gradually decrease over a period of a further 3 months as responsibilities are handed back to the Italian Government.

J. L. Jones

J. L. JONES, 29
Colonel,
Executive Officer (3)DISTRIBUTION : Office of the Executive Commissioner (2)
AF Economic Section (10)
AF Civil Affairs Section (10)
Communication Sub-Commission.

Returns to reach CA Sec by 27 Jun 45

LEGAL SUB COMMISSION

CLO

45 CLO

Chief Counsel

CLO

Italian Section
45 CLO

442

73. DRIVE LEASE
DR SLEA 4000

SUBJECT: Judge A.M. Thomas.

No. 8645/53/CA.

CIVIL AFFAIRS BRANCH,
G.H.Q., M.E.F.

Tel. M.E. "George"
Ext. 29.

20th June, 1945.

H.Q., Allied Commission,
Legal Sub Commission,
A.P.O. 394.

I am directed to refer to TROOPERS Signal 96384 C10 of 26th May to this H.Q. copy to ALCOM regarding the appointment of the above to a post with your Commission and to the subsequent signals terminating with this H.Q. Signal OET/21647 of 15th June 1945.

I am to confirm this H.Q. Signal DET/021820 of 2nd June notifying you of Judge Thomas' acceptance and to forward herewith the attached copy of the War Office Signal setting out the terms of the appointment with the Judge's written acceptance endorsed thereon. The Judge has been informed that any further form of contract required will be prepared by you.

Judge Thomas is leaving for Italy on 22nd June and will travel by sea. He has been instructed to report to you at the very earliest possible moment.

Herewith is also sent medical certificate relating to the Judge, who has been vaccinated and inoculated as required for Italy.

W. F. Stratton

(W.F. STRATTON)

to the subsequent
OET/21647 of 15th June 1945.

2. I am to confirm this H.Q. signal DDT/021820 of 2nd June notifying you of Judge Thomas' acceptance and to forward herewith the attached copy of the War Office Signal setting out the terms of the appointment with the Judge's written acceptance endorsed thereon. The Judge has been informed that any further form of contract required will be prepared by you.

3. Judge Thomas is leaving for Italy on 22nd June and will travel by sea. He has been instructed to report to you at the very earliest possible moment.

4. Herewith is also sent medical certificate relating to the Judge, who has been vaccinated and inoculated as required for Italy.



(W.F. STRETTON)
Major,
for CHIEF SECRETARY.

WIS/BB.

Encl.

LEG			
CLO			
	20 JUN 1945		
	<i>Rm</i>		WFB

Subject: Medical Examination.

Chief Secretary
C. S. G.H.Q., M.E.

Judge A.M. Thomas

Certified that I have to-day examined the above mentioned gentleman and found him fit for sedentary employment in Italy.

34
MIR/169
M.I. Room
G.H.Q., M.E.
Ext. 515
30 May 45.
Brookman
Capt.
M.O. 1/c Troops
G.H.Q.M.E.

COPY

CIPHER MESSAGE
IN

From TROOPERS
To MIDWEST FOR CIVIL AFFAIRS,
FREEDOM ALCON,
No 96384 CLO

RESTRICTED.

1. Your OET/10160 5 May and OET/12912 16 May.
2. Offer THOMAS temp appt Legal Sub Commission ALCON on follg terms. A. Appt subject to physical fitness duty in ITALY. B. Salary £600 plus war bonus £60 plus FSA £175 all per annum free accn food on repayment. C. Duration appt 12 months from date of embn subsequently terminable one month written notice either side subject WD's right of dismissal at will common to all appts. D. Return passage ITALY and necessary overland travelling expenses both first class admissible public expense provided terms sub para C observed and appt NOT terminated by dismissal for misconduct negligence inefficiency. E. Compensation loss personal effects except luxury and consumable articles by all war risks incl marine admissible up to £150. Compensation ordinary risks inadmissible.
 3. Ensure suitability security aspect.
 4. Arrange medical examination and appropriate immunisation.
 5. Secure written acceptance terms prior to departure.
 6. Notify acceptance or refusal and date of embn.

37 / 18A

785016

will common to all appts. D. Return passage ITALY and necessary overland travelling expenses both first class admissible public expense provided terms sub para C observed and appt NOT terminated by dismissal for misconduct negligence inefficiency. E. Compensation loss personal effects except luxury and consumable articles by all war risks incl marine admissible up to £150. Compensation ordinary risks inadmissible.

3. Ensure suitability security aspect.
4. Arrange medical examination and appropriate immunisation.
5. Secure written acceptance terms prior to departure.
6. Notify acceptance or refusal and date of embn.

I have read the above signal and accept the appointment on the terms set out herein.

I shall be ready to embark any time after the 21st inst.

Wingfield

2nd June 1945

4023/6 file

Tel. Ext. 592

HEADQUARTERS ALLIED COMMISSION
APO 394
G-1 (3)

17A

REFERENCE : G-1B/7/1A.

20 June 1945.

SUBJECT : Employment of Civilians.

TO : Director, Legal Sub-Commission.

The attached copy of cable received from Mid East with reference to Judge A.M. THOMAS is forwarded for your information.

MR VICE PRESIDENT, ESTABLISHMENTS SECTION.

MR VICE PRESIDENT	
MR VICE PRESIDENT	MA
MR VICE PRESIDENT	
MR VICE PRESIDENT	
MR VICE PRESIDENT	
MR VICE PRESIDENT	
MR VICE PRESIDENT	
MR VICE PRESIDENT	
MR VICE PRESIDENT	YED
21 JUL 1945	

/ev.

John R. Fletcher
J. Sir J.R.T. FLETCHER Dt.
Lt. Colonel,
G-1 (B).

25

17B

GET/21647
JUNE 15/1200B

R/5690
JUNE 19/0950B
ROUTINE

MIDEAST

ALCOM

RESTRICTED

Your signal 9277 of 6 June received 12 June. Judge A M THOMAS leaving
soon as possible after 21 June. Eta before 30 June.

DIST

ACTION : G-1B/ (3)
INFO : CHIEF COMMISSIONER
ESTAB SEC
FILE (2)
FLCAT

2137

RESTRICTED

C. 85
16A

4523/6

SET/18088
JUNE 021820

- U.S.S. 1945

1/3521
JUNE 051920
ROUTINE

MINIAT

THOMAS INFO PRELIM. ALICE

Pass to Legal.
he doubt C.S.A. will inform but Thomas
daughter
Now 14A

RESTRICTED.

Reference THOMAS cipher message 96384 C10 of 26th May. Have secured THOMAS
written acceptance of terms. Can embark any time after 21st June.

DIST

INFO ACTION 0-1 (B) (2)
INFO CHIEF COMINT IOWA
EXEC COMINT IOWA
NAV SEC
C.A. SEC
FILE (2)
FICAT

23

4241

See this is not
referred Christian again

Ch of
Ch of
Ch of
Ch of
Ch of

RESTRICTED

HEADQUARTERS
JUN 1945

→ Bapok
JUN 1945

2138

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

785016

FOR ACTION MIDEAST

4523/6 ✓

15A

9277

6 JUNE 1945

PRIORITY

RESTRICTED PD

PAREN TO FOR ACTION MIDEAST FROM ALCON CITE ACBIB PAREN

PARA ONE PD PLEASE EXPEDITE DEPARTURE OF JUDGE ALBAN MISGRAVE THOMAS AND NOTIFY
ESTIMATED TIME ARRIVAL

INTERNAL DISTRIBUTION : Legal Sub Commission



SOLO

Chief Counsel

CL

Truman

CL

G-1 (B)
573

7 JUN 1945

NICHOLAS PIOMBINO
CWO USA
ASST ADJUTANT

22

RESTRICTED

29 MAY 1945

14A

96384 C10
MAY 26 1945E/2756
MAY 29 0830B
ROUTINE

TROOPERS

29 MAY 1945

MIDEAST FOR CIV AFFAIRS, FREEDOM ALCON

HEADQUARTERS

29 MAY 1945

RESTRICTED

1. Your GET/10160 3th May and GET/12912 15th May.
2. Offer THOMAS temporary appointment Legal Sub Commission ALCON on following terms:

- A). Appointment subject to physical fitness duty in ITALY.
- B). Salary £ sterling 600 plus war bonus £ sterling 60 plus FSA £ sterling 175 all per year, free accommodation food on repayment.
- C). Duration appointment 12 months from date (ordered to proceed ?) terminable one month written notice to leave subject to D's right of dismissal **21** will common to all appointments.
- D). Return passage ITALY and necessary overland travel expense both first class admissible public expense provided terms of sub para (C) observed and appointment not terminated by dismissal for misconduct negligence inefficiency.

RESTRICTED

6453

RESTRICTED

- 2 -

E). Compensation loss personal effects except luxury and consumable articles by all war risk including marine admissible up to £ sterling 150. Compensation ordinary risk inadmissible.

3. Ensure prior to departure he will (?). Notify acceptance or refusal and date of embarkation. Suitability security aspect.

4. Arrange medical examination.

5. Secure written acceptance terms.

Dist

Action - C I B 2
Info - Chief Commissioner
Exec Comm
Ext Sec
C A Sec
File

20

→	EO	
	CIO	
	DCIO	49
	Chc	
	CIO	
	Info	
	C	

29 MAY 1945

RESTRICTED

2141

4023/6
✓

Legal
13A

AMIS

8261

27 May 1945

ROUTINE

27 May 1945

CONFIDENTIAL PD

F/96059 of 15 May Legal

IN REPLY TO YOUR FAX DATED SIX ZERO FIVE NINE OF ONE FIVE MAY PD

SUBJECT OFFER RECALL ADVISOR AS ITALY PD

PAPER TO ADV. CIVIL PRISON PRISONER ALONG SITE MEND PAPER

NO LONGER DESIRE CIVILIAN FOR THIS POSITION

Copy to:

Civil Affairs Section.

3(5)

Office of Assoc. Commr.

243

Lt. Col.
G. S. O.

LEGAL IN COMMAND	
CIO	
OFFO	lu
Chief Counsel	
CIO	
Inspection	
Q. S. S.	
27 MAY 1945	

19

662

16 MAY 1945

12A

7 76059
MAY 15 1854B

16 MAY 1945

E/883
MAY 15 120
ROUTINE

APHQ SIGNED MEMORANDUM SITE PHONO.
ALCOM HOME FOR STONE.

CONFIDENTIAL.

AGHAN cable W-79394 paraphrased as follows: "Available 1 June is LESLIE MEMBURN HUCKLER if civilian is still desired as Chief Legal Advisor AG ITALY. Age 54, education BA, JOHNS HOPKINS 1912, MA JOHN HOPKINS 1914, special student Harvard Law 1915, admitted MARYLAND and NEW YORK Bars. Civilian experience 1920 to (7) 29 American Council for several European firms and other commercial interest as partner GLENN and GANTER, NEW YORK. 29 to dated Professor Law Univ of VIRGINIA, principal emphasis on conflict of laws, constitutional law and corporate finance."

Not known here if you still desire civilian for this position.
Request you indicate your desires.

DIST

ACTION - SO TO CHIEF ROOM
INFO - A/PRESIDENT
RE COMMISSIONER 2
CA SEC
FILM 2
FLOAT

NA.

CONFIDENTIAL

11A

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4023/6/L.

/rlp.
7 April 1945.

SUBJECT : Judge Thomas.

TO : Executive Officer (B), Hq. AC.

1. Reference your G-1B/7/1/A of 6 April 1945 I note that Judge A.M. THOMAS claims to be fluent in Italian and to have an expert knowledge of Italian law and procedure.

2. If Judge Thomas in fact has these qualifications he has the necessary qualifications for employment in the Italian Courts Branch. However, the number of officers in this branch is so small and their importance so great that I am not prepared to commit myself to accept Judge Thomas without interviewing him. Since I am not in a position to interview him, I am not anxious to have him in the sub-commission, but naturally shall accept him if I am forced to do so.

3. The equivalent military rank at which he would be employed, would be Captain, Major or Lieut. Colonel, according to qualifications determined on arrival.

4. I still have a vacancy for one extra officer at this Hq.

F. M. HERPES,
Colonel,
Deputy Chief Legal Advisor.

10A

4023/15
✓

Ext. 510

HEADQUARTERS ALLIED COMMISSION
APO 394

6 April 1945

REFERENCE: G-1B/7/1/1

SUBJECT : Employment in Civil Affairs

TO : Chief Legal Advisor, Legal Sub Commission

Attached copy of letter from G-5 AF HQ 230.1-15 dated 3 April 45 is forwarded.

Please inform this office

1. Whether Judge A.M. THOMAS has necessary qualifications for your purpose and if you are in favour of his employment as a civilian.
2. At what level (equivalent military rank) he will be employed.
3. Should he be employed at this Headquarters, the name of the officer he will replace if in excess of your ceiling.


Colonel
Executive Officer (B)

LEGAL SUB COMMISSION
CLO
DELO
Chief Counsel
CA
Records Management
CLERK
6 APR 1945

16

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 230.4-15

3 April 1945

SUBJECT: Employment in Civil Affairs

TO : Headquarters, Allied Commission, APO 394

Judge A. M. THOMAS

Reference your G-2/7/1/A of 26 March 1945.

1. The following information has been received in reply to our G-5: 230.4-15 of 26 February 1945 in respect of the above named civilian:-

"Judge Thomas is fluent in Italian and has an expert knowledge of Italian law and procedure: he considers that knowledge of the working of Italian Courts could only be properly claimed by one who has practiced in such courts and accordingly disclaims any such knowledge other than that gained in his recent qualification. He would be interested in further details of the appointment for which he is required and the terms which would be offered. Judge Thomas is under the impression that life for a civilian in Italy is difficult and requires re-assurance on such points as permission to draw Army rations, the right to purchase Italian Army contacts, and provision of accommodation. Judge Thomas would still prefer to serve as a commissioned officer and hopes this will be recommended."

2. Will you please state whether you are still interested in his employment as a civilian, and if so, state at what level, i.e. the equivalent Army Rank. It is again pointed out that it is not possible to grant him a commission and Judge Thomas would have to come as a civilian if he is still required.

15

(sld) R. Barrett
for E. R. HUGH
Brigadier, G.S.
Deputy Asst. Chief of Staff G-5

2146

4023/6
L

9A

No. 10557-7/543/23/CA.

CIVIL AFFAIRS BRANCH,
G.H.Q., M.E.F.

29th March, 1945.

Dear General.

Judge Thomas.

8A

Many thanks for your letter of 5th March 1945. I have passed on what you say to Thomas, who much appreciates your candour. He does not wish to turn down the offer of a civilian appointment completely at this stage and I attach a copy of the official reply which I have sent on his behalf to your G.S. people. If you can possibly make them reconsider the question of commissioning him, that is of course what he really wants and would also, I gather, suit your plans as to his employment.

Yours sincerely
P. A. Leary

Colonel W.E. Behrens,
Legal Sub-Commission,
H.Q., Allied Commission,
A.P.O. 394.

PAM/EE.

100 180 190
CIC
→ 1000 1600

2 APR 1945

SUBJECT: Civil Affairs Appointments.

98
No. 10656/FF/543/24/CA.

CIVIL AFFAIRS BRANCH,
G.H.Q., M.E.F.

Tel. M.E. "George"
Ext. 22.

29th March, 1945.

Allied Force H.Q.,
G-5 Section,
A.P.O. 512.

Judge Alban Musgrave Thomas.

Reference your letter G-5: 230.4-15 of 26th
February 1945.

2. Judge Thomas is fluent in Italian and has an expert knowledge of Italian law and procedure; he considers that knowledge of the working of Italian courts could only properly be claimed by one who had practised in such courts and accordingly disclaims any such knowledge other than is implied in the second qualification stated above.

3. Judge Thomas would be interested to know further details of the nature of the appointment which you have in mind and of the kind of terms which might be offered. He is under the impression that life in Italy for a civilian employee is somewhat difficult and therefore particularly wishes to be re-assured over such points as permission to draw rations from Army sources, the right to purchase from Army canteens, the provision of accommodation and so on.

4. Judge Thomas would still greatly prefer to serve as a commissioned officer and hopes that this may be reconsidered. He has been given to understand by the Military Secretary here that there would be no difficulty about commissioning him at this end if you should require him in that capacity.

Reference your letter G-5: 830.4-15 of 26th February 1945.

2. Judge Thomas is fluent in Italian and has an expert knowledge of Italian law and procedure; he considers that knowledge of the working of Italian courts could only properly be claimed by one who had practised in such courts and accordingly disclaims any such knowledge other than is implied in the second qualification stated above.

3. Judge Thomas would be interested to know further details of the nature of the appointment which you have in mind and of the kind of terms which might be offered. He is under the impression that life in Italy for a civilian employee is somewhat difficult and therefore particularly wishes to be re-assured over such points as permission to draw rations from Army sources, the right to purchase from Army canteens, the provision of accommodation and so on.

4. Judge Thomas would still greatly prefer to serve as a commissioned officer and hopes that this may be reconsidered. He has been given to understand by the Military Secretary here that there would be no difficulty about commissioning him at this end if you should require him in that capacity.

P. A. L.

(P. A. L. MCHERRY)

Colonel,

FOR CHIEF CIVIL AFFAIRS OFFICER.

PAM/EB.

1923/6
 FROM: Col. W. E. BREHNS.

8A
~~CONFIDENTIAL~~
 LEGAL SUB-COMMISSION

HQ ALLIED COMMISSION

APO 394

5 March 1945

Dear

Many thanks for your letter of the 26th January. I have not replied before because I have been making application for Judge Thomas as a legal officer and have been waiting without any result.

The authorities have refused to give Thomas a commission, but I understand that they are proposing that he should come here as a civilian. I am frank in saying that it would be extremely inconvenient for me if he does come as a civilian and I have really no use for him in that capacity. I do intend to use him as a military court judge for which of course he requires officer status. As a civilian, the very best job I could find for him would be as a sort of office boy which I consider would be most inappropriate to a man of his age and position and would certainly lead to friction all around.

I have tried to explain the position to the military authorities, but I don't think they understand it and I believe an offer has been made to Judge Thomas to come here in the expectation that he will get a good post. I feel that in the interests of all concerned, he should understand the position before he accepts the offer.

Yours

Colonel P. A. Macrory
 Civil Affairs Branch
 GHQ, MEF.

WEB/rlp.

CONFIDENTIAL

7A

10656/FF/543/14, 15.

CIVIL SERVICE BOARD
F.B.I., W.D.C.

24th January, 1947.

Dear Behrens

I have been asked by Maxwell to write to you about Judge engrave Thacker and is. I understand, apply for a commission in the hope of getting a legal appointment in Italy.

I interviewed Thacker at a time when there was some talk of employing him in one of our territories. He is a very likable man, very keen and reasonably able and active for his years although no longer actively in business. His legal and official record speaks for itself and he has of course a reasonably appropriate knowledge of Italy and the Italians. I think that you would find him useful. The reason why he has not been taken on here was in no way discredit to him; it was simply that we had no suitable vacancy for him.

Kind regards.

Yours sincerely

P. A. Leary

Colonel A. S. Behrens,
Legal Sub-Commission,
British Commission,
A.S.C. 394

11

PA/A..

SECRET.HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AG/4023/6/L.

4 March 1945.

SUBJECT : Judge THOMAS.

TO : Executive Officer, HQ, AC.

72970010

1. Reference Signal ~~72999~~ of 2 Feb ? (March) please note that I am not prepared to accept Judge Thomas for employment as a civilian at HQ Legal Sub-Commission or anywhere else in Legal Sub-Commission.

2. Judge Thomas requested appointment in the Legal Sub-Commission as a commissioned officer and was recommended by reason of his criminal experience and it was stated that he would be most useful for work in Military Courts.

3. As a civilian Judge Thomas could not be employed in Military Courts.

4. If Judge Thomas is posted to the Allied Commission, I shall, if permitted to do so, refuse to have him in the Legal Sub-Commission.

W. E. BERRIES, Colonel,
Deputy Chief Legal Adviser.

WBB/vow.

Copy to : C. A. Sec.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AQ/4023/6/L.

/rlp.
21 February 1945.

SUBJECT : Employment of Civilian Personnel (British) in the Legal S/C.)
TO : Executive Officer.

1. It is not possible for any civilian personnel to be employed in the Legal S/C except at Hq AC. One of the principal functions of legal officers in regional and provincial headquarters is to sit on military courts; for this purpose they must be military personnel.

2. Hq Legal S/C is organized as follows:

- a. Chief Legal Advisor
- b. Deputy Chief Legal Advisor and Chief Counsel
- c.)
- d.) Chief Judicial Officer and Staff
- e.)
- f.) Italian Branch
- g.)
- h. Assistant to Chief Counsel

Chief Legal Advisor and the
Of the Deputy Chief Legal Advisor and Chief Counsel, one is British and the other American. It is essential that one of these ~~two~~ should be military; first because it is desirable that he should be in a position freely to visit AMG areas and secondly because he should be in a position to sit on military courts if required to do so. Furthermore, he is responsible for reviewing cases in Allied Military Courts. According to the proclamations, this function is delegated to an officer not below the rank of Lt. Col.

The other member of this pair can be civilian. It is, however, believed that arrangements are being made for a civilian to be sent out from America to replace Lt. Col. Grossman who is not expected to return.

The work of the Chief Judicial Officer and staff is entirely concerned with supervision of military courts and the reviewing of court cases. It is desirable that they should be able to sit on military courts when necessary and it is considered that they should be military personnel. In any case, the two assistants to the Chief Judicial Officer are relatively junior appointments.

The two officers of the Italian Branch must be bi-lingual and must have an expert knowledge of Italian law and procedure and the workings of the Italian courts. There is no real objection to these posts being filled by civilians provided the civilian has the necessary qualifications. It should be mentioned, however, that at the present moment, the posts are filled by two officers who have had considerable experience of the work and are on terms of very close collaboration with the Ministry of Justice. It is considered that any change in the existing personnel would be a serious disadvantage.

The post of the assistant to the Chief Counsel could be filled by a civilian but it must be pointed out that the post itself is a junior one involving in the main clerical work, examination of records and normal administrative duties. The post should be filled by a youngish man and it is doubtful whether any civilian lawyer would welcome the appointment.

3. In addition to the above appointments, suggestion was made that a civilian lawyer should join the Commission in order to remain on afterwards for work in connection with the Peace Treaty. It was thought that he might be in a better position to fulfill this work if he had had a few months experience of the problems in the Commission beforehand. Qualifications for such a lawyer are that he must have a knowledge of international law, that he be experienced in drafting and that he must be acquainted with the problems which are likely to arise in the settlement of international treaties. It is still considered such a lawyer might usefully be attached to the Commission for the purpose stated, but it is emphasized that his purpose would not be primarily to assist in the work of the Legal Sub-Commission and indeed the present organization of the Legal Sub-Commission does not include a vacancy for such an appointment.

8

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

HEAD, EASTERN ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

WEB/ps.
15 February 1945.

AC/4023/G/L.

SUBJECT : Civilian Legal Expert.

TO : Executive Officer (R) .

Reference your G-12/7/1/A of 15 Feb 1945 and conversation ~~42~~. Col. Jones - Col. Beurens, Brig. Upjohn suggests that Troopers be advised to suspend further action for three months. What is required is a civilian who will stay after JMI finishes to watch the peace terms. For that purpose he should be put in the picture. Apart from this we do not want a civilian, as I informed you.

7
W. E. BEURENS,
Colonel,
Deputy Chief Legal Advisor.

RESTRICTED

3A

st. 592

4023/6

MEMORANDUM

13 February 1945

REFERENCE : G-1B/7/1/A

SUBJECT : Civilian Legal Expert.

TO : Director, Legal Sub-Commission.

FROM: G-1(B) HQ. AC.

1. The attached copy of Troopers cable 68043 C10 dated 12 February 1945 is forwarded.
2. Please notify this office of your comments as early as possible.

J.L. Jones
J.L. JONES
Colonel,
Executive Officer (B)

/EP

Encl.

Copy to : D.C.O.S., S.A. Section

785016

68043 C10

FEB 12/1530A

D/1824
FEB 14/1010
IMPORTANT

TROOPERS

FREEDOM ALOOM (FREEDOM PASS)

RESTRICTED.

1. Legal expert search difficult.
2. Consulted LORD SCHUSTER just returned ITALY.
3. Whom will expert replace or is he additional.
4. SCHUSTER reluctantly will agree to RAWLINS now engaged AUSTRIA for this post.
5. RAWLINGS now a Major would have to go as a civilian if he agrees.
6. Seems unsatisfactory solution.
7. Please wire comment before we take action.
8. Other sources being tried.

DIST

Action: G-1 (B) 2
Info: A/PRESIDENT
CHIEF COMMISSIONER
EST SEC
FILE 2
FLOAT

27

Ref. comm. Jones. R. This work suggests
advice regarding the transfer of the matter
to the committee. I am in regard to the
whole thing. I am after the first
to write the plan. The plan is
now in the hands of the committee.

Tel. 241 - 563.

MINISTRE
ARMEE
LOCAL 200-00000000
120 394

ACC/1423/6.4

/12p.
27 JUL 1944.

SUBJECT : Civilian Replacement of Military Personnel.

TO : Acting Head, Ad in Sec.

1. Reference your letter of 25 July 1944, para 2, 1/152/42.

2. There are so many imponderables that it is impossible to answer with any degree of accuracy the questions asked or to fill out the forms enclosed with your letter.

3. Part I deals with officers who can be replaced during the continuance of hostilities. The answer to that question depends rather upon the length of time that Military Government in Italy continues and in what territory and under what conditions.

a. Until Military Government has ceased or at least until Allied Military Courts have ceased to function, it is believed that the Chief and Deputy Chief Legal Officers or at least the former, should not be civilians as they are called upon to deal with military officials, have to review court cases, and to deal with various matters which will require the action of officers, rather than civilians. The Chief Legal Officer performs duties solely connected with Allied Military Courts and cannot be a civilian. Upon the cessation of those courts and abolition of all reviews and records, it would not appear to be necessary that his place be filled by anyone. As to the other officers now in Headquarters, I submit a Part I pre-form dealing with HQ only.

b. As to the few legal officers in regions in occupied territory, it seems impossible to replace them by civilians as long as any large number of troops are located there because their major duty is to deal with various military organizations in relation to Italian courts with respect to cases growing out of damages to Allied military personnel or property. They naturally have to know something of Army organization, general principles of the criminal side of Italian law, Italian judicial system, and legal procedure. In Military Government Territory, in my opinion, all legal officers must be military officers rather than civilians.

4. As to Part II: when hostilities have ceased and Allied Military Government Courts have ceased to function, and assuming no large bodies of troops remain in Italy which will require liaison work for legal officers to perform between military units and the Italian courts, all officers in regions, it seems to me, could be withdrawn. Likewise, under the same conditions at HQ, it seems

to me that the entire staff could be civilian accounting, in addition, that all records in Allied Military Courts have been reviewed and finally disposed of.

5. I suggest that with a view to peace treaty requirements, it would not be out of place to have one or more civilians attached to the Legal Sub-Commission at an early date to become acquainted with the past and current history of affairs of a legal nature.

RICHARD H. WILSON,
Colonel, GAO,
Acting Chief Legal Officer.

1 Incl.

2B

PART I

<u>POST</u>	<u>NO. OF OFFICERS REQUIRED</u>	<u>GRADE</u>	<u>SPECIAL QUALIFICATIONS</u>
<u>HR</u>			
Chief Counsel	1	Lt. Col.	Knowledge of: Staff Duties; International Law; Legal Drafting; Legal Interpretation; Italian legislative pro- cedure.
Italian Branch	2	Lt. Col.	Knowledge of:
	1	Major	Italian law (main principles Italian judicial system and procedure;
	1	Lieut.	Italian legislative proce- dure; Staff duties.

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

4/158/AS

25 Jul 44

SUBJECT : Civilian Replacement of Military Personnel.

TO : Directors, Public Health Sub-Commission
Public Safety Sub-Commission
Interior Sub-Commission
Legal Sub-Commission
Property Control Sub-Commission
Education Sub-Commission
Monuments, Fine Arts & Archives S.C.

1. E-5 AFM are preparing a study on the possibilities of the gradual replacement of military by civilian personnel within the AOC framework prior to the cessation of hostilities in Italy. In the event of it being decided that this can and should be done it is desired to attach to this study an appendix showing the posts now held by military personnel under AOC which could be occupied by civilians.
2. Directors of Sub-Commissions will please therefore submit on the attached pro-forma a list of posts in Sub-Commissions including their specialists with Regions in the field which could be filled by civilian representatives. This list will be returned without fail by 1200 hours on Thursday 27 July as the committee now studying this problem wish to leave on Friday morning.
3. This list should be in two parts:
 - Part I: officers who can be replaced during the continuance of hostilities.
 - Part II: officers who can be replaced after the cessation of hostilities and assuming also that only very few combat troops will remain in Italy.
4. In compiling the list under Part II, Directors can assume either that their functions at HQ and in the field will remain as at present or alternatively if they feel that in the circumstances envisaged in Part II it will not be necessary to maintain so large a staff at HQ or in the field they may so state in the remarks column, and in such case will show what total number of personnel will be required and which may be civilian.

R.R.C. pp.
G.M. WILSON, Col.
A/Head Admin Sec.

2161