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GENERAL ORDER, NO. 33
SEPT., OCT. 1944

Allied Military Government of Occupied Territory

GENERAL ORDER N°. 33

I, MAURICE STANLEY LUSH,
C. B. E., M. C., Brigadier, Executive
Commissioner, hereby order as follows

ARTICLE I Offences

Any person who after fourteen days
from the effective date of this Order,

(1) Has wrongfully in his possession
any German military petrol cans or
any stores, equipment or military pro-
perty abandoned by the Germans or
of German military origin;

(2) Has wrongfully in his possession
any Italian military petrol cans or army

Governo
del T

ORDINA

Io, MA
C.B.E., M.C.
missario Es
dino quanto

Chiunque
dalla data
presente or

(1) E'
qualsiasi re
benzina o
equipaggia
abbandonat
nienza mili

(2) E'
qualsiasi re
benzina o d
litare equi

Government and Territory

ORDER N°. 33

STANLEY LUSH,
Brigadier, Executive
by order as follows

ARTICLE I Provisions

After fourteen days
date of this Order,
anybody in his possession
of any petrol cans or
other military pro-
perty the Germans or
of any origin;
anybody in his possession
of petrol cans or army

Governo Militare Alleato del Territorio Occupato

ORDINANZA GENERALE N. 33

Io, MAURICE STANLEY LUSH,
C.B.E., M.C., Generale di Brigata, Com-
missario Esecutivo, con la presente or-
dino quanto segue:

ARTICOLO I Reati

Chiunque, dopo quattordici giorni
dalla data di entrata in vigore della
presente ordinanza,

(1) E' illegalmente in possesso di
qualsiasi recipiente militare tedesco per
benzina o di qualsiasi altro articolo,
equipaggiamento o materiale militare
abbandonato dai tedeschi o di prove-
nienza militare tedesca;

(2) E' illegalmente in possesso di
qualsiasi recipiente militare italiano per
benzina o di qualsiasi altro articolo mi-
litare equipaggiamento o materiale mi-

of German military origin;

(2) Has wrongfully in his possession any Italian military petrol cans or army stores, equipment or military property of Italian military origin;

Shall, upon conviction by an Allied Military Court be liable to imprisonment or fine or both as the Court may determine and any property in respect of which such an offence has been committed may be ordered forfeited.

ARTICLE II

Effective date

This Order shall become operative in each province or part thereof within Military Government Territory on the date of its first publication therein.

FOR THE ACTING CHIEF
COMMISSIONER

M. S. LUSH,

Dated: 15 September 1944

Brigadier,
Executive Commissioner,
Allied Control Commission.

(2) E' illecito
qualsiasi recipiente
benzina o di olio
litare, equipaggiamento
litare di provenienza
alleata;

è passibile
condanna da un Tribunale
militare o civile
di entrambe, o di una
solo delle due;

Può essere
sequestrata la somma
fiscata di qualsiasi
denaro, del quale è
stata fatta la
distribuzione.

Data

La presente
ordinanza ha
vigore in ogni
parte compresa
nella Zona
Militare alla
data della
pubblicazione
nella Gazzetta
Ufficiale.

Data, 15 Settembre 1944

(2) E' illegalmente in possesso di qualsiasi recipiente militare italiano per benzina o di qualsiasi altro articolo militare, equipaggiamento o materiale militare di provenienza militare italiana; è passibile, allorchè dichiarato colpevole da un Tribunale Militare Alleato, di detenzione o di pena pecuniaria ovvero di entrambe, a giudizio del Tribunale. Può essere inoltre ordinata la confisca di qualsiasi oggetto nei confronti del quale è stato commesso il reato. 12

ARTICOLO II
Data di entrata in vigore

La presente Ordinanza entra in vigore in ogni provincia o parte di essa compresa nel territorio del Governo Militare alla data della sua prima pubblicazione nella stessa.

**PER IL FACENTE FUNZIONE
DI CAPO COMMISSARIO**

M. S. LUSH,

Generale di Brigata,
Commissario Esecutivo,
Commissione Alleata di Controllo

Data, 15 Settembre 1944

**ACTING CHIEF
COMMISSIONER
LUSH,**

Commissioner,
Commission.

FILE CLOSED 19 October 1944

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HERALD COMMISSION
CIVIL AND INS SECTION
APR 394

19 October 1944.

Ref: 628/CA.

SUBJECT: Military Petrol Cans.

TO: Regional Commissions: Sicily (I), Lazio-Umbria (IV), Abruzzi-Southern Region, Regions (III), Emilia (IX), Liguria, Marche (V), Sardinia (VI), Toscana (VII), Piemonte, Lombardia (II), Venezia (XII).

SCONS 5th and 6th Armies.

Reference is made to HQ Letter C-4/127 of 25 August 1944. The wastage of all types of military petrol cans (or fuel-line containers) has become so serious that the following action will be taken to collect all such containers in possession of civilians.

1. In Military Government Territory, General Order No. 33 together with Notice No. 4 (a supply of which will be forwarded under separate cover as per Note annexed) will be posted calling on civilians to surrender any military petrol cans in their possession within 14 days. After that date civilians in unlawful possession of petrol cans of the Allied Forces will be prosecuted under Proclamation No. 1, Art. IV, Sec 11 or Art. V, Sec 27 and civilians in possession of German military petrol cans will be prosecuted under the aforesaid provisions of Proclamation No. 1 or under the provisions of General Order No. 33 and civilians in possession of Italian military petrol cans will be prosecuted under the provisions of General Order No. 33. Publicity is also being given in newspapers and on the radio.

2. In Italian Government territory arrangements have been made for the Italian Government to publish notices to the same general effect and to provide publicity.

4. It is pointed out that:

- a) Allied Forces petrol cans are the property of the Allied Forces;
- b) German military petrol cans are the property of the Allied Forces;
- c) Italian military petrol cans are, according to HQ Proclamation No. 13 of 1 May 1944, the property of the Italian Armed Forces;

accused to plead that

Lepal

HALL HARRIS
ALLIED SUPPLY COMMISSION
CIVIL AND MILITARY SECTION
APR 394

Ref : 628/3A

19 October 1944.

SUBJECT : Military Petrol Cans.

TO : Regional Commissioners :
Southern Region, Regions Sicilian (I), Lazio-Umbria (IV), Abruzzi-
Marche (V), Sardegna (VI), Toscana (VII), Emilia (IX), Liguria,
Piemonte, Lombardia (XI), Venezia (XII).

SCAGs 5th and 6th Armies.

1. Reference is made to HQ letter G-4/127 of 25 August 1944. The message of all types of military petrol cans (or gasoline containers) has become so serious that the following action will be taken to collect all such cans known in possession of civilians.

2. In Military Government Territory, General Order No. 33 together with Notice No. 4 (a supply of which will be forwarded under separate cover on per Note annexed) will be posted calling on civilians to surrender any military petrol cans in their possession within 14 days. After that date civilians in unlawful possession of petrol cans of the Allied Forces will be prosecuted under Proclamation No. 1, Art. IV, Sec 14 or Art. V, Sec. 27 and civilians in possession of German military petrol cans will be prosecuted under the aforesaid provisions of Proclamation No. 1 or under the provisions of General Order No. 33 and civilians in possession of Italian military petrol cans will be prosecuted under the provisions of General Order No. 33. Publicity is also being given in newspapers and on the radio.

3. In Italian Government territory arrangements have been made for the Italian Government to publish notices to the same general effect and to provide publicity.

4. It is pointed out that :

- a) Allied Forces petrol cans are the property of the Allied Forces ;
- b) German military petrol cans are made the property of the Allied Forces ;
- c) Italian military petrol cans are, according to Art. 10 Paragraph 11, 13 of 1 May 1944, the property of the Italian Armed Forces ;

the accused to plead that

rol cans in their possession will be prosecuted under Proclamation No. 1, it. IV, Sec 11 or it. V, Sec. 27 and civilians in possession of German military petrol cans will be prosecuted under the aforesaid provisions of Proclamation No. 1 or under the provisions of General Order No. 33 and civilians in possession of Italian military petrol cans will be prosecuted under the provisions of General Order No. 33. Publicity is also being given in newspapers and on the radio.

2. In Italian Government territory arrangements have been made for the Italian Government to publish notices to the same general effect and to provide publicity.

4. It is pointed out that :
- a) Allied Forces petrol cans are the property of the Allied Forces ;
 - b) German military petrol cans are made the property of the Allied Forces;
 - c) Italian military petrol cans are, according to AMH Paragraph 14, 15 of 1 May 1944, the property of the Italian Armed Forces ;
 - d) It is no defence to the prosecution for the accused to plead that he thought the property had been abandoned.

5. Local police will report through AOC Public Safety Officer to Regional Commissioners the number of petrol cans deposited at police stations. Regional Commissioners will arrange for the appropriate Military Command to collect the petrol cans.

6. G.O. No. 33 must NOT be posted until 17 days have elapsed from the posting of Proclamation No. 1.

LEGAL SUB-COMMISSION	
CLO	BY ORDER OF THE ACTING CHIEF COMMISSIONER
DCLO	Chief Counsel
CJO	Italian Section
CL RKS	Distribution "C"
21 OCT 1944	

G.T. UPJOHN, Brigadier
V.P. C.A. Sec.
Dev. C. C. S.

Good Gang
11
12
24 Oct

NOTE: ATTENTION

DI Distribution of Presidential No 23 and Notices No 4.

No. of Copies of G.O. and
Notices

1. All 5th Army	1,000
2. All 6th Army	1,000
3. Lazio - Umbria Region (IV)	1,000
4. Marche - Le Marche Region (V)	1,000
5. Togo 1st Region (VIII)	3,000
6. Prélia Region (IX)	3,000
7. Liguria Region	1,000
8. Piemonte Region	1,000
9. Lombardia Region (VI)	3,000
10. Venezia Region (VII)	3,000

file.
HEADQUARTERS
ALLIED CONTROL COMMISSION
LOCAL SUB-COMMISSION
APO 394.

18 September 1944.

ACC/4574/16/L.

SUBJECT : General Order No. 55 and Notice No. 4.

TO : R.C. & M.G. Section.

... Enclosed you will find Italian versions and additional copies
of the English versions of the above.

MARCO J. GROSSMAN,
Lieutenant-Colonel,
Chief Counsel,
for Chief Legal Officer.

9

GOVERNO MILITARE ALLEATO DEL TERRITORIO OCCUPATO
ORDINANZA GENERALE N° 33

Io, MAURICE STANLEY LUSH, C.B.E., M.C., Generale di Brigata, Commissario Esecutivo, con la presente ordino quanto segue :

ARTICOLO I
REATI

Chiunque, dopo quattordici giorni dalla data di entrata in vigore della presente Ordinanza,

(1) E' illegalmente in possesso di qualsiasi recipiente militare tedesco per benzina o di qualsiasi altro articolo, equipaggiamento o materiale militare abbandonato dai tedeschi o di origine militare tedesca;

(2) E' illegalmente in possesso di qualsiasi recipiente militare italiano per benzina o di qualsiasi altro articolo militare, equipaggiamento o materiale militare di origine italiana;

è passibile, allorchè dichiarato colpevole da un Tribunale Militare Alleato, di detenzione o di pena pecuniaria ovvero di entrambe, a giudizio del Tribunale.

Può essere inoltre ordinata la confisca di qualsiasi oggetto nei confronti del quale è stato commesso il reato.

ARTICOLO II

DATA DI ENTRATA IN VIGORE

La presente Ordinanza entra in vigore in ogni Provincia o parte di essa compresa nel territorio del Governo Militare alla data della sua prima pubblicazione nella stessa.

PER IL SAGNTE FUNZIONE DI
CAPO COMMISSARIO

8

M. S. LUSH,
Generale di Brigata,
Commissario Esecutivo,
Commissione Alleata di Controllo.

Data, 15 Settembre 1944.

AVVISO N° 4

CONSEGNATE TUTTI I RECIPIENTI MILITARI PER BENZINA
IN VOSTRO POSSESSO.

I

Tutti i recipienti per benzina delle Forze Alleate, nonché tutti i recipienti militari per benzina, di origine tedesca od italiana, devono essere immediatamente consegnati all'Ufficio della Questura od ai Carabinieri Reali.

II

Chiunque, trascorso il quattordicesimo giorno successivo all'affissione dell'Ordinanza Generale N° 33 (od all'affissione del presente avviso) sia trovato in possesso di uno qualsiasi di tali recipienti, può essere processato e, se riconosciuto colpevole, punito in conformità di quanto previsto dal Proclama N° 1 o dall'Ordinanza Generale N° 33.

IL GOVERNO MILITARE ALLEATO.

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

file
AEC/4074/16/L.

/pa.
7 Sept 44.

SUBJECT : Petrol cans.

TO : Admin Sec.

1. Reference file 401/CA, "War Salvage".
2. I enclose herewith suggested forms of the following :
 - a. Letter of Executive Commissioner ;
 - b. General Order No. 33;
 - c. Notice to be used in Allied Military Government Territory;
 - d. Notice to be given out by the Italian Government in Italian Government Territory.
3. While it is already a crime for unauthorized persons to have petrol cans and other Allied military property in their possession, I understand that a 14 day lee-way is proposed to be granted in so far as petrol cans are concerned in order that civilians may turn them in without fear of prosecution. The notice will take care of that situation.
4. As to German and Italian military petrol cans, it would seem necessary to make continued possession a crime. The General Order makes that definite. The General Order and notice take care of the period of grace in this case also.
5. While Allied Military Government notices in the past have borne some signature there would seem to be no reason why one posted in Military Government Territory should require anything more than would authenticate it such as the words " Allied Military Government". The notice itself does not establish an act as a crime; it is merely a warning. An act is made a crime in Military Government Territory by a Proclamation, a General Order or existing law .

6
RICHARD H. WILMER,
Colonel, CAC,
Chief Legal Officer.

DRAFT

HEADQUARTERS
ALLIED CONTROL COMMISSION
R C & M G Sect 1
APO 394

Ref/

September 1944.

SUBJECT : Military Petrol Cans.

TO : Regional Commissioners:
Southern Region, Regions I, IV, V, VI, VIII, IX, X,
XI and XII.
SCAOs 5th and 8th Armies.

1. The wastage of all types of military petrol cans (or gasoline containers) has become so serious that the following action will be taken to collect all such containers in possession of civilians.

2. In Military Government Territory, General Order No. 33 together with Notice (a supply of which are forwarded under separate cover) will be posted calling on civilians to surrender any military petrol cans in their possession within 14 days. After that date civilians in unlawful possession of petrol cans of the Allied Forces will be prosecuted under Proclamation No. 1, Art. IV, Sec 11 or Art. V, Sec 27 and civilians in possession of German military petrol cans will be prosecuted under the aforesaid provisions of Proclamation No. 1 or under the provisions of General Order No. 33 and civilians in possession of Italian military petrol cans will be prosecuted under the provisions of General Order No. 33. Publicity is also being given in newspapers and on the radio.

3. In Italian Government territory arrangements have been made for the Italian Government to publish notices to the same general effect and to provide publicity.

4. It is pointed out that :-

- 5
- (a) Allied Forces' petrol cans are the property of the Allied Forces;
 - (b) German military petrol cans are made the property of the Allied Forces;
 - (c) Italian military petrol cans are, according to AFHQ Circular No. 13 of 1 May 1944, the property of the Italian Armed Forces;
 - (d) It is no defence to the prosecution for the accused to plead that he thought the property had been abandoned.

5. Local police will report through ACC Public Safety Officer to Regional Commissioners the number of petrol cans deposited at police stations. Regional Commissioners will arrange for the appropriate Military Command to collect the petrol cans.

M. S. LUSH,
Brigadier,
Executive Commissioner.

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY

GENERAL ORDER NO. 33

I, MAURICE STANLEY LUSH, C.B.E., M.C., Brigadier, Executive Commissioner, hereby order as follows :

ARTICLE I

OFFENCES

Any person who after fourteen days from the effective date of this Order

(1) Has wrongfully in his possession any German military petrol cans or any stores, equipment or military property abandoned by the Germans or of German military origin ;

(2) Has wrongfully in his possession any Italian military petrol cans or any stores, equipment or military property of Italian military origin;

shall, upon conviction by an Allied Military Court be liable to imprisonment or fine or both as the Court may determine and any property in respect of which such an offence has been committed may be ordered forfeited.

ARTICLE II

EFFECTIVE DATE

This Order shall become operative in each province or part thereof within Military Government Territory on the date of its first publication therein.

FOR THE ACTING CHIEF COMMISSIONER

M. S. LUSH,
Brigadier,
Executive Commissioner,
Allied Control Commission.

Dated : September 1944.

NOTICE No 4.

SURRENDER ALL MILITARY PETROL CANS IN YOUR POSSESSION

I

All Allied Forces petrol cans and all military petrol cans of German or Italian origin must be surrendered immediately to the office of the QUESTURA or to the CARABINIERI REALI.

II

Any person found after the expiration of fourteen days from the posting of General Order No. 33 (or the posting of this Notice) in the possession of any such cans may be tried, and, if convicted, punished as provided by Proclamation No. 1 or General Order No. 39.

ALLIED MILITARY GOVERNMENT.

(Suggested form of notice to be given to the
Italian people in Italian Government Territory)

The collection of all military petrol cans or containers now in the possession of civilians is deemed necessary to the continued war effort. All military petrol cans whether of Allied origin or German or Italian origin must be surrendered within fourteen days from the date of this notice to the nearest Questura or Carabinieri Reali. Anyone wrongfully withholding any such military petrol cans after such period will be prosecuted according to law.

Dated : September 1944.

Signature

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