December 20, 1946

My dear Mr. Secretary:

The President today signed an Executive Order entitled "Appointment of the Members and the Alternate Member of a Military Tribunal Established for the Trial and Punishment of Major War Criminals in Germany," a copy of which is enclosed.

Very sincerely yours,

H. G. Latta
Executive Clerk

The Honorable
The Secretary of War
Washington, D.C.

Enclosure.
December 20, 1946

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H. C. LATTA
Executive Clerk

The Honorable, The Attorney General,  \( X/10 \)
Washington, D. C.

Enclosure.
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H. C. LATTA
Executive Clerk

The Honorable
The Attorney General, X/10
Washington, D. C.

Enclosure.
The President,
The White House.

My dear Mr. President;

I am transmitting herewith a proposed Executive order entitled "Appointment of the Members and the Alternate Member of a Military Tribunal Established for the Trial and Punishment of Major War Criminals in Germany."

The proposed order, presented by the Secretary of War, was prepared in collaboration with this Department and forwarded for my consideration through the Director of the Bureau of the Budget with his approval. The Navy Department and the Department of State have indicated that they have no objection thereto.

The order has my approval as to form and legality.

Respectfully yours,

[Signature]
Attorney General
The President,

The White House.

My dear Mr. President:

I am transmitting herewith a proposed Executive order entitled "Appointment of the Members and the Alternate Member of a Military Tribunal Established for the Trial and Punishment of Major War Criminals in Germany."

The proposed order, presented by the Secretary of War, was prepared in collaboration with this Department and forwarded for my consideration through the Director of the Bureau of the Budget with his approval. The Navy Department and the Department of State have indicated that they have no objection thereto.

The order has my approval as to form and legality.

Respectfully yours,

Attorney General
My dear Mr. Attorney General:

Hereewith is a proposed Executive Order, presented by the Secretary of War, entitled "Appointment of the Members and the Alternate Member of a Military Tribunal Established for the Trial and Punishment of Major War Criminals in Germany".

The proposed order designates Mr. Walter B. Banks, Chief Justice of the Supreme Court of the State of Washington, Mr. Harold L. Sebring, Associate Justice of the Supreme Court of the State of Florida, Mr. Johnson Tal Crawford, Judge of a District Court of the State of Oklahoma, as the Members, and Mr. Victor G. Sweeringen, former Special Assistant to the Attorney General, as the Alternate Member, of one of the several military tribunals established by the Military Governor for the United States Zone of Occupation within Germany pursuant to the quadrupartite agreement of the Control Council for Germany, enacted December 20, 1945, as Control Council Law No. 10, and pursuant to Articles 10 and 11 of the Charter of the International Military Tribunal, which Tribunal was established by the Government of the United States of America, the Provisional Government of the French Republic, the Government of the United Kingdom of Great Britain and Northern Ireland, and the Government of the Union of Soviet Socialist Republics, for the trial and punishment of major war criminals of the European Axis.

The proposed order provides that such members and the alternate member may, at the discretion of the Military Governor of the United States Zone of Occupation, serve on any of the several military tribunals therein referred to.

The proposed order also provides (1) that the therein designated members and alternate member shall receive such
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The proposed order also provides (1) that the therein designated members and alternate member shall receive such
compensation and allowances for expenses as may be determined by the Secretary of War and as may be payable from appropriations or funds available to the War Department for such purposes. (2) that the Secretary of State, the Secretary of War, the Attorney General, and the Secretary of the Navy are authorized to provide appropriate assistance to the said members and alternate member in the performance of their duties and may assign or detail such personnel, including members of the armed forces, as may be required for the purposes, and (3) that such personnel shall receive such compensation and allowances for expenses as may be determined by the Secretary of War and as may be payable from appropriations or funds available to the War Department for such purposes.

Assistant Secretary of State Donald Russell advises by letter of December 14, 1946, attached hereto, that the Department of State has no objection to the proposed order. The Navy Department has also advised informally that it has no objection thereto. The typographical error to which Assistant Secretary Russell called attention has been corrected in the retyped draft of order transmitted herewith, and the word "former" has been inserted before the words "Special Assistant to the Attorney General" in the tenth line thereof. Section 1 of the proposed order has also been slightly modified as to form but without change as to substance.

The Secretary of War advises that it is contemplated that not more than twenty-four judges will be required to staff the Zonal Courts and that recommendations for the additional members will be submitted at a later date. An additional letter of the Secretary of War, attached hereto, sets out certain information concerning the qualifications of the members and alternate member of the court who are designated by the instant draft of order.

The Secretary requests early consideration of the matter inasmuch as three of the judges and one alternate judge have departed for Germany.

The proposed Executive Order has my approval.

The Honorable      Very truly yours,

The Attorney General   [signed] James B.cs

Enclosures               Director
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The Secretary requests early consideration of the matter inasmuch as three of the judges and one alternate judge have departed for Germany.

The proposed Executive Order has my approval.

The Honorable
Very truly yours,

The Attorney General

[signed] James E. Webb

Enclosures

Director
WAR DEPARTMENT
WASHINGTON, D.C.

28 November 1946

The President
The White House

Dear Mr. President:

I have the honor to furnish you the following information in connection with the proposed designation of Mr. Walter B. Beals, Mr. Harold L. Sebring, Mr. Johnson Tal Crawford, as members, and Mr. Victor C. Swearingen, as alternate member, of one of the several military tribunals in Germany for the trial of major war criminals.

Mr. Beals was born on 21 July 1876 in St. Paul, Minnesota. He attended the University of Washington, receiving the degree of LL.B. in 1901. From 1901 to 1936 he practiced law in Seattle, Washington. From October 1936 to April 1938 Mr. Beals was a Judge of a Superior Court in Seattle. On 15 April 1938 he was elected Judge of the Supreme Court of the State of Washington; he was elected to serve for a six-year term on November 1938; re-elected November 1944; re-elected November 1940; and was unopposed for re-election November 1946. For the terms of 1938-34 and 1944-46 Mr. Beals has served as Chief Justice of the Supreme Court of the State of Washington. Mr. Beals is highly regarded as to his legal and judicial ability.

Mr. Sebring was born on 9 March 1898 in Olathe, Kansas. He attended Kansas State College, receiving the degree B.S.C. in 1922, and attended the University of Florida, receiving the degree of LL.B. in 1928. From 1928 to 1934 Mr. Sebring was engaged in the general practice of law in Florida. From August 1934 to January 1942 he was a Circuit Court Judge in Florida. In January 1942 he was elected to the Supreme Court of Florida and has continued to serve as an associate justice of that Court to the present time. Mr. Sebring is highly regarded as to his legal and judicial ability.

Mr. Crawford was born on 21 August 1889 in Washington County, Arkansas. He attended Oklahoma State University, receiving the degree of A.B. in 1913 and a degree of LL.B. in 1916. From 1920 to 1924 ...
The President
The White House

Dear Mr. President:

I have the honor to furnish you the following information in connection with the proposed designation of Mr. Walter B. Beals, Mr. Harold L. Sebring, Mr. Johnson Tal Crawford, as members, and Mr. Victor O. Swearingen, as alternate member, of one of the several military tribunals in Germany for the trial of major war criminals.

Mr. Beals was born on 21 July 1876 in St. Paul, Minnesota. He attended the University of Washington, receiving the degree of LL.B. in 1901. From 1901 to 1936 he practiced law in Seattle, Washington. From October 1936 to April 1938 Mr. Beals was a Judge of a Superior Court in Seattle. On 16 April 1938 he was elected judge of the Supreme Court of the State of Washington; he was elected to serve for a six-year term on November 1938; re-elected November 1944; re-elected November 1946; and was unopposed for re-election November 1946. For the terms of 1936-38 and 1942-46 Mr. Beals has served as Chief Justice of the Supreme Court of the State of Washington. Mr. Beals is highly regarded as to his legal and judicial ability.

Mr. Sebring was born on 9 March 1898 in Olathe, Kansas. He attended Kansas State College, receiving the degree B.S.C. in 1922, and attended the University of Florida, receiving the degree of LL.B. in 1928. From 1928 to 1934 Mr. Sebring was engaged in the general practice of law in Florida. From August 1934 to January 1942 he was a Circuit Court Judge in Florida. In January 1942 he was elected to the Supreme Court of Florida and has continued to serve as an associate justice of that Court to the present time. Mr. Sebring is highly regarded as to his legal and judicial ability.

Mr. Crawford was born on 21 August 1889 in Washington County, Arkansas. He attended Oklahoma State University, receiving the degree of A.B. in 1913 and a degree of LL.B. in 1916. From 1920 to 1934...
Mr. Crawford was Judge of the County Court in Pontotoc County, Oklahoma, from 1930 to 1934. He was engaged in the general practice of law in Oklahoma. From January 1934 to the present time Mr. Crawford has been a District Court Judge in the State of Oklahoma. Mr. Crawford is highly regarded as to his legal and judicial ability.

Mr. Swearingen was born on 1 June 1899 at Science Hill, Kentucky. He attended the University of Kentucky, received the degree of A.B. in 1922, and also attended the Detroit College of Law, receiving the degree of J.D. in 1926. From 1926 to 1927 Mr. Swearingen was engaged in the general practice of law in Michigan. During 1927 and 1928 he was Assistant Attorney General of Michigan. After that time he continued his general law practice until he entered military service in 1942. Recently, upon being separated from the Army, he was appointed Special Assistant to the U.S. Attorney General. Mr. Swearingen's experience appears to qualify him for the position of alternate member on the Military Tribunal.

Respectfully yours,

[Signature]

Secretary of War
Mr. Crawford was Judge of the County Court in Pontotoc County, Oklahoma. From 1930 to 1954 he was engaged in the general practice of law in Oklahoma. From January 1954 to the present time Mr. Crawford has been a District Court Judge in the State of Oklahoma. Mr. Crawford is highly regarded as to his legal and judicial ability.

Mr. Swearingen was born on 1 June 1890 at Science Hill, Kentucky. He attended the University of Kentucky, received the degree of A.B. in 1920, and also attended the Detroit College of Law, receiving the degree of J.D. in 1925. From 1925 to 1927 Mr. Swearingen was engaged in the general practice of law in Michigan. During 1927 and 1928 he was Assistant Attorney General of Michigan. After that time he continued his general law practice until he entered military service in 1942. Recently, upon being separated from the Army, he was appointed Special Assistant to the U.S. Attorney General. Mr. Swearingen's experience appears to qualify him for the position of alternate member on the Military Tribunal.

Respectfully yours,

[Signature]

Secretary of War
WAR DEPARTMENT  
WASHINGTON, D.C. 

28 Nov 1946

Honorable James V. Webb  
Director, Bureau of the Budget  
Washington, D.C.

Dear Mr. Webb:

There is enclosed a draft of a proposed Executive Order entitled “Appointment of the Members and the Alternate Member of a Military Tribunal Established for the Trial and Punishment of Major War Criminals in Germany”, which it is requested be submitted to the President for his approval and signature.

The War Department (War Crimes Branch, Civil Affairs Division) is charged with the responsibility of procuring qualified judges for the staffing of the Zonal Courts in Germany for the trial of major war criminals subsequent to the proceedings of the International Military Tribunal at Nuremberg.

It is hoped that several of the judges will be chosen from the Federal Judiciary; some have already been selected from the State Judiciary, and still others will be attorneys in private practice or persons in the executive branch of the Government. After appointment by the President they will then be assigned to the particular courts on which they will sit by the Theater Commander, as Military Governor of the United States Zone in Germany. He will also designate those who will serve as presiding judges or as alternates.

This procedure has been submitted to the Theater Commander for his consent and word has been received that it is considered excellent. It is suggested that the matter should be taken up with the President at an early date inasmuch as three of the judges and an alternate judge have departed for Germany.

It is recommended that the three judges and the one alternate judge mentioned above, namely Mr. Walter B. Beals, Chief Justice of the Supreme Court of the State of Washington, Mr. Harold E. Schima, Associate Justice of the Supreme Court of the State of Florida, Mr. Johnson de Crawford, Judge of a District Court of the State of Oklahoma, and an alternate judge, Mr. Victor C. Benavides, Special Assistant to the Attorney General, be appointed by the President. Recommendations for additional members of the Zonal Court will be submitted at a later date.

It is contemplated that no more than twenty-four judges will be required to staff these Zonal Courts. These 24 judges were requisitioned by GHQ US cable GC 5011, 19 October 1946 (NH 87304) (19 October 1946).
WAR DEPARTMENT
WASHINGTON, D.C.

28 NOV 1946

Honorable James V. Webb
Director, Bureau of the Budget
Washington, D.C.

Dear Mr. Webb:

There is enclosed a draft of a proposed Executive Order entitled "Appointment of the Members and the Alternate Member of a Military Tribunal Established for the Trial and Punishment of Major War Criminals in Germany," which it is requested be submitted to the President for his approval and signature.

The War Department (War Crimes Branch, Civil Affairs Division) is charged with the responsibility of procuring qualified judges for the staff of the Special Courts in Germany for the trial of major war criminals subsequent to the proceedings of the International Military Tribunal at Nuremberg.

It is hoped that several of the judges will be chosen from the Federal Judiciary; some have already been selected from the State Judiciary, and others will be attorneys in private practice or persons in the executive branch of the Government. After appointment by the President they will then be assigned to the particular courts on which they will sit by the Theater Commander, as Military Governor of the United States Zone in Germany. He will also designate those who will serve as presiding judges or as alternates.

This procedure has been submitted to the Theater Commander for his comment and word has been received that it is considered excellent. It is suggested that the matter be taken up with the President at an early date inasmuch as three of the judges and an alternate judge have departed for Germany.

It is recommended that the three judges and the one alternate judge mentioned above, namely Mr. Walter B. Baker, Chief Justice of the Supreme Court of the State of Washington, Mr. Harold E. Schrager, Associate Justice of the Supreme Court of the State of Florida, Mr. Johnson D. Crawford, Judge of a District Court of the State of Oklahoma, and an alternate judge, Mr. Victor C. Roemer, Special Assistant to the Attorney General, be appointed by the President. Recommendations for additional members of the Special Court will be submitted at a later date.

It is contemplated that no more than twenty-four judges will be required to staff these Special Courts. These 24 judges were requested by GHQ via cable on November 8, 1946 (CM 57383 [19 October 1946]).
which requested that they be employed by the War Department under
CHASS requisition number 211, each at the Civil Service Grade
of P-6. It is hoped that some of these positions will be filled
by judges from the Federal Judiciary who will continue to receive
their present salaries and will receive no compensation from the
War Department.

There is attached to the draft Executive Order a letter from
the Secretary of War to the President, stating the qualifications
of each nominee.

A copy of the Charter of the International Military Tribunal
and the Control Council Law No. 10, referred to in the draft Executive
Order, are inclosed for your information.

Sincerely yours,

[Signature]

Secretary of War

Incl:
1. Draft of Exec. Order
2. Charter of IMT
3. Control Council Law No. 10
which requested that they be employed by the War Department under
OMOUS requisition number 231, each at the Civil Service grade
of F-5. It is hoped that some of these positions will be filled
by judges from the Federal Judiciary who will continue to receive
their present salaries and will receive no compensation from the
War Department.

There is attached to the draft Executive Order a letter from
the Secretary of War to the President, stating the qualifications
of each nominee.

A copy of the Charter of the International Military Tribunal
and the Control Council Law No. 10, referred to in the draft Executive
Order, are enclosed for your information.

Sincerely yours,

[Signature]

Secretary of War

3 Incl:
1. Dept of Exec. Order
2. Charter of I.M.T.
3. Control Council Law No. 10
EXECUTIVE ORDER

APPOINTMENT OF THE MEMBERS AND THE ALTERNATE MEMBER OF A MILITARY TRIBUNAL ESTABLISHED FOR THE TRIAL AND PUNISHMENT OF MAJOR WAR CRIMINALS IN GERMANY

By virtue of the authority vested in me by the Constitution and the statutes, and as President of the United States and Commander in Chief of the Army and Navy of the United States, and in the interest of the military and foreign affairs functions of the United States, it is ordered as follows:

1. I hereby designate Walter H. Beals, Chief Justice of the Supreme Court of the State of Washington, David L. Schaefer, Associate Justice of the Supreme Court of the State of Oregon, John W. Gumm, Judge of a District Court of the State of Oklahoma, as the Members, and Victor C. Sumner, former Special Assistant to the Attorney General, as the Alternate Member, of one of the several military tribunals established by the Military Governor for the United States Zone of Occupation within Germany pursuant to the quadripartite agreement of the Control Council for Germany, enacted December 29, 1945, as Control Council Law 11, and pursuant to Articles 10 and 11 of the Charter of the International Military Tribunal, which Tribunal was established by the Government of the United States of America, the Provisonal Government of the French Republic, the Government of the United Kingdom of Great Britain and Northern Ireland, and the Government of the Union of Soviet Socialist Republics, for the trial and punishment of major war criminals of the European Axis. Each member and alternate member may, at the direction of the Military Governor of the United States Zone of Occupation, serve on any of the several military tribunals above mentioned.

2. The Members and the Alternate Member herein designated shall receive such compensation and allowances for expenses as may be determined by the Secretary of War and as may be payable from appropriations or funds available to the War Department for such purposes.

3. The Secretary of State, the Secretary of War, the Attorney General, and the Secretary of the Navy are authorized to provide appropriate assistance to the Members and the Alternate Member herein designated in the performance of their duties and may assign or detail such personnel under their respective jurisdiction, including members of the armed forces, as may be requested for the purpose. Personnel so assigned or detailed shall receive such compensation and allowances for expenses as may be determined by the Secretary of War and as may be payable from appropriations or funds available to the War Department for such purposes.

HENRY S. TRUMAN

The White House,
December 20, 1946.
EXECUTIVE ORDER

APPRENTICES OF THE MILITARY AND THE AMERICAN
DEFENSE OF A MILITARY DISTRICT ESTABLISHED FOR
THE DEFENSE AND PROTECTION OF THE UNITED STATES
IN EUROPE

By virtue of the authority vested in me by the Constitution and
the statutes, and as President of the United States and Commander
in Chief of the Army and Navy of the United States, and in the interest
of the military and foreign affairs functions of the United States, it is
ordained as follows:

1. I hereby designate John J. Beamer, Chief Justice of the
Supreme Court of the State of South Carolina, Judge of a Court of
Bankruptcy, District Court of the State of Alabama, as the
Attorney General, and the Alternate Member, one of the general
military tribunals established for the military governor for the United
States zone of occupation, and in accordance with the provisions of the
General Orders in Council No. 10, and pursuant to Articles 10 and 11 of
the Charter of the International Military Tribunal, which Tribunal was
established by the Government of the United States of America, the
Provisional Government of the French Republic, the Government of the
United Kingdom of Great Britain and Northern Ireland, the govern-
ment of the Union of Soviet Socialist Republics, for the trial and
punishment of major war criminals of the European Axis. Such persons
and Alternate Member, as the direction of the Military Governor,
for the United States Zone of Occupation, serve on any of the general
military tribunals above mentioned.

2. The Members and the Alternate Member herein designated
shall receive such compensation and allowances for expenses as may
be determined by the Secretary of War as may be payable from ap-
propriations or funds available to the War Department for such purposes.

3. The Secretary of War, the Secretary of the Navy, the Attorney
General, and the Secretary of the Army are authorized to provide ap-
propriate assistance to the Members and the Alternate Member herein
designated in the performance of their duties and any assign or direct
such personnel under their respective jurisdiction, including members
of the armed forces, as may be requested for the purpose. Personal or
indirectly shall receive such compensation and allowances for expenses as
may be determined by the Secretary of War or as may be payable from ap-
propriations or funds available to the War Department for such purposes.

ROBERT R. TRUMAN

The White House,

December 15, 1946.