January 11, 1947

My dear Mr. Attorney General:

The President on January tenth 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,

M. C. LAVITTA
Executive Clerk

The Honorable
The Attorney General, x\textsuperscript{10}
Washington, D. C.

Enclosure.
January 11, 1947

My dear Mr. Attorney General:

The President on January tenth 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,

M. C. LATTA
Executive Clerk

The Honorable
The Attorney General, x10
Washington, D.C.

Enclosure.
January 10, 1947.

The White House,
Washington, D. C.

Attention: Mr. M. C. Latte

My dear Mr. Latte:

Transmitted herewith is a proposed Executive Order
(which was received in this Division this morning) 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 Executive order has been reviewed in this
Division, and after the insertion of month and year following
the closing paragraph, approved by the Director for conformity
with the provisions of Executive Order 7296.

Very truly yours,

[Signature]

B. C. Eberhart, Jr.
Chief Editor
January 10, 1947.

The White House,
Washington, D.C.

Attention: Dr. H. G. Latke

My dear Mr. Latke,

Transmission herewith is a proposed Executive Order (which was received in this Division this morning) 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 Executive order has been reviewed in this Division, and after the insertion of month and year following the closing paragraph, approved by the Director for conformity with the provisions of Executive Order 9238.

Very truly yours,

D. E. Ebersart, Jr.

Chief Editor
Office of the Attorney General
Washington, D.C.
January 3, 1947

Through the Division of the Federal Register

The President,

The White House.

My dear Mr. President:

I am herewith transmitting 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.” Accompanying the order are two letters of the Secretary of War to you and to the Director of the Bureau of the Budget, respectively, which contain a discussion of the various provisions of the order and a statement as to the qualifications of each of the persons designated as Members of a military tribunal.

The proposed order was prepared in the War Department in collaboration with this Department. It was forwarded for my consideration by the Director of the Bureau of the Budget with his approval after revision in his office. The revised draft of the order is agreeable to both War and Navy Departments.

I approve the proposed order as to form and legality.

Respectfully yours,

[Signature]
Attorney General
Office of the Attorney General  
Washington, D.C.  
January 3, 1947

Through the Division of the Federal Register

The President,
The White House,

My dear Mr. President:

I am herewith transmitting 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." Accompanying the order are two letters of the Secretary of War to you and to the Director of the Bureau of the Budget, respectively, which contain a discussion of the various provisions of the order and a statement as to the qualifications of each of the persons designated as Members of a military tribunal.

The proposed order was prepared in the War Department in collaboration with this Department. It was forwarded for my consideration by the Director of the Bureau of the Budget with his approval after revision in his office. The revised draft of the order is agreeable to both War and Navy Departments.

I approve the proposed order as to form and legality.

Respectfully yours,

[Signature]

Attorney General
My Dear Mr. Attorney General:

Hereewith is the draft, as revised in this office, of 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 Fitzroy Donald Phillips, Judge of a Superior Court in the State of North Carolina, Robert Horrell Tomes, Judge of the Third Judicial Circuit Court, Detroit, Michigan, and Captain Michael A. Neumann, U.S.N.R., as the members, and John Kennedy Dugleight as 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, entered December 20, 1945, in 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 first section of the proposed order, as revised in this office, follows the form of Executive Order 9813 of December 20, 1946, of the same title, which designated the members of the first of several such Courts. The Secretary of War states that it is estimated that no
My Dear Mr. Attorney General:

Hereewith is the draft, as revised in this office, of 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 Fitzroy Donald Wilson, Judge of a Superior Court in the State of North Carolina, Robert Norrell zone, Judge of the Third Judicial Circuit Court, Detroit, Michigan, and Captain Michael A. Hasenbo T., U.S.N., 0863522, as the members, and John F. Schira, Esquire as 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 quadriparti 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 Soviet Socialist Republics, for the trial and punishment of major war criminals of the European Axis.

The first section of the proposed order, as revised in this office, follows the form of Executive Order 9813 of December 20, 1946, of the same title, which designated the members of the first of several Such Courts. The Secretary of War states that it is estimated that no
more than 24 civilian judges will be required to staff these Courts and that recommendations for additional numbers will be submitted at a later date.

In order to clarify the status of Captain Humannn, (d), U.S.N.R., as a member of the Court, section 2 of the instant draft of order provides that "The functions of these Tribunals being essentially military, Captain Humannn will, during the tenure of this assignment, be subject to War Department orders, through the Commanding General of the European Theater, and will retain his status as an officer on the active list of the United States Naval Reserve."

Section 3 of the proposed order provides that the members and the alternate member therein 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, except that Captain Humannn shall receive the compensation and allowances for expenses to which he may be entitled by reason of his military rank and service and as may be payable from appropriations or funds available to the Navy Department for such purposes. The exception in this section relating to Captain Humannn has been added in this office in order that there might be no misunderstanding of the intention that he receive his pay and allowances from the Navy Department, and it has the informal concurrence of both the War and Navy Departments.

Section 4 of the proposed order authorizes the Secretary of State, the Secretary of War, the Attorney General, and the Secretary of the Navy to provide appropriate assistance to the members and alternate member therein designated in the performance of their duties and to assign or detail such personnel under their respective jurisdictions, including members of the armed forces, as
more than 24 civilian judges will be required to staff these Courts and that recommendations for additional members will be submitted at a later date.

In order to clarify the status of Captain Humann, (8), U.S.N., as a member of the Court, section 2 of the instant draft of order provides that "The functions of these Tribunals being essentially military, Captain Humann will, during the tenure of this assignment, be subject to War Department orders, through the Commanding General of the European Theater, and will retain his status as an officer on the active list of the United States Naval Reserve."

Section 3 of the proposed order provides that the members and the alternate member therein 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, except that Captain Humann shall receive the compensation and allowances for expenses to which he may be entitled by reason of his military rank and service and as may be payable from appropriations or funds available to the Navy Department for such purposes. The exception in this section relating to Captain Humann has been added in this office in order that there might be no misunderstanding of the intention that he receive his pay and allowances from the Navy Department, and it has the informal concurrence of both the War and Navy Departments.

Section 4 of the proposed order authorizes the Secretary of State, the Secretary of War, the Attorney General, and the Secretary of the Navy to provide appropriate assistance to the members and alternate member therein designated in the performance of their duties and to assign or detail such personnel under their respective jurisdictions, including members of the armed forces, as
may be requested for the purpose. The said section provides, further, that 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, except that personnel assigned or detailed from the Navy Department shall receive the compensation and allowances for expenses to which they may be entitled by reason of their military rank and service and as may be payable from appropriations or funds available to the Navy Department for such purposes. The exception in this section relating to the detail of naval personnel was also added in this office and cleared, informally, with the War and Navy Departments.

The Secretary of War, by separate letter 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 proposed Executive Order has the approval of the Director of the Bureau of the Budget.

Very truly yours,

[Signature]

W.J. Walker
Assistant Director
Legislative Reference

The Honorable
The Attorney General

Enclosures
may be requested for the purpose. The said section provides, further, that 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, except that personnel assigned or detailed from the Navy Department shall receive the compensation and allowances for expenses to which they may be entitled by reason of their military rank and service and as may be payable from appropriations or funds available to the Navy Department for such purposes. The exception in this section relating to the detail of naval personnel was also added in this office and cleared, informally, with the War and Navy Departments.

The Secretary of War, by separate letter 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 proposed Executive Order has the approval of the Director of the Bureau of the Budget.

Very truly yours,

[Signature]

[Name]

Assistant Director
Legislative Reference

The Honorable

The Attorney General

Enclosures
WAR DEPARTMENT
WASHINGTON, D.C.

23 December 1946

The President
The White House

Dear Mr. President:

I have the honor to furnish you the following information in connection with the proposed appointment of Mr. Fitzroy Donald Phillips, Mr. Robert Morrell Toms, Captain Michael A. Musmanno, as members, and Mr. John Joshua Speight as alternate member of one of the several Military Tribunals in Germany for the trial of major war criminals.

Mr. Phillips was born 23 May 1893 in Laurinburg, North Carolina. He attended Georgia University, Florida University, and North Carolina University. From 15 August 1914 to 1 January 1923 he practiced law in North Carolina. From 1 January 1923 to 1 January 1935 he was Solicitor for the 13th Judicial District of North Carolina; from 1 January 1935 to the present time, he has been Judge of a Superior Court in North Carolina. Mr. Phillips is highly regarded as to his legal and judicial ability.

Mr. Toms was born 14 October 1886 in LaCrosse, Wisconsin. He received his A.B. Degree at the University of Chicago 1907 and LL.B. Degree at the University of Michigan, 1910. From 1910 to 1912 he practiced law in Michigan. From July 1912 to December 1914 he was Assistant Prosecuting Attorney in Wayne County, Michigan. From January 1921 to January 1923 he was Prosecuting Attorney of Wayne County, Michigan. From September 1929 to the present time he has served as Judge of the Third Judicial Circuit Court of Detroit, Michigan. Mr. Toms is highly regarded as to his legal and judicial ability.

Captain Musmanno was born 7 April 1897, in Stone Township, Pennsylvania. He received the following degrees: A.B., George Washington University; M.A. and LL.B., Georgetown University; M.A. and LL.B., National University, and J.D., American University. He practiced law from July 1920 to 1932. He became Judge of the Allegheny County Court, (Pittsburgh, Pennsylvania) in 1932, and Judge of the Court of Common Pleas, Allegheny County, Pennsylvania, in 1934, where he served until entering the Navy in 1941. Captain Musmanno is highly regarded as to his legal and judicial ability.

Mr. Speight was born 26 July 1889, in Eufaula, Alabama. He attended Washington and Lee University; Lexington, Virginia from 1907 to 1909, and Georgetown University from 1909 to 1911 and received his LL.B. Degree in 1911. Since that time he has been practicing law in Alabama and also for approximately four years was Special Assistant to the United States Attorney General. Mr. Speight is highly regarded as to his legal background and ability.

Respectfully yours,

Secretary of War
WAR DEPARTMENT
WASHINGTON, D.C.

23 December 1946

The President
The White House

Dear Mr. President:

I have the honor to furnish you the following information in connection with the proposed appointment of Mr. Fitzroy Donald Phillips, Mr. Robert Morrell Toms, Captain Michael A. Musumano, as members, and Mr. John Spelch as alternate member of one of the several Military Tribunals in Germany for the trial of major war criminals.

Mr. Phillips was born 23 May 1893 in Laurelton, North Carolina. He attended Georgia University, Florida University, and North Carolina University. From 15 August 1914 to 1 January 1923 he practiced law in North Carolina. From 1 January 1923 to 1 January 1935 he was Solicitor for the 13th Judicial District of North Carolina; from 1 January 1935 to the present time, he has been Judge of a Superior Court in North Carolina. Mr. Phillips is highly regarded as to his legal and judicial ability.

Mr. Toms was born 14 October 1886 in LaCrosse, Wisconsin. He received his A.B. Degree at the University of Chicago 1907 and LL.B. Degree at the University of Michigan, 1910. From 1910 to 1912 he practiced law in Michigan. From July 1912 to December 1914 he was Assistant Prosecuting Attorney in Wayne County, Michigan. From January 1921 to January 1923 he was Prosecuting Attorney of Wayne County, Michigan. From September 1928 to the present time he has served as Judge of the Third Judicial Circuit Court of Detroit, Michigan. Mr. Toms is highly regarded as to his legal and judicial ability.

Captain Musumano was born 7 April 1897, in Hyde Township, Pennsylvania. He received the following degrees: A.B., George Washington University; M.A. and LL.B., Georgetown University; M.A. and M.P.L., National University, and S.J.D., American University. He practiced law from July 1924 to 1932. He became judge of the Allegheny County Court, (Pittsburgh, Pennsylvania) in 1932, and judge of the Court of Common Pleas, Allegheny County, Pennsylvania, in 1938, where he served until entering the Navy in 1941. Captain Musumano is highly regarded as to his legal and judicial ability.

Mr. Speight was born 26 July 1885, in Tuscaloosa, Alabama. He attended Washington and Lee University; Lexington, Virginia from 1907 to 1909, and Georgetown University from 1909 to 1911 and received his LL.B. Degree in 1911. Since that time he has been practicing law in Alabama and also for approximately four years was Special Assistant to the United States Attorney General. Mr. Speight is highly regarded as to his legal background and ability.

Respectfully yours,

[Signature]

Secretary of War
Honorable James E. Webb  
Director, Bureau of the Budget  
Washington, D.C.

Dear Mr. Webb:

There is included a draft of the 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 is requested be submitted to the President for his approval and signature.

The War Department (War Crimes Branch, Civil Affairs Division) is charged with 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.

By letter dated 28 November 1946, a similar request was submitted for the appointment of members and an alternate member for the staffing of the first Zonal Court in Germany.

In order to staff the second such Court it is recommended that the following members be appointed by the President:

As judges: Mr. Fittroy Donald Phillips, Judge of a Superior Court of the State of North Carolina; Mr. Robert Morrell Zane, Judge of the Third Judicial Circuit Court, Detroit, Michigan, and Captain Michael A. Musmanno, (w) U.S.N., 05050C, and as the alternate member Mr. John Joshua Spelth, an attorney of the State of Alabama and formerly Special Assistant to the Attorney General in Alabama. The Theater Commander, as Military Governor of the United States Zone in Germany, will designate the presiding judge of the Court.

The functions of these Tribunals are essentially military and as such are a responsibility of the Secretary of War. For this reason all of the personnel that may be assigned to such judicial duties will, during the tenure of this assignment while outside of the continental limits of the United States, be subject to War Department orders, through the Commanding General of the European Theater of Operations. Captain Musmanno will retain his status of an officer on the active list of the United States Naval Reserve and will therefore be entitled to all rights and benefits as such.

It is recommended that the civilian appointees mentioned above be entitled, for all purposes other than that of command, and without the responsibility of the comparable military grade, to the considerations and amenities of a General Officer of the Army of the United States. This arrangement has been submitted to the Theater Commander and has been approved, and is in conformity with the Adjutant General's letter, AGAM-PH 239 (28 October 1946) dated 21 November 1946, Subject: Civilian personnel in overseas theaters. (Inclined)
Honorable James E. Webb
Director, Bureau of the Budget
Washington, D.C.

Dear Mr. Webb:

There is enclosed a draft of the 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 is requested be submitted to the President for his approval and signature.

The War Department (War Crimes Branch, Civil Affairs Division) is charged with 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.

By letter dated 20 November 1946, a similar request was submitted for the appointment of members and an alternate member for the staffing of the first Zonal Court in Germany.

In order to staff the second such Court it is recommended that the following members be appointed by the President: As Judges: Mr. Pitroy, Donald Phillips, Judge of a Superior Court of the State of North Carolina, Mr. Robert Horrell Town, Judge of the Third Judicial Circuit Court, Detroit, Michigan, and Capt. Michael A. Humann, (6) U.S.A., 086623, and as the alternate member: Mr. John Joshua Spalding, an attorney of the State of Alabama, and formerly Special Assistant to the Attorney General in Alabama. The Theater Commander, as Military Governor of the United States Zone in Germany, will designate the presiding judge of the Court.

The functions of these Tribunals are essentially military and as such are a responsibility of the Secretary of War. For this reason all of the personnel that may be assigned to such judicial duties will, during the tenure of this assignment while outside of the continental limits of the United States, be subject to War Department orders, through the Commanding General of the European Theater of Operations. Captain Humann will retain his status of an officer on the active list of the United States Naval Reserve and will therefore be entitled to all rights and benefits as such.

It is recommended that the civilian appointees mentioned above be entitled, for all purposes other than that of command, and without the responsibility of the comparable military grade, to the considerations and amenities of a General Officer of the Army of the United States. This arrangement has been submitted to the Theater Commander and has been approved, and is in conformity with the Adjutant General's letter, 260-4400 290 (24 October 1946) dated 21 November 1946, Subject: Civilian personnel in overseas theaters. (Included)
For the purpose of affecting the appointments mentioned above there is included a draft Executive Order. It is requested that it be submitted to the President for his approval and signature. Also included is a letter from the Secretary of War to the President outlining 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 included for your information.

As stated in my letter of 26 November 1945, recommending the appointment of the members of the first Zonal Court, it is estimated that no more than 24 civilian judges will be required to staff these Zonal Courts. These 24 judges were requisitioned by GHQ by cable 60-1565 on 19 October 1945, (OK-15472) on 19 November 1945 requesting that they be employed by the War Department under GHQ requisition number 21, each at the Civil Service Grade of F-6, plus $7.00 per diem.

Sincerely yours,

[Signature]

Secretary of War

5 Incld:
1. AS 1st (21 Nov 45)
2. Dept of Exec Order
3. Ltr from Sec/War to Pres
4. Copy of Charter of DC
5. Control Council Law No. 10
For the purpose of effecting the appointments mentioned above there is inclosed a draft Executive Order. It is requested that it be submitted to the President for his approval and signature. Also inclosed is a letter from the Secretary of War to the President outlining 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.

As stated in my letter of 28 November 1946, recommending the appointment of the members of the First Zonal Court, it is estimated that no more than 26 civilian judges will be required to staff these Zonal Courts. These 26 judges were requisitioned by OMBUS cable 00 5505 19 October 1946, (OM-47 5761) (29 Oct 46) which requested that they be employed by the War Department under OMBUS requisition number 234, each at the Civil Service Grade of F-4, plus $7.00 per diem.

Sincerely yours,

[Signature]

Secretary of War

5 Inclos:
1. AD ltr (21 Nov 46)
2. Draft of Exec Order
3. Ltr from Sec/War to Pres
4. Copy of Charter of IIM
5. 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, it is ordered as follows:

1. I hereby designate Major Donald Phillips, Judge of a Superior Court in the State of North Carolina, Robert Horrell Toms, Judge of the Third Judicial Circuit Court, Potsdam, Michigan, and Captain Michael A. Hugman, (O), USNR, 006622, as the members, and John James Sparks 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 quadrigaplete 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. Such members 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 functions of these Tribunals being essentially military, Captain Hugman will, during the tenure of this assignment, be subject to War Department orders, through the Commanding General of the European Theater, and will retain his status as an officer on the active list of the United States Naval Reserve.

3. 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, except that Captain Hugman shall receive such compensation and allowances for expenses to which he may be entitled by reason of his military rank and service as may be payable from appropriations or funds available to the Navy Department for such purposes.

4. 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 jurisdictions, 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, except that personnel assigned or detailed from the Navy Department shall receive such compensation and allowances for expenses to which they may be entitled by reason of their military rank and service as may be payable from appropriations or funds available to the Navy Department for such purposes.

HARRY S. TRUMAN

THE WHITE HOUSE,
January 10, 1947.
EXECUTIVE ORDER

APPOINTMENT OF THE DESIGNATED THE ALTERNATE DESIGNEE
OF A MILITARY TRIBUNAL ESTABLISHED FOR THE TREAT AND
PUNISHMENT OF MAJOR WAR CRIMINALS 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, it is ordered as follows:

1. I hereby designate Harry M. Phillips, Judge of a Superior Court in the State of North Carolina, Henry B. Simons, Judge of the Third Judicial Circuit Court, Detroit, Michigan, and Captain Michael A. Humphreys, Jr., U.S.N., as the members, and John J. Baberski as the alternate member, all of the several military tribunals established by the Military Governor for the United States Zone of Occupation within Germany pursuant to the Quo warranto agreement of the United States, Germany, and the United Nations on June 5, 1945, as Central Council List 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. Such members 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 functions of these tribunals being essentially military, Captain Humphreys, when serving in this capacity, will have the rank and status of a member of the United States Naval Reserve.

3. 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, except that Captain Humphreys shall receive such compensation and allowances for expenses as may be payable from pay of his military rank and service as and may be payable from appropriations or funds available to the Navy Department for such purposes.

4. 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 from their respective jurisdictions, including members of the armed forces, as may be requested for the purpose.

5. Proceedings 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, except that personnel assigned or detailed from the Navy Department shall receive such compensation and allowances for expenses as may be payable from pay of their military rank and service as and may be payable from appropriations or funds available to the Navy Department for such purposes.

HARRY S. TRUMAN

THE WHITE HOUSE,

January 10, 1947.