

## Personnel Changes

Judge James T. Brand has been appointed Presiding Judge of Military Tribunal III hearing the case, at Nuremberg against 15 former high officials of the Reich Ministry of Justice. He succeeds Judge Carrington T. Marshall who has been forced to retire because of ill health.

Judge Justin William Harding, who has been the alternate judge of the Tribunal, has been named to the panel to fill the vacancy caused by Judge Marshall's retirement. Judge Mallory B. Blair is the third member of the panel.

Judge Louis E. Levinthal of Philadelphia, co-chairman of the United Jewish Appeal and the United Palestine Appeal, has been appointed advisor on Jewish affairs to the Military Governor. He will succeed Rabbi Phillip S. Bernstein who has been the advisor for the past 14 months.

Mr. Frederick L. Devereux, who served with Military Government in Germany in the early months of the occupation and later on a special assignment in Japan and Korea, has been named Special Assistant to the Military Governor.

Acting heads of OMGUS offices named to serve during the current temporary absences of the permanent officials include Col. H. R. Maddux as Acting Chief of Staff, Col. Perry L. Baldwin as Acting Inspector General; and Mr. James E. King, Jr., as Acting Secretary General.

### Position Added to ICD List

Film exhibitors have been added to the positions which require Information Control political clearance before the person may be employed in any information service, as listed in OMGUS letter, AG 000.1 (IC), "Standards Applied to Personnel in German Information Services," dated 22 March 1947. The addition is given in an amendment dated 12 June.

### Rural Police Patrols Reduced

With the recent concentration of US Constabulary units in Wuerttemberg-Baden, most rural police assigned to patrol duties with Constabulary units have been released.

## High Court Open in Hesse

**T**HE Hessian citizen who feels that his constitutional prerogatives have been encroached upon by any act of the Land government short of parliamentary-enacted legislation now has the right of full judicial recourse, with the inauguration in Kassel of the Land's Supreme Administrative Court.

The opening completed the restoration of administrative justice to the Land through a system which includes lower chambers located in Wiesbaden, Darmstadt, and Kassel. Never before in Germany's history have administrative courts been in such a strong position as they are today, it was pointed out by Richard Simonson, civil administration official of OMG for Hesse.

"The erection of the Hessian administrative court structure," he said, "has opened a new era in the recognition of the dignity of the individual in this Land, because these tribunals have been established especially to safeguard the individual citizen against arbitrary acts and orders by government officials. Ordinances, decrees, executive orders, and all other types of government directives short of laws passed by the Landtag can now be challenged in a fairly rapid and inexpensive manner by any citizen who believes that his rights have been unlawfully restricted."

"Until now," Simonson said, "autocratic bureaucrats were able to hide behind a blanket statement of emergency conditions and asserted emergency powers so long as their acts did not conflict with Military Government policies."

**T**HE Hessian Secretary of State, Dr. Hermann Brill, warned Hessian administrators to contain their official actions within the Framework of established laws. Administrative orders which refer to an "emergency" outside the law are prohibited and must not be observe, he emphasized.

"I believe," he went on, "that there is enough to make clear to each rural mayor and to each head of even the smallest state authority,

be it a mining office, a land communal authority, the administrator of an institution or any other type of authority, that he will, henceforth, be answerable before an administrative court, should he be guilty of violating the rights of man. Neither a complaint nor any other means of protest may free him from this responsibility."

The Hessian Supreme Administrative Court President, Dr. Gerhard Mueller, declared, "The people of Hesse still are not sufficiently acquainted with the whole concept of administrative justice and law," as he called for the assistance of the German press in educating Hessians to the importance of the administrative court system.

**H**ESSE MG officials anticipate that the majority of cases which administrative courts will hear will involve housing requisitioning by the Land government, one of the chief sources of irritation to Hessians. Requisitions made on behalf of the occupying forces cannot be challenged before German tribunals, it was pointed out, but such requisitions no longer constitute a significant percentage of dwelling space and furniture.

## Supplies Only for Youth

Army excess supplies for use by youth groups in camping programs "must be used solely and exclusively for youth activities," said OMGUS cable V-19540 of 17 June. Declaring "no diversion is permissible," the cable continued:

"Authority for this is action of Bipartite Economic Panel which approved release of the Army surplus material in question and so instructed the Joint Export-Import Agency. Payment for these supplies to the corporation is in marks, either by organization concerned or by budgetary allowances in Land ministry. Prices to be determined by adjudication between corporation, German prices authorities, and youth officials. Release and distribution of this material is considered an essential military mission of the occupation to be executed without delay."