

Milch Sentence is Confirmed

which the US was not a party. Also included is a Country Index and a Subject Index.

Atomic Energy for Military Purposes; the official report on the development of the atomic bomb under the auspices of the United States Government, 1940—1945, by H. D. Smyth (Princeton, Princeton University Press, 1946, 308 pages). An extremely lucid yet technical description of the development of the atomic bomb. It includes the "basic scientific knowledge on which the several developments were based" and the administrative history of the Atomic Bomb Project.

Charter of the United Nations; report to the President on the results of the San Francisco Conference, by the chairman of the United States delegation, the Secretary of State, issued by US Department of State (Washington, US Government Printing Office, 1945, 266 pages). This is the story behind the development and adoption of the U. N. Charter. Each article of the Charter is explained, and an appendix gives the text of the final document, compared with the Dumbarton Oaks proposals on opposing pages.

A Report on the International Control of Atomic Energy, issued by US Department of State, Committee on Atomic Energy (Washington, US Government Printing Office, 1946, 61 pages). A report by a board of expert consultants, who made their recommendations after a thorough study of the problem. Their purpose was not to develop a final plan for international control, but to prepare "a foundation on which to build."

Voices of History (New York, 1942—1945, 4 vols). "The purpose of this annual is to bring into one convenient volume the significant state papers and the important speeches of the chief statesmen and officials of the world. Every speech is reprinted exactly as given in the source. Where possible the source is official." This work is arranged chronologically, and gives an excellent sweeping view of significant world events for the period covered.

The Time for Decision, by S. Welles (New York, Harper, 1944, 431 pages).

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THE Deputy Military Governor confirmed the sentence of Erhard Milch to life imprisonment by Military Tribunal II at Nuremberg. Milch, age 55, was field marshal of the Luftwaffe, 1940—45, also undersecretary of state and head of the Reich Air Ministry and inspector general of the Luftwaffe.

Milch as indicted on 14 November 1945 of committing war crimes involving the use of slave labor and misuse of prisoners of war and with responsibility for medical experiments conducted on human beings. He was found guilty by Military Tribunal II of crimes involving the use of slave labor and the misuse of prisoners of war but he was acquitted on charges involving medical experiments.

Following his conviction of 16—17 April, a petition was filed on his behalf by his attorney, Dr. Friedrich Bergold, to the Military Governor asking that the sentence be quashed as illegal under Articles 60, 63 and 64 of the Geneva Convention of 1929 on treatment of prisoners of war, or in the alternative, that the sentence be reduced because certain findings of the Tribunal were not supported by the evidence. The Deputy Military Governor took action on this petition pursuant to authority delegated to him by the Military Governor in Regulation No. 1 under MG Ordinance No. 7. The Deputy Military Governor's action denied the petition and confirmed the sentence of the Tribunal in all respects.

At the time that he forwarded his petition to the Military Governor, Dr. Bergold also forwarded two other petitions on behalf of Milch, one addressed to the President of the Swiss Confederation, and the other to the Supreme Court of the United States. These two petitions were forwarded by the Military Governor to the War Department in Washington with appropriate recommendations as to disposition. In both of these petitions, Milch contends his conviction was illegal under the Geneva Convention of 1929.

The Director of the Legal Division, OMGUS, stated that in his opinion

this contention had been resolved against Milch by the decision of the US Supreme Court in the case of "In re Yamashita," decided in February, 1946. That case involved the Commanding General of the Fourteenth Army Group of the Imperial Japanese Army in the Philippine Islands who had been convicted and sentenced to death by a Military Commission for having failed in his duty as an Army Commander to control the operations of his troops, thereby permitting them to commit specific atrocities against the civilian population and prisoners of war.

THE Supreme Court held that the Articles of the Geneva Convention in question related only to substantive offenses which prisoners of war commit during their imprisonment and not to offenses which they have committed prior to their imprisonment. The Legal Division Director pointed out that Milch, likewise, was convicted of crimes committed by him before he became a prisoner of war.

Milch is the first of the major war criminals to have been convicted by the Military Tribunals established at Nuremberg in order to implement Control Council Law No. 10, which was enacted by the Control Council for the purpose of bringing to justice the major German war leaders who were not tried by the International Military Tribunal. There are at present four US Military Tribunals conducting trials at Nuremberg, and it is anticipated that two more Tribunals will shortly begin to function. It is contemplated that more than 200 major war leaders will be brought to trial before these Military Tribunals at Nuremberg, before the present program is completed.

Alcohol Tax Changed

Control Council Law No. 54 amended Control Council Law No. 27 by exempting "alcohol contained in schnaps issued to miners as rations" from an alcohol tax provided in the earlier law. Otherwise, the tax law is unchanged.