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HANDBOOK for MILITARY GOVERNMENT in GERMANY.

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HANDBOOK FOR MILITARY GOVERNMENT IN GERMANY

PRIOR TO DEFEAT OR SURRENDER

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Supreme Headquarters
ALLIED EXPEDITIONARY FORCE
Office of the Chief of Staff

HANDBOOK FOR MILITARY GOVERNMENT IN GERMANY PRIOR TO DEFEAT OR SURRENDER

1. This Handbook is published for the information and guidance of all concerned in the Military Government of Germany within the Supreme Commander's area of control. It is based on policy contained in directives issued by the Combined Chiefs of Staff for application in the period prior to defeat or surrender and may be amended or modified from time to time.

2. Considerations of military necessity or practicability are in every instance over-riding and will be treated accordingly in the application of this Handbook.

3. The Handbook, being designed primarily for use by Military Government Detachments in the field, does not enter into the details of the tasks of Specialist Officers; these are elaborated in the appropriate Technical Manuals.

4. The procedures outlined in this Handbook and the supplementary Technical Manuals will be adhered to by Military Government Officers unless otherwise directed by Army Group or subordinate Commanders. Such Commanders have been delegated Military Government authority and have been given direction on Military Government policy.

5. (*a*) Part I of this Handbook sets forth the basic policy governing the organization and administration of Military Government in the period prior to the defeat or surrender of Germany. It includes certain basic documents such as the initial Proclamation, Laws and Ordinances which are of concern to every Military Government Officer.

(*b*) Part II has been reserved for any modifications which may be required for the post-defeat or post-surrender period.

(*c*) Part III contains general and functional matters of concern to Military Government Officers in the field which should prove applicable in any period of the occupation.

6. This Handbook will be used as a basis of training for all officers who may be employed in the Military Government of Germany during the time of the Supreme Commander's responsibility.

7. This Handbook supersedes all previous editions, which should be destroyed.

By Command of General EISENHOWER:



Lieutenant-General, US Army, Chief of Staff.

December, 1944.

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PART I

General Policy Governing Organization and Administration of Military Government in Germany Prior to Defeat or Surrender

Chapter I

INTRODUCTORY

1. The Supreme Commander, Allied Expeditionary Force, is initially responsible for the establishment of Military Government in areas of Germany occupied by forces under his command. At some time following the occupation, a successor agency may assume responsibility for the Military Government of Germany; until that time the Supreme Commander will be fully responsible for establishing and maintaining complete Military Government in his area.

2. Execution of the Supreme Commander's policy in the establishment and operation of Military Government during the period of the Supreme Commander's responsibility has been delegated to the Army Group Commanders in Germany. Military Government will be established by them immediately on the occupation by their forces of any part of German territory.

3. During hostilities in Germany, the Supreme Commander will possess the legislative, executive and judicial rights of an occupying power. The Supreme Commander's authority and power has been delegated to Army Group Commanders and may be re-delegated by them, in their discretion, to subordinate Commanders.

4. The authority and power in matters of Military Government will be exercised by Army Group Commanders on their own responsibility except where the Supreme Commander directs specific action (since the Supreme Commander must retain responsibility for necessary co-ordination of Military Government activities between Army Groups within his area) or where Military Government policy Directives of Supreme Headquarters specify otherwise.

5. The Supreme Commander has established the following as the primary objectives of Military Government:—

(*a*) Imposition of the will of the Allies upon occupied Germany.

(*b*) Care, control and repatriation of United Nations displaced persons and minimum care necessary to effect control of enemy refugees and displaced persons.

(*c*) Apprehension of war criminals.

(*d*) Elimination of Nazism, Fascism, German militarism, the Nazi Hierarchy and their collaborators.

(*e*) Restoration and maintenance of law and order, in so far as the military situation permits.

(*f*) Protection of United Nations property, control of certain properties and conservation of German foreign exchange assets.

(*g*) Preservation and establishment of suitable civil administration to the extent required to accomplish the foregoing objectives.

In attaining these primary objectives, the following basic principles will be observed:

(i) No steps looking toward economic rehabilitation of Germany are to be undertaken except as may be immediately necessary in support of military operations.

(ii) No relief supplies are to be imported or distributed for the German population or for displaced enemy or ex-enemy nationals beyond the minimum necessary to prevent disease and such disorder as might endanger or impede military operations.

(iii) Under no circumstances shall active Nazis or ardent sympathizers be retained in office for the purpose of administrative convenience or expediency.

(iv) Although the Nazi party and all subsidiary organizations will be dissolved, administrative machinery of certain dissolved organizations may be used when necessary to provide essential functions, such as relief, health and sanitation, with non-Nazi personnel and facilities.

(v) Germany will always be treated as a defeated country and not as a liberated country.

6. Conduct of Military Government operations is a command responsibility. Military Government will ultimately be based on the German regional system. Where possible, military boundaries and administrative boundaries will coincide. In the initial stages of the advance into Germany the tactical boundaries between Formations will cut across civil administrative boundaries, and it will not be practical to set up complete civil administrative units. Military Government will therefore be carried out on an *ad hoc* basis in accordance with the tactical areas of command. After the situation stabilizes, it will be possible to approximate the boundaries of tactical areas more closely to civil administrative boundaries, so as to facilitate the task of regrouping and readjustment into the final spheres of Military Government responsibility. As the occupation progresses Military Districts will be established and Military District Commanders will be delegated responsibility for Military Government within their Districts. This will in no way remove from a Commander subordinate to a Military District Commander the responsibility of taking direct action when the security of the forces under his command is prejudiced, nor does it preclude the Military District Commander from allotting such responsibilities to subordinate commanders in connection with Military Government as he may see fit.

7. In addition to the normal staff/command channel, use of a Military Government/G-5 technical channel of communica-

tions has been authorized on matters which do not affect tactical operations or concern the security of Allied troops. The Military District Commander, when designated, will be kept informed of all Military Government/G-5 technical instructions. He will suspend execution of any such technical instruction only when in his judgment conditions within his District require. Any such action will be reported to higher authority.

8. The discharge of the Commander's responsibility for Military Government may require the employment of all resources at his disposal.

9. Supreme Headquarters will furnish commanders, on their request, with Military Government Staffs, Detachments and functional experts to assist in the discharge of responsibilities for Military Government. Such personnel as have been specially trained for duty in specific areas will, so far as circumstances permit, be employed in those areas.

10. Civil Affairs Staffs already assigned to Headquarters may be retained for service in Germany; functional experts, trained for Military Government in Germany, will be available to supplement such Staffs if required.

11. Full use will be made of indigenous resources for supplies and equipment.

12. Supreme Headquarters is responsible for providing the policy governing the distribution of relief and rehabilitation supplies to United Nations displaced persons in Germany, and distribution of other supplies for Germany. In no event are relief supplies to be imported or distributed among the civil population of Germany beyond the minimum necessary to prevent disease and such disorder as might endanger or impede military operations.

13. Allocation to Army Groups of any imported supplies will be the responsibility of Supreme Headquarters. Army Groups will be responsible for calling forward the supplies thus allocated. Movement of civilian supplies will be directed through normal staff channels and performed by the normal supply and movement services, supplemented by local resources to the fullest possible extent.

14. Army Group Commanders are responsible for submitting estimates of required civilian supplies within the limitations of para. 12 above.

Chapter II

Plan for Operation of Military Government Prior to Defeat or Surrender

25. This plan is designed to apply to all Military Government operations prior to defeat or surrender conducted in Germany by forces under the command of the Supreme Commander, Allied Expeditionary Force, except as other plans may be issued with respect to special areas.

26. This plan is based on relevant directives of the Combined Chiefs of Staff and on the provisions of "Standard Policy and Procedure for Civil Affairs and Military Government Operations in Northwest Europe" (December, 1944, edition). This plan will be amended as necessary as and when further policy guidance is received from the Combined Chiefs of Staff.

27. MANUALS. In case of conflict with the Military Manual of Civil Affairs issued by the British War Office, or the Field Manual, 27-5, issued by the United States War Department, the provisions herein set forth and those contained in any related Directives or Instructions will apply.

28. PROVISIONS AND DEFINITIONS. The following provisions and definitions are employed in this Handbook:

Supreme Commander—The Supreme Commander, Allied Expeditionary Force.

Supreme Headquarters—Supreme Headquarters, Allied Expeditionary Force.

G-5, Supreme Headquarters—The Military Government Division of the General Staff of the Supreme Commander.

ACOS, G-5—Assistant Chief of Staff, G-5.

Mil. Gov.—Military Government.

Mil. Gov. Staff—Military Government Officers attached or assigned to the Staff of any Headquarters.

Mil. Gov. Detachments—There will be Military Government Detachments consisting of Military Government Officers and OR/EM provided for employment in Military Government at provincial, Regierungsbezirk and lower levels. The Officer Commanding a Mil. Gov. Detachment will be the senior officer permanently assigned thereto, irrespective of the rank of any functional specialist officer temporarily held on the strength of that Detachment.

Functional Specialists—Technicians and professional personnel trained in Military Government and schooled in the problems of their speciality relating to Germany.

Such specialists will be provided for Mil. Gov. Staffs and Mil. Gov. Detachments.

CMGO/G-5—Chief Military Government Officer at Army Groups. In US headquarters down to and including Corps, the senior Mil. Gov. Staff Officer is known as the Assistant Chief of Staff, G-5.

ACMGO—The Assistant Chief Military Government Officer at Army, Corps, or at any other British formation.

RMGO—Regional Military Government Officer. The senior Military Government Officer of a Detachment at *Regional* level.

SMGO—Senior Military Government Officer. The senior Military Government Officer of a Detachment at *Regierungsbezirk* level.

Mil. Gov. Regions—Areas of Germany, usually corresponding with German *Land* or Prussian *Provinz,* established as a basic unit for Military Government in Germany.

Military District—Areas of Germany, in general corresponding with Mil. Gov. Regions, employed for command purposes in Military Government, administration and operation of occupation troops.

Control Commission/Council—The tripartite agency to be established by the British/US/USSR Governments for the administration of Military Government, disarmament and demobilization in Germany.

29. (*a*) The Supreme Commander will be responsible for Military Government of areas of Germany (international boundaries of 31st December, 1937) occupied by forces under his command. Army Group Commanders are responsible for those areas within the Supreme Commander's zone occupied by forces under their command.

(*b*) It is expected that the *Reichshauptstadt* of Berlin will be ultimately constituted an international zone occupied by British/USSR/US forces deployed in three national sectors and administered on a tripartite basis. The Control Commission/Council will likewise sit in Berlin.

30. Initially the Supreme Commander will be responsible for the administration of Military Government in his zone of Germany. A separate plan has been issued on the establishment of Military Government in Berlin.

31. At a time to be determined by the British and US governments and under instructions from the Combined Chiefs of Staff, the Supreme Commander will be relieved of his responsibility which may be assumed by the Tripartite Control Commission/Council. It is anticipated that this will occur as soon as practicable after the cessation of organized hostilities and completion of occupation of the zones allotted to them by the forces

of the UK, US and USSR. At this time the combined character of US/British operations in Germany will cease. Operations thereafter will be on a national basis in accord with tripartite policy established by the Control Commission/Council in Berlin.

32. The Supreme Commander's policies will be fully coordinated with tripartite policy developed by the Control Commission/Council. In the absence of tripartite policy it is essential that the Supreme Commander's policies be limited to those necessary for the attainment of the primary objectives of Military Government during his period and that the way be left as smooth as possible (by omission rather than by commission) for the assumption of power by the Control Commission/Council on its tripartite basis.

33. The British and United States elements of the Control Commission/Council will function under the command of the Supreme Commander, during the period of the latter's responsibility, in implementing on behalf of the United States and the United Kingdom governments the policies agreed upon by the three governments (US/UK/USSR), and will normally be the channel of communications between the Supreme Commander and the German Central Authorities. To the extent that tripartite policy is developed in advance of the assumption of responsibility for control by the Control Commission/Council, these elements will advise the Supreme Commander of the development of such policy.

34. The Supreme Commander will be Military Governor of those areas of Germany occupied by forces under his command. All proclamations, laws and ordinances will be stated as being issued by order of Military Government.

35. Actions taken by Army Group Commanders or subordinate commanders in many fields such as censorship, travel control and the requisition and procurement of labour and other resources will rely on the authority of the Supreme Commander as Military Governor. Such actions must necessarily conform to the general policies regulating the conduct of Military Government as laid down by the Supreme Commander.

36. Initial contacts with German civilians and German civil administrative authorities by agencies and Forces of Army Group or subordinate Commanders involving matters in which the Commander's powers under Military Government may be employed should be made where possible through Mil. Gov. Detachments at the appropriate level of government.

37. During the period of the Supreme Commander's responsibility, Army Group Commanders will be fully responsible for the Military Government of the area occupied by their groups of armies. Army Group Commanders have been delegated all of the Supreme Commander's legislative, executive and judicial

authority and power. This authority and power will be exercised by Army Group Commanders on their own responsibility, except where the Supreme Commander directs specific action or where Military Government Policy Directives of Supreme Headquarters direct otherwise. Since Military Government is a command responsibility, its exercise within the general policies, directives and instructions laid down by the Supreme Commander will be a matter of the Army Group Commanders' discretion. Army Group Commanders will cause Mil. Gov. Detachments operating in the area occupied by their Groups of Armies to follow technical instructions issued through Military Government/G-5 channels and will suspend the effect of such instructions only when in their judgment such suspension is required by local conditions. In event of such action it will be reported to higher authority.

38. Military Government will ultimately be based on the German regional system. As rapidly as practical during the course of the occupation, recognition will be given to this ultimate organizational scheme by conforming tactical boundaries with administrative boundaries and fixing Military Government responsibility accordingly. Until it is possible to establish Military Districts, Military Government will be carried out on an *ad hoc* basis in accordance with the tactical areas of command, and Mil. Gov. operations will be the responsibility of each Military Commander in the areas occupied by his forces. Military Districts ultimately to be established in Germany will in general conform to Military Government Regions. Therefore, the basic Unit for Military Government will be the Military District, *i.e.*, the Military District Commander will be directly responsible for the efficient working of the Military Government machine provided for the whole Region under his control. This in no way removes from a subordinate commander the responsibility for taking direct action when the security of the forces under his command is prejudiced. Nor does it preclude the Military District Commander from allotting such responsibilities to subordinate commanders in connection with Military Government as he may see fit.

39. When a Military Government Region is split between two Military Districts, the commander in whose area the Regional capital falls will have Military Government control of the whole Region. Where a Military District encompasses the capitals of two or more Regions the Military District Commander will be responsible for all such Regions. Regional Mil. Gov. Detachments will be provided in such cases for the capitals of such Regions. Where practical, Military District Commanders will endeavour to conform the deployment of divisions and lower tactical units to the boundaries of subordinate political Regions employed in Military Government.

40. Army Group Commanders are responsible for providing lateral liaison between the areas occupied by their Groups of Armies and between all subordinate echelons as required to maintain consistency of policy in local regulations and to facilitate administration. This will be provided in addition to the general co-ordination exercised by the Supreme Commander.

41. (*a*) The areas in which certain specific functions of German government operate will be found to differ from those laid down for Military Government Regions. Since acceptance of the German system would be contrary to the principle of Military Government and the policy of regional control, the German authorities will be ordered to conform all such functions, at the earliest possible date, to the Military District areas.

(*b*) The presence in their command of troops of another nationality will in no way relieve Army Group Commanders of the responsibility for Military Government in such areas as are occupied by such a force. Mil. Gov. Detachments operating in such areas will be of the nationality of the commander of the Group of Armies in whose area they operate except that French Military Government personnel may be employed in areas occupied by French Units.

(*c*) When US forces occupy areas which will eventually form part of the British Zone, the US commanders concerned will be fully responsible for Military Government. However, in the interests of continuity, British Military Government liaison officers will be introduced into those areas under command of the US Commanders concerned. These officers will have observer status unless the US Commander chooses to make them executive. Their primary task will be to familiarize themselves with the district in order that continuity may be obtained when the re-deployment of the forces occurs. The same will apply where British Forces occupy areas which will eventually form part of the US Zone.

(*d*) If French Forces occupy areas which will eventually form part of the US or British Zone, they will be responsible for Military Government within their area of occupation in accordance with the directives and policies issued by the Supreme Commander and by the appropriate Army Group. Military Government Staffs for these areas will be integrated on a US/FR or BR/FR basis.

42. A Military Government/G-5 technical channel of communications will operate between Supreme Headquarters and the Military Government Staffs and Detachments and may embrace the BR/US elements of the Control Commission/Council. From the outset, such functions as Finance, Economics and Legal will utilize this channel freely for technical guidance, etc. However, command channels will be employed on all matters which affect tactical operations or concern the security of Allied troops.

43. As military security permits, and in accordance with instructions to be issued by the responsible Military Commanders, technical policy and technical instructions on other Military Government functional matters will be communicated through such technical channels direct to regional or other administrative units of Military Government. The Military District Commander will be kept informed of all Military Government/G-5 technical instructions. He will suspend execution of any technical instruction only when in his judgment conditions within his District so require. Any such action will be reported to higher authority.

44. Any communication on matters of concern to Military Government which may issue from agencies of the central government (whether or not authorized by Mil. Gov. Officers at that level) to subordinate agencies in the Military Government Regions must be cleared by the subordinate agency with the Mil. Gov. Detachment responsible for the Region. Action on such matters will be taken by the subordinate civil agencies only on orders from a Regional Military Government Officer.

45. (*a*) The Military Government resources of a Military Commander will consist of:

(i) Appropriate Military Government/G-5 Staffs.

(ii) Mil. Gov. Detachments at Regional and subordinate centres of civil administration.

(*b*) It is contemplated that Mil. Gov. Staffs will be largely concerned with liaison duties and normal staff work incidental to the chain of command; and that Mil. Gov. Detachments will be the Military District Commander's executives on all matters concerning Military Government.

(*c*) Existing Civil Affairs Staffs of Formations/Units destined for Germany will not be disbanded but may be reduced, replaced or reinforced as required by Army Group Commanders.

(*d*) Personnel of Civil Affairs Staffs of Formations/Units, relieved of responsibility for the conduct of Civil Affairs or Military Government in Western Europe, may be transferred to new Formations/Units given such responsibility, or disbanded and employed to provide personnel for Military Government in Germany or for other purposes at discretion of Army Group Commanders.

(*e*) Supreme Headquarters will provide Army Group Commanders with trained cadres for ultimate employment as Mil. Gov. Detachments in Germany. These cadres will be comprised of officers who, during training, have studied particular localities in Germany.

(*f*) Military Government personnel will move into Germany under command of military formations. Army Group Commanders will be responsible for the movement and phasing of this personnel into Germany. During active military operations

Mil. Gov. Detachments will accompany the forward troops, so that they may take emergency measures for the control of the civil population. Deployment will take place on the orders of the Military Commander as troops enter an area to be occupied. Detachments may remain in their initially assigned area, and as forces to which they have been attached move on, replacements will be called forward by the formation Commander to join his forces as required. Detachments will always be under the command of the Commander of the formation operating in their areas. Army Group Commanders are responsible for the ultimate assignment of trained Mil. Gov. cadres to the areas in which they are specialized.

(*g*) These cadres will be augmented as and when possible by personnel withdrawn from Civil Affairs Detachments and Formation/Unit Staffs in liberated territories, up to the estimated requirements for operating Military Government control.

(*h*) All personnel withdrawn from Civil Affairs Detachments and Formation/Unit Staffs in liberated territories, as soon as they are reported surplus by Army Group, will be collected, US personnel in a US depot and British personnel in a British depot. These temporary depots will be set up at suitable locations in liberated territories. Here the personnel will be reorganized and reallotted to appointments on Mil. Gov. Staffs or Detachments in Germany.

(*i*) At a later stage Mil. Gov. Detachments may be further increased by personnel withdrawn from the combat forces if this appears necessary.

46. Military Government personnel when deployed will be administered by the nearest tactical unit. Personnel for local administration of Mil. Gov. Detachments will be provided by European Civil Affairs Division for the US Detachments, and for British Detachments will be found from the local administrative personnel in the Military Government groups allotted for the purpose.

47. Army Group Commanders will provide for the collection, preservation, classification and evaluation of all data of historical importance pertaining to the conduct of Military Government at all levels in their Army Group areas, and will make this material available to the Supreme Commander in a form from which a history of the Supreme Commander's Military Government in Germany may be prepared.

48. Army Group Commanders will provide for the collection and summarization of Mil. Gov. Detachment reports and other current information pertinent to operations of Military Government and for the distribution of such information, and other information requested, to the Supreme Commander and to Mil. Gov. Staffs and Detachments at all levels.

49. The provision of essential signals for the conduct of Military Government will be the responsibility of R. Signals/Signal Corps. However, Mil. Gov. Detachments will assist R. Signals/Signal Corps in obtaining the use of civil communications and will employ civilian nets whenever practicable.

50. OFFICIAL GAZETTE

(*a*) Military Government will publish the official text of all proclamations, ordinances, and other enactments of general interest to the German Public in an Official Gazette or Gazettes. Instructions regulating internal administration of Military Government will be distributed through channels and will not be published in the Gazette.

(*b*) Enactments within each class (other than notices and Regulations) shall be numbered serially for identification, or shall be given such other distinctive marking or means of designation as may be deemed appropriate for such purpose.

(*c*) Enactments shall be deemed to have been promulgated and, unless otherwise specified therein, to have become effective when approved by the issuing authority, or upon occupation, whichever is later. Such approval shall be indicated by the signature of the issuing authority thereon or by such other means as he shall deem appropriate.

(*d*) Where feasible, the effective date of an enactment will be stated thereon and in the Official Gazette. For the purpose of publication in the Gazette, the date of initial occupation shall be used for enactments becoming effective on occupation.

(*e*) Enactments as published will not include the signature of the issuing authority. They will be headed "Military Government—Germany," and will set forth the area to which applicable (*e.g.*, the Supreme Commander's area of control/Military Government Region, etc.). All enactments should be printed in Roman, *not* Gothic, type. The English text should be placed before the German.

(*f*) All enactments should be given the widest publicity feasible in the area in which applicable. During the initial stages, publication will be by posting printed copies as widely as practicable and/or by such other means as the Commanders responsible therefor deem appropriate.

51. In addition to publishing Military Government enactments in the Military Government Gazette, there will be included in the first or second issue thereof the following:

(*a*) Regulations of Military Government (in addition to proclamations, laws and ordinances) having general application, such as censorship regulations, general licenses under the Property Control and Foreign Exchange Control Laws, etc.

(*b*) Directions to German authorities, or institutions, having general application, such as directions to banks, stock exchanges, etc., the Supreme Headquarters price list, etc.

52. Thus, there will be collected in convenient and compact form a large part of the Military Government documents which form the basic frame-work of Military Government. There will, however, inevitably be some directions to German authorities which will not have been published in the Gazette, in addition to those not intended so to be, such as Directions to the Directors of Prisons, Directions to Presidents of *Oberlandesgerichte,* etc.

53. Before arrival at his post, the Mil. Gov. Officer should check against the Handbook and his other instructions to ensure that copies of all required Directions to German authorities are in his possession, either in the Military Government Gazette or by separate documents.

54. Upon arrival at his post, the Mil. Gov. Officer should deliver to the office of the *Bürgermeister* all such Directions by handing over copies of the Military Government Gazette and of separate Directions and directing their distribution to all German authorities concerned and their wide-spread publication. From and after such delivery to the office of the *Bürgermeister,* all German authorities and persons within such area will be charged with knowledge of such Directions and of the other contents of the Military Government Gazette. If the town or city is also the seat of some other civil administrative unit, such as a *Land* or *Provinz,* or of some other type of governmental or regulatory agency, such as an *Oberlandesgericht* or a branch of the *Reichsbank,* the *Bürgermeister* will be charged with the necessary distribution and delivery of Directions and Gazettes to the officials of such other units or agency.

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Chapter III

POLITICAL AND GENERAL

70. This chapter contains broad general policies of Military Government in Germany. Specific guidance with respect to many of the subjects mentioned in this chapter will be found in appropriate functional chapters of Part III.

CHARACTER OF MILITARY GOVERNMENT

71. During the period of the Supreme Commander's responsibility, the Military Government of Germany will be a military administration, and representatives of Allied civilian agencies will not participate except to the extent approved by the Supreme Commander. Military Government will control the civilian population so as best to facilitate and promote the success of military operations. The administration will be firm, but just.

72. The fact of German military defeat will be made clear to the German population. The objectives of Military Government as stated in Chapter I will also be made clear to the German population.

73. The administration of Military Government will be identical throughout the Supreme Commander's area of responsibility, subject to any special requirements due to local circumstances.

ADMINISTRATIVE STRUCTURE; REMOVAL AND APPOINTMENT OF OFFICIALS

74. After the removal of all active Nazis and ardent Nazi sympathizers, the civil administrative, judicial and law enforcement structure will be utilized to the fullest extent possible. Military Government will be effected, as a general principle, through indirect rule. The Supreme Commander will instruct all civilian officials to remain at their posts until further orders and to obey and enforce all orders of Military Government addressed to the German Government or the German people. This instruction is contained in Proclamation No. 1 of the Supreme Commander (Chap. IV. of this Part I).

75. The removal and replacement of governmental officials in accordance with the instructions set forth herein (except those whose dismissal is mandatory) will be a matter for the discretion of Army Group Commanders. The guiding principle is the removal of all active Nazis and ardent sympathizers and their replacement by non-Nazis. Reference is made to Chapter II of Part III of this Handbook for specific guidance.

No permanent appointment of Germans to posts involving the exercise of authority at Provincial levels or above and no permanent appointments of Germans to the position of *Regierungspräsident* will be made until approved by the Supreme Commander. Confirmation of permanent appointments to lower posts will be as directed by Army Group Commanders. It should be made clear to all governmental officials and employees that their continued employment is solely on the basis of satisfactory performance and behaviour. Ordinance No. 1 ("Crimes and Offences"—see Chapter IV, Part I) makes adequate provision for punishment in Military Government Courts of officials who do not fully co-operate.

76. The entire Nazi leadership will be removed from all posts of authority and no member of the German General Staff or of the Nazi Hierarchy should occupy any important government or civil position. Active Nazis or ardent Nazi sympathizers will not be employed and no exceptions will be made to this policy on grounds of administrative convenience or expediency. Army Group Commanders will also remove and exclude from office any officials who act, or who are deemed likely to act, contrary to Allied interests and principles.

77. Because of the desirability of using the German Governmental machinery to assist in accomplishing Military Government objectives, prompt action should be taken for the appointment of acceptable substitutes to important administrative posts vacated by the Nazis and other undesirable elements. If acceptable German officials cannot be found in time to prevent an administrative breakdown which would imperil the attainment of the objectives of Military Government, direct administration by Military Government personnel may be necessary as a temporary expediency.

LEGISLATION

78. Legislation necessary for the purposes of Military Government will be enacted. German legislation containing policies or doctrines of the NSDAP will be abolished. Subject to the foregoing, existing German laws will be recognized as continuing in effect in so far as they do not conflict with the policies or legislation of the Military Government.

79. Army Group Commanders will take all appropriate steps to enforce and carry out the proclamations, laws and ordinances to be enacted by the Supreme Commander. Army Group Commanders are authorized, when required, to enact Military Government legislation having applicability and effect within their areas of responsibility. All legislation to be enacted by Army Group Commanders will be submitted prior to promulgation to Supreme Headquarters for approval, except on unusual occasions when the military situation requires

emergency action to be taken, in which case a detailed report will be made.

80. Army Group Commanders will take steps as directed to prevent operation of all Nazi laws which discriminate on the basis of race, colour or creed, or political opinions, or against Allied subjects or their property, or impose disabilities or sentences on members of the Allied forces or informants or others rendering services to the Allied forces.

81. The initial Proclamation, laws and ordinances will be found in Chapter IV of Part I. Subsequent legislation provided by the Supreme Commander for enactment in his area of control will be added to Chapter IV from time to time.

COURTS

82. Military Government courts will be established to enforce legislation enacted by Military Government and to punish offences against the interests of the Allied forces and the United Nations. The criminal and civil court system of Germany, purged of Nazis and other undesirable persons, will be continued under Military Government supervision and control. Violation of German laws by Germans and foreigners, other than United Nations Nationals, will, therefore, normally be tried in German Courts, although they may be tried in Military Government courts when so directed.

83. With respect to German Courts it is a primary objective to eliminate all Nazis or other undesirable persons from the German judiciary and administration of justice.

84. On the commencement of occupation, all German courts, civil and criminal, will be closed, and will not be allowed to re-open until sufficient personnel have been found who can be relied upon to administer justice free from Nazi principles and doctrines. Subject to this restriction, arrangements will be made at the earliest moment for their re-opening and functioning under Military Government regulation, supervision and control. Courts will be opened for purely administrative functions at the discretion of Army Group Commanders.

85. Special courts associated with the Nazi regime, e.g. special Nazi Party Courts, including the People's Court and SS Police Courts, will be abolished.

86. As soon as practicable Military Government Courts will be established to maintain order and protect the interests of the Allied forces and of the United Nations.

87. All sentences of death or corporal punishment which have been imposed by German courts will be suspended, pending review by Military Government.

88. Displaced persons who are nationals of any of the United Nations will not, without the approval of Mil. Gov. officers, be tried in German courts. They may be tried in Military Government courts in accordance with applicable German laws (which have not been invalidated by Military Government) or in accordance with the laws of Military Government.

NAZI OFFICIALS, WAR CRIMINALS AND OTHER CRIMINALS

89. Adolf Hitler, his Chief Nazi and Fascist associates, their collaborators and all persons suspected of having committed war crimes, including those who appear on lists communicated to Army Group Commanders by Supreme Headquarters, will be arrested and held for investigation and subsequent disposition.

90. The heads of all ministries and other high political functionaries of the German Reich and those Germans who have held high positions in German-occupied countries will be interned and held pending further instructions.

91. Army Group Commanders will also detain any national of any of the United Nations who is alleged to have committed an offence against his national law relating to the conduct of the war. Such persons will be turned over to the appropriate national authority. They will also detain any other person whose name or designation appears on lists to be drawn up by the United Nations and communicated by Supreme Headquarters to Army Group Commanders.

DISSOLUTION OF THE NAZI PARTY

92. The Nazi Party will be dissolved throughout Germany as occupation progresses.

93. In furtherance of this object, Army Group Commanders will:

(*a*) Take possession of offices and records of all party organizations and make lists of them.

(*b*) Prevent activities of all Party organizations.

(*c*) Arrest and imprison high party officials.

(*d*) Take party property into custody.

(*e*) Seize and preserve all records and plans of the Nazi Party and of the Security, Criminal and Order Police, and records of Nazi economic organizations and industrial establishments.

Specific guidance with respect to dissolution of the Nazi Party is contained in Chapter II of Part III of this Handbook.

CIVIL ADMINISTRATION

94. The German state has been organized by the Nazis on a highly centralized basis. The economic and to a large extent the political life of the country has been directed from Berlin through direct channels which by-pass regional and local administration. However, it will be necessary for the Supreme Commander during his period of responsibility to conduct Military Government on a regional rather than a National basis. The imposition of a Military Government system based on the principle of complete Regional control represents a drastic change which will inevitably impair the efficiency of the German governmental system, and throw a very substantial burden on Regional Mil. Gov. Detachments. This is particularly true when it is remembered that Military Government, by its inherent power and authority, must be concerned with all aspects of the legislative, judicial, political and economic administration of the country. The Regional Military Government policy has been developed with the following possible conditions in mind:

(*a*) Conditions in Germany may be so chaotic in the initial period that centralized administration is impossible. The Military Government must be such that it can operate under the worst conditions possible, when no responsible or competent central authority is in existence.

(*b*) Germany will be occupied gradually, area by area. Consequently centralized administration will be impossible. Also it may not be possible to establish centralized controls in Berlin for some time.

(*c*) Since Military Government responsibility is placed on Military District Commanders they must be given equivalent authority over their areas. The Military District Commanders, when designated, must be kept informed of all Military Government/G–5 technical instructions which affect Military Government operations in their District. They will normally follow such instructions unless in their judgment local conditions otherwise require. They will not suspend the execution of any such instruction without reporting such action to higher authority.

(*d*) Control initially can be exercised more effectively from a regional rather than a national level.

95. Army Group Commanders will be responsible for ensuring that subordinate Military District Commanders provide for an efficient working of the Military Government organization provided for their Districts. They will supervise and coordinate Military Government policies inaugurated or carried out by such District Commanders.

96. Army Group Commanders will initiate the dissolution of the *Gau* as an institution for political control and seize and

safeguard its records. Organizations based upon the *Gau*, essential to military control, should be transferred to the Military District units of the general administration.

97. The *Wehrkreis* organization in Germany will not be used for Military Government.

98. All possible use will be made of the German Civil Service system, subject however, to the elimination of the Nazi Party and its influence, collaborators with it and other undesirable personnel.

PROPAGANDA AND POLITICAL ACTIVITY

99. Propagation of enemy doctrines and propaganda in any form will be prohibited.

100. Political activity of any kind will be prohibited except as expressly permitted by the Supreme Commander. Unless the Supreme Commander directs otherwise, it is desirable that neither political personalities nor organized political groups shall have any part in determining the policies of Military Government. It is essential to avoid any commitments to, or negotiations with, any political elements.

101. In the interests of military security and intelligence Army Group Commanders will institute censorship over and control of radio broadcasting, press, printing, publications and public entertainments and the dissemination of news and information. Reference is made to Appendix C (" Psychological Warfare and the Control of German Information Services ") for further details.

EDUCATION

102. Educational institutions will initially be closed and will be opened only when Nazism and German militarism have been eradicated from them.

LAW ENFORCEMENT

103. The civil law enforcement and prison systems will be purged of Nazism and other undesirable elements and will be controlled and utilized to the fullest extent necessary for the attainment of the objectives of Military Government.

104. The Order and Criminal police will be retained subject to the removal of Nazi or other undesirable elements. The Security Police, excluding the Criminal Police but including the Gestapo and *Sicherheitsdienst*, will be disarmed, disbanded, and placed under restraint. Their funds and records will be seized.

105. The police reconstituted and organized on a regional and local basis will be utilized for the maintenance of law and order.

POLITICAL PRISONERS

106. It is the policy of the Supreme Commander to release, subject to their own interests and to security requirements, all persons who have been deprived of their liberty because of their race, colour or creed or political opinions or acts antagonistic to the Nazi regime.

107. Army Group Commanders will review the cases of all persons held in prisons, concentration camps and other places of detention and, under appropriate restrictions, release all those improperly imprisoned or detained on political or other grounds. Concentration camps, as such, will be closed as early as possible and accommodation may be used for any other purposes.

UNITED NATIONS NATIONALS AND NEUTRAL CIVILIANS

108. It is the policy of the Supreme Commander to care for, control, and repatriate United Nations nationals and neutral civilians in occupied Germany.

109. German authorities will be required to provide maintenance for United Nations nationals and neutral civilians to the fullest extent possible.

110. All practical measures should be taken to ensure the health and welfare of United Nations nationals. They should not be allowed to disperse until plans are made for their employment or other disposition.

111. United Nations and neutral civilian internees (other than those of U.S. and British nationality) will be freed from confinement and placed in Assembly Centers for displaced persons, where they will be held under such military control or restriction as may be appropriate, pending other disposition. They should be offered voluntary employment where practicable. They should be registered and their presence communicated to their governments.

112. British and U.S. civilian internees will be treated as Allied P.W. and their presence communicated to G–1, Supreme Headquarters, or to the nearest PWX authorities.

113. Diplomatic and Consular Officials of neutral nations will be dealt with in accordance with instructions received from the Supreme Commander.

ENEMY NATIONALS

114. Enemy nationals will be identified and registered, and those whose freedom of movement might endanger the security of the Allied forces or are otherwise undesirable will be interned or their activities curtailed as may be necessary under the circumstances. "Enemy nationals" as used in this paragraph shall include nationals of all countries, other than Germany, with which any of the United Nations are at war.

115. Diplomatic and Consular Officials of countries at war with any of the United Nations will be dealt with in accordance with instructions to be issued by the Supreme Commander.

RECORDS AND ARCHIVES

116. It is the policy of the Supreme Commander to ensure the preservation from destruction, alteration or concealment of all German records, documents, plans or archives of value to the attainment of the objectives of Military Government.

117. Army Group Commanders will take such steps as are necessary to carry out the above policy. Supreme Headquarters will issue a List of Archives of Western Germany, containing classifications of records and archives of interest to Military Government and specific instructions for the guidance of military personnel in taking steps for their preservation.

118. Army Group Commanders will seize and hold records and archives of interest to Military Government in cases where they deem such action is necessary for their preservation or as they may be instructed by subsequent directives of Supreme Headquarters.

119. With respect to such of these records and archives as are not seized and held by them, Army Group Commanders will, in so far as the military situation permits, supervise their custody and preservation and will make provision for their availability to authorized persons where necessary for the continued functioning of organizations and agencies permitted to operate by Military Government.

120. Records and archives may be of greatest value in the location in which they were created. Therefore, unless required for military purposes or safe preservation no attempt should be made to remove them. When possible duplicates should be made for sending elsewhere.

121. Care should be used in handling of records and archives in order to avoid disorganizing them and possibly rendering them useless. Inventories, catalogues, indices, etc., should be preserved with the records to which they relate.

122. Army Group Commanders will take such steps as are consistent with military necessity to ensure that no unnecessary

or wanton damage is done to German records and archives by troops under their command. They will, at their discretion, place public buildings or other places containing records and archives of value to Military Government out-of-bounds/off limits to troops.

123. Army Group Commanders will require German authorities to give them any assistance they may need in connection with the discovery, seizure, custody, preservation, disposal or study of German records and archives. Full responsibility for the preservation of records and archives not seized and held by Army Group Commanders will be placed on German authorities.

124. Army Group Commanders will ensure that responsibility for the preservation of records and archives is placed on all Military Commanders. Military Government and Intelligence Officers will extend full co-operation and assistance to each other with respect to preservation of records and archives in which each is primarily interested.

Chapter IV

PROCLAMATION, LAWS AND ORDINANCES FOR THE SUPREME COMMANDER'S AREA OF CONTROL

145. The proclamation, laws and ordinances included herein will be promulgated by Military Commanders upon occupation of any area. Subsequent legislation provided by the Supreme Commander for enactment in his area of control will be added to this Chapter from time to time.

SCHEDULE OF LEGISLATION

Title	*Serial No.*	*Subject*	*Directions regarding Publication*
Proclamation	1	Establishment of Military Government	On commencement of occupation
Law ..	1	Abrogation of Nazi Law	,,
	2	German Courts ..	,,
	4	Military Government Gazette—Germany ..	,,
	5	Dissolution of Nazi Party	,,
	6	Dispensation by Act of Military Government with Necessity of Compliance with German Law	,,
	51	Currency	,,
	52	Blocking and Control of Property	,,
	53	Foreign exchange control	,,
	76	Posts, Telegraphs, Telephones and Radio ..	,,
	77	Suspension of Certain Organizations and Offices Concerned with Labour	,,
	161	Frontier Control ..	,,
Ordinance ..	1	Crimes and Offences ..	,,
	2	Military Government Courts	,,
	3	Official Language ..	,,
Notices ..		Surrender of Arms, etc.	As required
		Declaration of Radio Equipment, etc. ..	,,
		Curfew	,,
		Prohibition of Access ..	,,
		Travel Restrictions ..	,,

MILITARY GOVERNMENT—GERMANY
SUPREME COMMANDER'S AREA OF CONTROL

Proclamation No. 1

To the People of Germany :—

I, General Dwight D. Eisenhower, Supreme Commander, Allied Expeditionary Force, do hereby proclaim as follows :—

I

The Allied Forces serving under my Command have now entered Germany. We come as conquerors, but not as oppressors. In the area of Germany occupied by the forces under my command, we shall obliterate Nazism and German Militarism. We shall overthrow the Nazi rule, dissolve the Nazi Party and abolish the cruel, oppressive and discriminatory laws and institutions which the Party has created. We shall eradicate that German Militarism which has so often disrupted the peace of the world. Military and Party leaders, the Gestapo and others suspected of crimes and atrocities, will be tried, and, if guilty, punished as they deserve.

II

Supreme legislative, judicial and executive authority and powers within the occupied territory are vested in me as Supreme Commander of the Allied Forces and as Military Governor, and the Military Government is established to exercise these powers under my direction. All persons in the occupied territory will obey immediately and without question all the enactments and orders of the Military Government. Military Government Courts will be established for the punishment of offenders. Resistance to the Allied Forces will be ruthlessly stamped out. Other serious offences will be dealt with severely.

III

All German courts and educational institutions within the occupied territory are suspended. The Volksgerichtshof, the Sondergerichte, the SS Police Courts and other special courts are deprived of authority throughout the occupied territory. Re-opening of the criminal and civil courts and educational institutions will be authorized when conditions permit.

IV

All officials are charged with the duty of remaining at their posts until further orders, and obeying and enforcing all orders or directions of Military Government or the Allied Authorities addressed to the German Government or the German people. This applies also to officials, employees and workers of all public undertakings and utilities and to all other persons engaged in essential work.

DWIGHT D. EISENHOWER,
General,
Supreme Commander,
Allied Expeditionary Force.

MILITARY GOVERNMENT—GERMANY

SUPREME COMMANDER'S AREA OF CONTROL

Law No. 1

ABROGATION OF NAZI LAW

In order to eliminate from German law and administration within the occupied territory the policies and doctrines of the National Socialist Party, and to restore to the German people the rule of justice and equality before the law, it is hereby ordered :—

ARTICLE I

1. The following fundamental Nazi laws enacted since 30th January, 1933, together with all supplementary or subsidiary carrying out laws, decrees or regulations whatsoever are hereby deprived of effect within the occupied territory.

(*a*) Law for Protection of National Symbols, of 19th May, 1933, RGBl I/285.

(*b*) Law against the creation of Political Parties of 14th July, 1933, RGBl, I/479.

(*c*) Law for securing the unity of Party and State of 1st December, 1933, RGBl I/1016.

(*d*) Law concerning insidious attacks against the State and the Party and for the Protection of Party Uniform of 20th December, 1934, RGBl I/1269.

(*e*) Reich Flag Law of 15th September, 1935, RGBl I/1145.

(*f*) Hitler Youth Law of 1st December, 1936, RGBl I/993.

(*g*) Law for protection of German Blood and Honor of 15th September, 1935, RGBl I/1146.

(*h*) Decree of the Führer concerning the Legal status of the NSDAP of 12th December, 1942, RGBl I/733.

(*i*) Reich Citizenship Law of 15th September, 1935, RGBl I/1146.

2. Additional Nazi laws are and will be deprived of effect by Military Government for the purpose stated in the preamble.

ARTICLE II

General Suspending Clause

3. No German law, however or whenever enacted or enunciated, shall be applied judicially or administratively within the occupied territory in any instance where such application would cause injustice or inequality, either (*a*) by favouring

any person because of his connection with the National Socialist Party, its formations or affiliated or supervised organizations, or (*b*) by discriminating against any person by reason of his race, nationality, religious beliefs or opposition to the National Socialist Party or its doctrines.

ARTICLE III

General Interpretation Clauses

4. The interpretation and application of German law in accordance with National Socialist doctrines, however or whenever enunciated, are prohibited.

5. Decisions of German courts and official agencies and officials and legal writings supporting, expounding or applying National Socialist objectives or doctrines shall not be referred to or followed as authority for the interpretation or application of German law.

6. German law which became effective after 30th January, 1933, and is permitted to remain in force shall be interpreted and applied in accordance with the plain meaning of the text and without regard to objectives or meanings ascribed in preambles or other pronouncements.

ARTICLE IV

Limitations on Punishment

7. No charge shall be preferred, no sentence imposed or punishment inflicted for an act, unless such act is expressly made punishable by law in force at the time of its commission. Punishment for offences determined by analogy or in accordance with the alleged " sound instincts of the people " (gesundes Volksempfinden) is prohibited.

8. No cruel or excessive punishment shall be inflicted and the death penalty is abolished except for acts punishable by death under law in force prior to 30th January, 1933, or promulgated by or with the consent of Military Government.

9. The detention of any person not charged with a specific offence and the punishment of any person without lawful trial and conviction are prohibited.

10. All punishments imposed prior to the effective date of this law of a character prohibited by this law and not yet carried out shall be modified to conform to this law, or annulled.

ARTICLE V

Penalties

11. Violation of the provisions of this law shall, upon conviction by a Military Government Court, be punishable by any lawful punishment, including, in the case of Article IV, the death penalty.

ARTICLE VI

Effective Date

12. This law shall become effective upon the date of its first promulgation.

BY ORDER OF MILITARY GOVERNMENT.

MILITARY GOVERNMENT—GERMANY
SUPREME COMMANDER'S AREA OF CONTROL

Law No. 2

GERMAN COURTS

It is hereby ordered :

ARTICLE I

Temporary Suspension of Ordinary and Administrative Courts

1. The following German Courts and Tribunals are hereby suspended and deprived of authority in the occupied territory until authorized to re-open.

(*a*) The Oberlandesgerichte, and all courts over which said courts exercise appellate or supervisory jurisdiction ;

(*b*) All subordinate courts over which the Reichverwaltungsgericht exercises appellate or supervisory jurisdiction ;

(*c*) All other courts not dissolved under Article II.

2. The Reichsgericht and the Reichsverwaltungsgericht have until further notice no authority over any court or otherwise in the occupied territory.

3. Every decision, judgment, writ, order or direction issued by any such court or tribunal after the effective date of this law and during the period of suspension shall, within the occupied territory, be null and void.

ARTICLE II

Dissolution of Special and Party Courts and Tribunals

4. The jurisdiction and authority of the following courts and tribunals in the occupied territory are hereby abolished :—

(*a*) The Volksgerichtshof ;

(*b*) The Sondergerichte ;

(*c*) All courts and tribunals of the NSDAP and of its organizations, formations and connected associations.

ARTICLE III

Authority for Re-opening Ordinary Civil and Criminal Courts

5. Each Oberlandesgericht, Landgericht, and Amtsgericht within the occupied territory shall re-open and resume its usual functions only when and to the extent specified in written directions of Military Government.

6. Unless otherwise provided in such written directions, said courts, when re-opened, shall give priority to the trial and disposition of the following classes of cases in the order named :—

(*a*) Criminal cases initiated during the period between the effective date of this law and the re-opening of the court ;

(*b*) Criminal cases initiated before the effective date of this law ;

(*c*) Criminal cases initiated after the re-opening of the court ;

(*d*) Contentious and non-contentious civil cases initiated prior or subsequent to re-opening of the court involving :—

(1) domestic relations,
(2) personal status,
(3) claims in tort involving life, liberty or personal physical injuries, but excluding defamation,
(4) other claims in tort and other civil cases involving not exceeding Five Hundred Marks (RM 500),
(5) other civil cases.

ARTICLE IV

Re-opening of Administrative and Other Courts Temporarily Suspended

7. Each such court shall re-open and resume its usual functions only when and to the extent specified in written directions of Military Government.

ARTICLE V

Qualifications of Judges, Prosecutors, Notaries and Lawyers

8. No person shall be qualified to act as judge, prosecutor, notary or lawyer until he shall have taken an oath in the following form :—

" Oath

I swear by Almighty God that I will at all times apply and administer the law without fear or favour and with justice and equity to all persons of whatever creed, race, colour or political

opinion they may be, that I will obey the laws of Germany and all enactments of the Military Government in spirit as well as in letter, and will constantly endeavour to establish equal justice under the law for all persons. So help me God."

Every person who takes the foregoing oath is no longer bound by obligations of any oath of office previously subscribed by him.

9. No person shall act as judge, prosecutor, notary, or lawyer without the consent of Military Government.

ARTICLE VI

Limitations on Jurisdiction

10. Except when expressly authorized by Military Government, no German Court within the occupied territory shall assert or exercise jurisdiction in the following classes of cases :—

(*a*) Cases involving the Navy, Army or Air Forces of any of the United Nations or any persons serving with or accompanying any thereof ;

(*b*) Cases against any of the United Nations or any national of the United Nations ;

(*c*) Cases arising under any German law suspended or abrogated by Military Government ;

(*d*) Cases involving offences against any order of the Allied Forces, or any enactment of Military Government, or involving the construction or validity of any such order or enactment ;

(*e*) Any case over which jurisdiction has been assumed by a Military Government Court ;

(*f*) Any case or class of cases transferred by Military Government to the exclusive jurisdiction of Military Government Courts ;

(*g*) Cases involving claims for money against the German government or any legal entity existing under public law.

11. Any proceedings taken or decision rendered after the date hereof by a German Court in any cases excluded from its jurisdiction shall be null and void.

ARTICLE VII

Powers of Military Government

12. The following powers of control and supervision are without prejudice to the subsequent exercise of any additional or other powers, vested in the Military Government :—

(*a*) To dismiss or suspend any German judge, Staatsanwalt or other court official; and to disbar from practice any notary or lawyer;

(*b*) To supervise the proceedings of any court, to attend the hearing of any case, whether in public or in camera, and to have full access to all files and records of the court and documents in the cases;

(*c*) To review administratively all decisions of German trial and appellate courts and to nullify, suspend, commute or otherwise modify any finding, sentence or judgment rendered by any such court;

(*d*) To transfer to the jurisdiction of the Military Government Courts any case or class of cases;

(*e*) To control or supervise the administration, budgets and personnel of all German courts authorized to function.

13. No sentence of death shall be carried out without the consent of Military Government.

14. No member of the Allied Forces nor any employee, of whatever nationality, of the Military Government, shall be required or permitted to testify in any German court without the consent of the Military Government.

ARTICLE VIII

Limitation and Prescription

15. In any case in which delay in the assertion of any right by suit or action in a German Court has the effect of rendering claims unenforceable or of extinguishing substantive rights, the period during which the bringing of such suit or action is prevented by the suspension of German courts or the limitations imposed by this Law shall be excluded in determining the applicable period of limitation or prescription.

ARTICLE IX

Penalties

16. Any person violating any of the provisions of this Law shall, upon conviction by a Military Government Court, be liable to any lawful punishment, including death, as such court may determine.

ARTICLE X

Effective Date

17. This Law shall become effective upon the date of its first promulgation.

BY ORDER OF MILITARY GOVERNMENT.

MILITARY GOVERNMENT—GERMANY
SUPREME COMMANDER'S AREA OF CONTROL

Law No. 4

MILITARY GOVERNMENT GAZETTE GERMANY

In order to provide for notice to the people of occupied territory of Germany of the measures adopted by the Supreme Commander, Allied Expeditionary Force, and by the Military Government, Germany, it is hereby ordered as follows:

ARTICLE I

Establishment of the Gazettes

1. A publication known as the "Military Government Gazette, Germany," shall be published from time to time in each area of Germany occupied by Groups of Armies under the Command of the Supreme Commander, Allied Expeditionary Force, and there may be published therein all Proclamations, Laws, Ordinances, Notices, and other regulations to the people of the occupied territory of Germany issued from time to time by the Military Government. Each such gazette shall specify by a sub-title the area to which it relates.

2. Ordinances, Notices, and other regulations issued by Military Government Headquarters in States, Provinces, or other political sub-divisions of occupied territory and effective only within the boundaries thereof may be published in Gazettes, similarly entitled, with the addition of a sub-title indicating the political sub-division to which it pertains.

ARTICLE II

Effect of Publication

3. A copy of a Military Government Gazette shall, when produced, be evidence in all courts and for all purposes of the due making and tenor of any Proclamation, Law, Ordinance, Notice, or other regulation published therein.

4. All persons in occupied territory, and in any political sub-division thereof to which a Military Government Gazette purports to pertain, shall be deemed to have notice of the documents therein published.

5. In case of any discrepancy between the English text of a Military Government Gazette and the German translation hereof as published, the English text shall prevail.

6. Nothing herein affects the validity or effectiveness of any order or direction issued by, or under the authority of, the Military Government, published or posted otherwise than as herein prescribed.

BY ORDER OF MILITARY GOVERNMENT.

MILITARY GOVERNMENT—GERMANY
SUPREME COMMANDER'S AREA OF CONTROL

Law No. 5

DISSOLUTION OF NAZI PARTY

In order to end the regime of lawlessness, terror, and inhumanity established by the Nazi Party within the occupied territory, it is hereby ordered:

1. To the full extent of their operation in the occupied territory, the National Socialist German Labour Party, and the offices, organizations and institutions listed below are dissolved and declared illegal, all Party activities and the activities of the following offices, organizations and institutions, except as mentioned in Paragraph 5, are prohibited:

(1) Partei-Kanzlei.
(2) Kanzlei des Führers der NSDAP.
(3) Auslandsorganisation.
(4) Volksbund für das Deutschtum im Ausland.
(5) Volksdeutschmittelstelle.
(6) Parteiamtliche Prüfungskommission zum Schutze des NS Schrifttums.
(7) Reichsorganisationsleiter der NSDAP.
(8) Reichsschatzmeister der NSDAP.
(9) Beauftragter des Führers für die Überwachung der gesamten geistigen und weltanschaulichen Schulung und Erziehung der NSDAP.
(10) Reichspropagandaleiter der NSDAP.
(11) Reichsleiter für die Presse, and Zentralverlag der NSDAP (Eher Verlag).
(12) Reichspressechef der NSDAP.
(13) Reichsamt für das Landvolk.
(14) Hauptamt für Volksgesundheit.
(15) Hauptamt für Erzieher.
(16) Hauptamt für Kommunalpolitik.
(17) Hauptamt für Beamte.
(18) Beauftragter der NSDAP für alle Volkstumsfragen.
(19) Rassenpolitisches Amt der NSDAP.

(20) Amt für Sippenforschung.
(21) Kolonialpolitisches Amt der NSDAP.
(22) Aussenpolitisches Amt der NSDAP.
(23) Reichstagsfraktion der NSDAP.
(24) Reichsfrauenführung.
(25) NSD-Aerztebund.
(26) Hauptamt für Technik.
(27) NS-Bund Deutscher Technik.
(28) NS-Lehrerbund.
(29) Reichsbund der Deutschen Beamten.
(30) Reichskolonialbund.
(31) NS-Frauenschaft.
(32) NS-Reichsbund Deutscher Schwestern.
(33) Deutsches Frauenwerk.
(34) Reichsstudentenführung.
(35) NSD-Studentenbund.
(36) Deutsche Studentenschaft.
(37) NSD-Dozentenbund.
(38) NS-Rechtswahrerbund.
(39) NS-Altherrenbund der Deutschen Studenten.
(40) Reichsbund Deutsche Familie.
(41) Deutsche Arbeitsfront.
(42) NS-Reichsbund für Leibesübungen.
(43) NS-Reichskriegerbund.
(44) Reichskulturkammer.
(45) Deutscher Gemeindetag.
(46) Geheime Staatspolizei.
(47) Deutsche Jägerschaft.
(48) Sachverständigenbeirat für Bevölkerungs und Rassenpolitik.
(49) Reichsausschuss zum Schutze des Deutschen Blutes.
(50) Winterhilfswerk.
(51) Hauptamt für Kriegsopfer.
(52) NSKOV (NS-Kriegsopferversorgung).

2. The para-military organizations listed below, all offices, recruiting and training establishments and all depots connected therewith will in due course be dissolved. Orders regarding the personnel and equipment thereof will be issued by the Allied Military authorities. Until receipt of such orders, all embodied officers and personnel will remain at their posts in the organization. No further recruiting is permitted.

(1) SA (Sturmabteilungen), including the SA-Wehrmannschaften.

(2) SS (Schutzstaffeln), including the Waffen-SS, the SD (Sicherheitsdienst) and all offices combining command over the police and the SS.

(3) NSKK (NS-Kraftfahrkorps).

(4) NSFK (NS-Fliegerkorps).

(5) HJ (Hitler Jugend), including its subsidiary organizations.

(6) RAD (Reichsarbeitsdienst).

(7) OT (Organization Todt).

(8) TENO (Technische Nothilfe).

3. All offices of the NS-Volkswohlfahrt in the occupied territory will be closed. Its welfare activities will, subject to further direction by Military Government, be carried on by the Bürgermeister.

4. All activities by any organization dissolved or suspended by the Military Government or their officers or members and any acts tending to continue or renew such activities under any form are prohibited.

5. All funds, property, equipment, accounts and records of any organization mentioned in this Law shall be preserved intact and shall be delivered or transferred as required by Military Government. Pending delivery or transfer, all property, accounts and records shall be subject to inspection. Officers and others in charge thereof and administrative officials will remain at their posts, until otherwise directed, and will be responsible to the Military Government for taking all steps to preserve intact and undamaged all such funds, property, equipment, accounts and records and for complying with the orders of Military Government regarding blocking and control of property.

6. Any person violating any provision of this law shall upon conviction by a Military Government Court be liable to any lawful punishment, including death, as the Court may determine.

7. This law shall become effective upon the date of its first promulgation.

BY ORDER OF MILITARY GOVERNMENT.

MILITARY GOVERNMENT—GERMANY
SUPREME COMMANDER'S AREA OF CONTROL

Law No. 6

DISPENSATION BY ACT OF MILITARY GOVERNMENT WITH NECESSITY OF COMPLIANCE WITH GERMAN LAW

1. Except as otherwise provided by Military Government:

(*a*) When under German law any action, omission or matter requires for its legality or effectiveness, authorization or

approval by a specified authority or in a specified manner, such as, for example, an appointment or removal from an office, public or private, a license to carry on a profession, trade, business or other activity, or to do or omit any act, or the authorization of an official act by some higher official or authority, then and in all such cases authorization or approval of, or in a manner approved by, Military Government shall be sufficient for all purposes ;

(*b*) Application for any authorization or approval shall be made, however, in the first instance to the authority, if available, and in the manner, specified under German law to the extent not suspended or abrogated by Military Government.

2. Any person acting in contravention of the foregoing shall, upon conviction thereof by a Military Government Court, be liable to any lawful punishment, not including death, as the Court may determine.

3. This Law shall become effective upon the date of its first promulgation.

BY ORDER OF MILITARY GOVERNMENT.

MILITARY GOVERNMENT—GERMANY
SUPREME COMMANDER'S AREA OF CONTROL

Law No. 51
CURRENCY

ARTICLE I
Allied Military Marks

1. Allied Military Mark Notes of the denominations specified in the Schedule hereto shall be legal tender in the occupied territory of Germany for the payment of any Mark debt.

2. Allied Military Mark Notes will in all respects be equivalent to any other legal tender Mark currency of the same face value.

3. No person shall discriminate between Allied Military Marks and any other legal tender Mark currency of equal face value.

ARTICLE II
Prohibited Transactions

4. Except as authorized by Military Government, no person shall make or enter, or offer to enter, into any arrangement or transaction providing for payment in or delivery of a currency other than Marks.

ARTICLE III
Penalties

5. Any person violating any provision of this Law shall, upon conviction by a Military Government Court, be liable to any lawful punishment, other than death, as the Court may determine.

ARTICLE IV
Effective Date

6. This Law shall become effective upon the date of its first promulgation.

BY ORDER OF MILITARY GOVERNMENT.

Schedule

Denominations of Allied Military Mark Notes (Marks)	*Size (in cm.)*	*Words and Figures indicating amount are printed in*
0·50	6·7 × 7·8	Green
1	6·7 × 7·8	Dark Blue
5	6·7 × 7·8	Reddish Purple
10	6·7 × 11·2	Dark Blue
20	6·7 × 15·6	Red
50	6·7 × 15·6	Dark Blue
100	6·7 × 15·6	Reddish Purple
1,000	6·7 × 15·6	Green

On the face of all notes are printed :

(*a*) The amount in words—thus : Fünfzig Pfennig, Eine Mark, etc. Also the amount in figures—thus : ½ (on the Pf.50 note), 1 (on the M.1 note), etc.

(*b*) The words " Alliierte Militärbehörde " at the top of the note.

(*c*) The words " In Umlauf gesetzt in Deutschland," " Serie 1944 ", and the serial number of the note. On the notes for M.20, 50, 100 and 1,000, all of these appear twice.

The basic colour of the field on the face of all the notes is light blue ; on the back it is reddish brown.

MILITARY GOVERNMENT—GERMANY
SUPREME COMMANDER'S AREA OF CONTROL

Law No. 52
BLOCKING AND CONTROL OF PROPERTY

ARTICLE I
Categories of Property

1. All property within the occupied territory owned or controlled, directly or indirectly, in whole or in part, by any of the following is hereby declared to be subject to seizure of possession or title, direction, management, supervision or otherwise being taken into control by Military Government :

(*a*) The German Reich, or any of the Länder, Gaue, or Provinces, or other similar political subdivision, or any agency or instrumentality thereof, including all utilities, undertakings, public corporations or monopolies under the control of any of the above ;

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(*b*) Governments, nationals or residents of other nations, including those of territories occupied by them, at war with any of the United Nations at any time since 1st September, 1939 ;

(*c*) The NSDAP, all offices, departments, agencies and organizations forming part of, attached to, or controlled by it, its officials and such of its leading members or supporters specified by Military Government ;

(*d*) All persons held under detention or any type of custody by Military Government ;

(*e*) All organizations, clubs or other associations prohibited or dissolved by Military Government ;

(*f*) Absent owners, including United Nations governments and nationals thereof ;

(*g*) All other persons specified by Military Government by inclusion in lists or otherwise.

2. Property which has been the subject of duress, wrongful acts of confiscation, dispossession or spoliation from territories outside Germany, whether pursuant to legislation or by procedures purporting to follow forms of law or otherwise, is hereby declared to be equally subject to seizure of possession or title, direction, management, supervision or otherwise being taken into control by Military Government.

ARTICLE II

Prohibited Transactions

3. Except as hereinafter provided, or when licensed or otherwise authorized or directed by Military Government, no person shall import, acquire or receive, deal in, sell, lease, transfer, export, hypothecate or otherwise dispose of, destroy or surrender possession, custody or control of any property :—

(*a*) Enumerated in Article I hereof ;

(*b*) Owned or controlled by any Kreis, municipality, or other similar political subdivision ;

(*c*) Owned or controlled by any institution dedicated to public worship, charity, education, the arts and sciences ;

(*d*) Which is a work of art or cultural material of value or importance, regardless of the ownership or control thereof.

ARTICLE III

Responsibilities for Property

4. All custodians, curators, officials, or other persons having possession, custody or control of property enumerated in Articles I and II hereof are required :—

(*a*) (i) To hold the same, subject to the directions of the Military Government, and pending such direction not to transfer, deliver or otherwise dispose of the same ;

(ii) To preserve, maintain and safeguard and not to cause or permit any action which will impair the value or utility of such property ;

(iii) To maintain accurate records and accounts with respect thereof and the income thereof.

(*b*) When and as directed by Military Government :—

(i) To file reports furnishing such data as may be required with respect to such property and all receipts and expenditures received or made in connection therewith ;

(ii) To transfer and deliver custody, possession or control of such property and all books, records and accounts relating thereto ; and

(iii) To account for the property and all income and products thereof.

5. No person shall do, cause, or permit to be done any act of commission or omission which results in damage to or concealment of any of the properties covered by this law.

ARTICLE IV

Operation of Business Enterprises and Government Property

6. Unless otherwise directed and subject to such further limitation as may be imposed by Military Government :—

(*a*) Any business enterprise subject to control under this law may engage in all transactions ordinarily incidental to the normal conduct of its business activities within occupied Germany provided that such business enterprise shall not engage in any transaction which, directly or indirectly, substantially diminishes or imperils the assets of such enterprise or otherwise prejudicially affects its financial position and provided further that this does not authorize any transaction which is prohibited for any reason other than the issuance of this law ;

(*b*) Property described in Article I 1 (*a*) shall be used for its normal purposes.

ARTICLE V

Void Transfers

7. Any prohibited transaction without a duly issued license or authorization from Military Government and any transfer, contract or arrangement made, whether before or after the date of this law, with the intent to defeat or evade the powers or objects of Military Government or the restitution of any property to its rightful owner, is null and void.

ARTICLE VI

Conflicting Laws

8. In case of any inconsistency between this law and any order made under it and any German law the former prevail. All laws, decrees and regulations providing for the seizure, confiscation or forced purchase of property enumerated in Articles I and II, otherwise than by the Military Government, are hereby suspended.

ARTICLE VII

Definitions

9. For the purposes of this Law, the following terms are defined :—

(*a*) " Person " shall mean and include any natural person, collective persons and any entity under public or private

law having legal capacity to acquire, occupy, control or dispose of property or interests therein ;

(*b*) " Business Enterprise " shall mean any individual, partnership, association, corporation or other organization engaged in commercial or other business or public welfare activities ;

(*c*) " Property " shall mean and include all moveable and immoveable property and all legal, equitable or economic rights and interests in or claims to such property whether present or future, and shall include, but shall not be limited to, land and buildings, money, stocks, shares, patent rights or licenses thereunder, or other evidences of ownership, and bonds, bank balances, claims, obligations and other evidences of indebtedness, and works of art and other cultural materials ;

(*d*) A " national " of a state or government shall mean and include a subject or citizen and any partnership, corporation, or other juridical person existing under the laws of or having a principal office in the territory of such state or government ;

(*e*) " Germany " shall mean the area constituting " Das Deutsche Reich " as on 31st December, 1937.

ARTICLE VIII

Penalties

10. Any person violating any of the provisions of this law shall, upon conviction by a Military Government Court, be liable to any lawful punishment the Court may determine.

ARTICLE IX

Effective Date

11. This Law shall become effective upon the date of its first promulgation.

BY ORDER OF MILITARY GOVERNMENT.

MILITARY GOVERNMENT—GERMANY
SUPREME COMMANDER'S AREA OF CONTROL

Law No. 53
FOREIGN EXCHANGE CONTROL

ARTICLE I

Prohibited Transactions

1. Except as duly licensed by or on instructions of Military Government, any transaction involving or with respect to any of the following is prohibited :

(*a*) Any foreign exchange assets owned or controlled directly or indirectly, in whole or in part, by any person in Germany;

(*b*) Any property located in Germany owned or controlled directly or indirectly, in whole or in part, by any person outside Germany.

2. Any transaction with respect to or involving any of the following is also prohibited, except as duly licensed by or on instructions of Military Government:

(*a*) Property wherever situated if the transaction is between or involves any person in Germany and any person outside Germany;

(*b*) Any obligation of payment or performance, whether matured or not, due or owing to any person outside Germany by any person in Germany;

(*c*) The importing or otherwise bringing into Germany of any foreign exchange assets, German currency, or securities issued by persons in Germany and expressed or payable in German currency;

(*d*) The exporting, remitting, or other removal of any property from Germany.

3. All existing licenses and exemptions issued by any German Authority authorizing any of the aforesaid transactions are cancelled.

ARTICLE II

Declaration of Property and Obligations

4. Within thirty (30) days of the effective date of this law, unless otherwise ordered, any person owning or controlling directly or indirectly, in whole or in part, any foreign exchange asset, or owing any obligation of payment or performance, whether matured or not, to a person outside Germany, shall file with the nearest branch of the Reichsbank, or other institution designated by Military Government, a written declaration of such assets or obligations in such form and manner as will be prescribed by Military Government.

ARTICLE III

Delivery of Property

5. Within fifteen (15) days of the effective date of this law, all of the following classes of property shall be delivered, against receipt therefor, by the owner, holder or other person in possession, custody or control thereof, to the nearest branch of the Reichsbank, or as otherwise directed:

(*a*) Currency, other than German currency;

(*b*) Checks, drafts, bills of exchange and other instruments of payment drawn on or issued by persons outside Germany;

(*c*) Securities and other evidence of ownership or indebtedness issued by:

(1) Persons outside Germany; or

(2) Persons in Germany if expressed in a currency other than German currency;

(*d*) Gold or silver coin, gold, silver or platinum bullion or alloys thereof in bullion form.

6. Any person owning or controlling directly or indirectly, in whole or in part, any other type of foreign exchange asset shall, when ordered by Military Government, deliver, against receipt, the possession, custody or control of such asset to the nearest branch of the Reichsbank, or as otherwise directed.

7. Any property referred to in this Article which hereafter comes into the possession, ownership or control of any person subject to this law, shall, within 3 days thereof, be delivered by such person in the same manner as provided in this Article.

ARTICLE IV

8. Applications for licenses to engage in transactions prohibited by this law, or any request in relation to the operation of this law, shall be submitted in accordance with such regulations as may be issued at a future date by Military Government.

ARTICLE V

Void Transfers

9. Any prohibited transactions effected and any transfers, contracts or other arrangements made, whether before or after the date of this law, with the intent to defeat or evade the powers or objects of Military Government, are null and void.

ARTICLE VI

Conflicting Law

10. In case of any inconsistency between this law and any orders made under it and any German law, the former prevails.

ARTICLE VII

Definitions

11. For the purposes of this law:

(*a*) The term "person" shall include any natural person or collective persons and any juridical person or entity under public or private law having legal capacity to acquire, use, control or dispose of property or interests therein;

and any government, including all political sub-divisions, public corporations, agencies and instrumentalities thereof ;

(*b*) The term " transaction " shall include acquiring, importing, borrowing or receiving with or without consideration, remitting, selling, leasing, transferring, removing, exporting, hypothecating, pledging or otherwise disposing of ; paying, repaying, lending, guaranteeing or otherwise dealing in any property mentioned in this law ;

(*c*) The term " property " shall include all movable and immovable property and all legal, equitable, or economic rights and interests in or claims to such property, whether matured or not, and shall include but shall not be limited to land and buildings ; money, bank balances, checks, drafts, bills of exchange and other instruments of payment ; stock, shares, patent rights or licenses thereunder, and other evidences of ownership ; claims, bonds, debentures and other evidences of indebtedness ;

(*d*) The term " foreign exchange asset " shall be deemed to include :

(1) Any property located outside Germany ;

(2) Currency (other than German currency) ; bank balances outside Germany, and checks, drafts, bills of exchange and other instruments of payment drawn on or issued by persons outside Germany ;

(3) Claims and any evidence thereof owned or held by :

(*a*) Any person in Germany against a person outside Germany whether expressed in German or other currency ;

(*b*) Any person in Germany against any other person in Germany if expressed in a currency other than German currency ;

(*c*) Any person outside Germany against another person outside Germany in which claim a person in Germany has any interest ;

(4) Any securities and other evidences of ownership or indebtedness issued by persons outside Germany, and securities issued by persons in Germany if expressed or payable in a currency other than German currency ;

(5) Gold or silver coin, or gold, silver or platinum bullion or alloys thereof in bullion form, no matter where located ;

(6) Such other property as is determined by Military Government to be a foreign exchange asset ;

(*e*) A juridical person shall be deemed to be in the country by or under the laws of which such person was created, or carries on business, or in which such person has a principal place of business ;

(*f*) Property shall be deemed to be " owned or controlled " by any person if such property is held in his name or for his account or benefit, or owed to him or to his nominee or agent, or if such person has a right or obligation to purchase, receive or acquire such property ;

(*g*) The term " Germany " shall mean the area constituting " Das Deutsche Reich " as it existed on 31st December, 1937.

ARTICLE VIII
Penalties

12. Any person violating the provisions of this law shall upon conviction by Military Government Court be liable to any lawful punishment other than death as the Court may determine.

ARTICLE IX
Effective Date

13. This law shall become effective upon the date of its first promulgation.

BY ORDER OF MILITARY GOVERNMENT.

MILITARY GOVERNMENT—GERMANY
SUPREME COMMANDER'S AREA OF CONTROL

Law No. 76

POST, TELEPHONES, TELEGRAPHS AND RADIO

ARTICLE I

Public Means of Communication

1. Until further order of Military Government, all telephone, teletype, telegraph and radio services (inland, foreign and transit) and all external and transit mail services rendered by the Deutsche Reichspost are suspended. Radio broadcasting transmissions are excluded and are subject to separate regulations.

2. All mail in course, whether internal, foreign or transit, will be impounded and protected pending further instructions from Military Government.

3. Savings bank and other post office financial services may be continued except as otherwise prohibited by Military Government but may be restricted or modified according to circumstances.

4. All officials and employees of the Reichspost (except such as may be suspended) shall continue to report to their normal places of duty until otherwise ordered by Military Government. They will be responsible for the preservation, maintenance and repair of all facilities of communication and for the preservation of all records, books of account and documents relating thereto, details of all telegraph, teletype and telephone circuits (both radio and line) with particulars of associated equipment, and for the protection of such facilities and records against sabotage, damage or removal, except as ordered by Military Government.

ARTICLE II

Private Means of Communication

5. All wireless transmission sets, carrier pigeons and other privately owned means of communication will be surrendered against receipt, in accordance with notices published by Military Government in each locality.

6. All persons having in their possession any wireless (or radio) receiving sets, or any parts, accessories or material used in connection with wireless reception, any telephone or telegraph wire, or facilities for the installation, maintenance or repair of radio, wireless, telephone or telegraph apparatus, or any electro-medical equipment or diathermy apparatus, shall declare the same within the time and at the place specified by Military Government in each locality.

ARTICLE III

Censorship

7. All correspondence, personal papers and documents and all communications by telephone, teletype, telegraph and radio (when these services are restored) must conform with the detailed censorship regulations and must only be transmitted through authorized channels. Correspondence carried by civilian travellers is equally subject to censorship.

8. The effective regulations as from the date of this law are the "CENSORSHIP REGULATIONS FOR THE CIVILIAN POPULATION OF GERMANY UNDER THE JURISDICTION OF THE MILITARY GOVERNMENT" copies of which will be displayed in so far as possible in every post office and which will be published in the Military Government Gazette. These regulations may be extended and amended from time to time.

9. All officials and employees of the Reichspost will take all practicable steps to ensure that Censorship requirements are fully met and that there is no evasion of censorship.

ARTICLE IV

Penalties

10. Any person violating any provision of this Law shall, upon conviction by Military Government Court, be liable to any lawful punishment, including death, as the Court may determine.

ARTICLE V

Effective Date

11. This Law shall become effective upon the date of its first promulgation.

BY ORDER OF MILITARY GOVERNMENT.

MILITARY GOVERNMENT—GERMANY
SUPREME COMMANDER'S AREA OF CONTROL

Law No. 77

SUSPENSION OF CERTAIN ORGANIZATIONS AND OFFICES CONCERNED WITH LABOUR

1. The organizations, agencies and offices listed in the appendix to this Law are hereby suspended to the full extent of their present operation in the occupied territory.

2. The Arbeitsgerichte (Labour Courts) are hereby suspended until further directions of the Military Government.

3. All funds, records and property of the organizations, agencies and offices hereby suspended shall be preserved intact by the present custodians thereof for such disposition as may be directed by the Military Government. Pending such directions all such records and property shall be subject to inspection by officers of the Military Government. Officers in charge thereof and administrative officials will remain at their posts, until otherwise directed, and will be responsible to the Military Government for taking all steps to preserve intact and undamaged all such funds, property, equipment, accounts and records and for complying with the directions of Military Government regarding Blocking and Control Property.

4. Any person violating the provisions of this law shall upon conviction by Military Government Court be liable to any lawful punishment including death as the Court may determine.

5. This law shall become effective upon the date of its first promulgation.

BY ORDER OF MILITARY GOVERNMENT.

APPENDIX TO LAW No. 77

SUSPENSION OF CERTAIN ORGANIZATIONS AND OFFICES CONCERNED WITH LABOUR

Appendix

Generalbevollmächtigter für den Arbeitseinsatz (Office of the Plenipotentiary for the Employment and Distribution of Labour).

Reichswohnungskommissar (Office of the Reich Housing Commissioner).

Reichstreuhänder der Arbeit (Office of the Reich Trustees of Labour).

Sonderbeauftragter für Landwirtschaftliche Arbeiten (Office of the Special Commissioner for Agricultural Labour).

Ehrengerichte (Honor Courts).

Auskämm-Commissionen (Comb-Out Commissions).

Reichsarbeitseinsatzingenieure (Reich Allocation Engineers).

Reichsinspektoren (Reich Inspectors).

MILITARY GOVERNMENT—GERMANY
SUPREME COMMANDER'S AREA OF CONTROL

Law No. 161

FRONTIER CONTROL

1. Until further instructions by the Military Government all inward or outward movement over the frontiers of Germany of all persons, goods and property of any kind is prohibited.

2. This does not apply to members of the Allied Forces or persons specially authorized by Military Government or to equipment of the Allied Forces or goods under authority of the Military Government.

3. The frontiers of Germany for the purpose of this law shall be those existing on 31st December, 1937, within the above area of control, subject to any variations made by the Military Government for the purpose of frontier control.

4. Any person violating the provisions of this law shall upon conviction by Military Government Court be liable to any lawful punishment including death as the Court may determine.

5. This law shall become effective upon the date of its first promulgation.

BY ORDER OF MILITARY GOVERNMENT.

MILITARY GOVERNMENT—GERMANY
SUPREME COMMANDER'S AREA OF CONTROL

Ordinance No. 1

CRIMES AND OFFENCES

In order to provide for the security of the Allied Forces and to establish public order throughout the territory occupied by them, it is ordered :—

ARTICLE I
Capital Offences

The following offences are punishable by death or such other penalty as a Military Government Court may impose :—

(1) Espionage.

(2) Communication with the enemy forces or, except through authorized channels, with any person in enemy territory not occupied by the Allied Forces.

(3) Communication of information which may be dangerous to the security or property of the Allied Forces, or unauthorized possession of such information without promptly reporting it ; and unauthorized communication by code or cipher.

(4) Armed attack on or armed resistance to the Allied Forces.

(5) Acting in defiance or contravention of terms imposed by the Allies upon Germany on its defeat or surrender, or of any orders supplementing such terms.

(6) Acts or conduct in support or aid of any nation at war with any of the United Nations, or of the NSDAP or other organization dissolved or declared illegal by the Allied Forces, including publication and circulation of matter printed or written in aid of any thereof, or the possession thereof with intent to publish or circulate, and the provocative display of flags, uniform, or insignia of any such organization.

(7) Killing or assaulting any member of the Allied Forces.

(8) Falsely pretending to be a member of the Allied Forces ; unlawfully wearing any uniform of the Allied Forces.

(9) Unlawful possession or control of any firearm, ammunition, explosive, or other war material or of apparatus or other means for transmitting messages.

(10) Unauthorized use of any firearm or other deadly weapon, ammunition, explosive or similar war material.

(11) Furthering the escape of any person detained by Allied authority or assisting or concealing any such person after escape.

(12) Assisting any member of the enemy forces to avoid capture.

(13) Interference with transportation or communication or the operation of any public service or utility.

(14) Sabotage of any war material of the Allied Forces or of any installations or property necessary or useful to military operations or the Military Government.

(15) Wilful destruction, removal, interference with, or concealment of, records or archives of any nature, public or private.

(16) Plunder, pillage or looting ; robbing or abusing the dead or wounded.

(17) Wilfully interfering with or misleading any member of or person acting under the authority of the Allied Forces in the performance of his duties.

(18) Incitement to or participation in rioting or public disorder.

(19) Stealing, or obtaining by fraud, property of the Allied Forces or any member thereof.

(20) Any other violation of the laws of war or act in aid of the enemy or endangering the security of the Allied Forces.

ARTICLE II

Other Offences

The following offences are punishable by such penalty other than death as a Military Government Court may impose :—

(21) Disobedience of any proclamation, law, ordinance, notice or order of the Military Government or of any representative where a penalty is not expressly imposed or of any German authority issued pursuant to any such order.

(22) Circulating without a permit during curfew which, unless otherwise provided by public notice, shall be sunset to sunrise.

(23) In the coastal area leaving the shore in any vessel or otherwise except as authorized by Allied authority.

(24) Moving any ship or vessel or any aircraft except as authorized by Military Government.

(25) Failure, without authority, to have possession of a valid identity card.

(26) Making, issuing or knowingly having possession of any false permit, identity card or other document of official concern to the Allied Forces ; delivery of any such matter, whether false or valid, to any unauthorized person or for an unauthorized purpose.

(27) Counterfeiting or altering any Allied Military Marks or any other currency, coin or stamps or having possession of or uttering any thereof, having reason to believe it to be false or altered ; or having possession of or disposing of any property for use for any such purpose.

(28) Inviting or conducting any member of the Allied Forces into a place designated " Off Limits " or " Out of Bounds," or supplying goods or services to such member in any such place.

(29) Bribery, corruption or intimidation of any member of, or person acting under the authority of, the Allied Forces ; receiving, or offering to receive, a bribe for non-performance of duty to the Allied Forces.

(30) Obstructing or contravening any announced programme or orders of the Military Government with respect to Allied prisoners of war or nationals of the United Nations in Germany, or assaulting, despoiling or without justification confining or otherwise infringing the rights of such prisoners or nationals.

(31) Unauthorized possession, control or disposition of property belonging to the Allied Forces or to a member of the Allied Forces.

(32) Destruction, concealment, unauthorized possession or disposition of, or interference with, any ship, installation, plant, equipment or other economic asset, or plans or records with respect thereto, required by the Military Government.

(33) Knowingly making any false statement, orally or in writing, to any member of, or person acting under the authority of, the Allied Forces in a matter of official concern ; or in any manner defrauding, or refusing to give information required by Military Government.

(34) False assumption of authority from the Allied Forces ; wrongful possession or control of any part of an Allied uniform, whether genuine or false.

(35) Defacement or unauthorized removal of written or printed matter posted under authority of Military Government.

(36) Wilful destruction, alteration or concealment of any work of art, monument or other cultural property created by another.

(37) Promoting, aiding or attending any public gathering for which no permit has been granted, unless held for religious purposes or in the exercise of functions authorized by the Allied Forces.

(38) Resisting arrest by a person acting under the authority of the Allied Forces, or escaping from arrest or detention imposed under such authority.

(39) Aiding, or failing to report, any person known to be wanted by the Allied Forces.

(40) Dissemination of any rumour calculated to alarm or excite the people or to undermine the morale of the Allied Forces.

(41) Conduct hostile or disrespectful to the Allied Forces or to any of the United Nations.

(42) Initiating or carrying out any criminal prosecution, disciplinary measure or any other form of punishment or victimization (including boycotting) against any person for co-operating with the Allied Forces or the Military Government.

(43) Acts to the prejudice of good order or of the interests of the Allied Forces or any member thereof.

ARTICLE III

Attempts, Conspiracies

Any one who attempts to commit, or conspires or agrees with another to commit, any offence, or who advises, assists in, or procures the commission of any offences, or who having knowledge of an alleged offence fails to report it or assists an alleged offender to avoid arrest, shall be punishable as a principal.

ARTICLE IV

Collective Fines

The Bürgermeister or other principal representative of any community may be charged and tried as representing the residents thereof with any offence for which such residents or a substantial number thereof are alleged to be collectively responsible, and in the event of his being convicted of such offence in his representative capacity, and collective responsibility being established, a collective fine may be imposed upon the community.

ARTICLE V

Responsibility for Corporate Acts

Every director, official or employee of any incorporated or unincorporated company, society, or association, and every partner or employee of a partnership, who in any such capacity, either alone or jointly with others, causes, directs, urges or votes in favour of an act or omission which constitutes an offence for which the company, society, association or partnership would be triable by a Military Government Court, shall be liable therefor as though such act or omission had been done or made in his individual capacity.

ARTICLE VI

Defences

1. It shall be a good defence to any charge hereunder that the offence charged was an act of legitimate warfare by a person entitled to the status of a combatant.

2. It shall not be a defence to any charge hereunder that the offence charged was committed under orders of any civil or military superior or of any person purporting to act as an official or member of the NSDAP or that the offence was committed under duress.

ARTICLE VII

Definitions

1. The expression "Allied Forces" as used herein and, in the absence of indication to the contrary, in Proclamations, Laws, Ordinances, Notices or Orders of the Military Government, includes persons subject to military, naval, or air force law, or to the jurisdiction of British Naval Courts and who are serving under the command of the Supreme Commander, Allied Expeditionary Force, or of any other Commander of any forces of the United Nations, and any military formation or civilian agency composed in whole or in part of such persons.

2. The expression "enemy forces" includes all persons, whether entitled to belligerent status or not, who are engaged in armed resistance to the Allied Forces.

ARTICLE VIII

Effective Date

This Ordinance shall become effective upon the date of its first promulgation.

BY ORDER OF MILITARY GOVERNMENT.

MILITARY GOVERNMENT—GERMANY
SUPREME COMMANDER'S AREA OF CONTROL

Ordinance No. 2

MILITARY GOVERNMENT COURTS

It being necessary to establish Military Courts for the trial of offences against the interests of the Allied Forces, it is ordered :—

ARTICLE I

Kinds of Military Courts

Military Government Courts in the occupied territory shall be :

General Military Courts.
Intermediate Military Courts.
Summary Military Courts.

ARTICLE II

Jurisdiction

1. Military Government Courts shall have jurisdiction over all persons in the occupied territory except persons other than civilians who are subject to military, naval or air force law, and are serving under the command of the Supreme Commander, Allied Expeditionary Force, or any other Commander of any forces of the United Nations.

2. Military Government Courts shall have jurisdiction over—

(*a*) All offences against the laws and usages of war.

(*b*) All offences under any proclamation, law, ordinance, notice or order issued by or under the authority of the Military Government or of the Allied Forces.

(*c*) All offences under the laws of the occupied territory or of any part thereof.

ARTICLE III

Powers of Sentence

3. (*a*) A General Military Court may impose any lawful sentence, including death.

(*b*) An Intermediate Military Court may impose any lawful sentence except death, or imprisonment in excess of ten years, or fine in excess of £2,500—$10,000.

(*c*) A Summary Military Court may impose any lawful sentence except death, or imprisonment in excess of one year, or fine in excess of £250—$1,000.

(*d*) Within the limits of the powers given to the court, both a term of imprisonment and a fine may be imposed for the same offence, and a further term of imprisonment within the powers of the court may be imposed in default of payment of the fine.

(*e*) In addition to or in lieu of sentence of fine, imprisonment or death (within its powers), a Military Government Court may make such orders with respect to the person of the accused and the property, premises or business involved in the offence as are appropriate and authorized by the Rules of Military Government Courts ; and

shall have power to impound money or other objects, to grant bail and accept and forfeit security therefor, to order arrest, to compel the attendance and order the detention of witnesses, to administer oaths, to punish for contempt, and such other powers as may be necessary and appropriate for the due administration of justice.

(*f*) Where an offence is charged under the laws of the occupied territory or any part thereof, the punishment which may be imposed shall not be limited to the punishment provided by such laws.

ARTICLE IV

Composition of Courts

4. All members of the Military Government Courts shall be officers of the Allied Forces.

5. General Military Courts shall consist of not less than three members. Intermediate and Summary Military Courts shall consist of one or more members.

6. Advisors to sit with any court may be appointed either by the court itself or by an authority empowered to appoint such class of court. They shall give the court such advice and assistance as it may require, but shall have no vote.

7. Clerks, interpreters, and other persons necessary for the conduct of proceedings, may be appointed by the court.

ARTICLE V

8. Every accused before a Military Government Court shall be entitled :—

(*a*) To have in advance of trial a copy of the charges upon which he is to be tried.

(*b*) To be present at his trial, to give evidence and to examine or cross-examine any witness, but the court may proceed in the absence of the accused if the accused has applied for and been granted permission to be absent, or if the accused is believed to be a fugitive from justice.

(*c*) To consult a lawyer before trial and to conduct his own defence or to be represented at the trial by a lawyer of his own choice, subject to the right of the court to debar any person from appearing before the court.

(*d*) In any case in which a sentence of death may be imposed, to be represented by an officer of the Allied Forces, if he is not otherwise represented.

(*e*) To bring with him to his trial such material witnesses in his defence as he may wish, or to have them summoned by the court at his request, if practicable.

(*f*) To apply to the court for an adjournment where necessary to enable him to prepare his defence.

(*g*) To have the proceedings translated, when he is otherwise unable to understand the language in which they are conducted.

(*h*) In the event of conviction, within a time fixed by the Rules of Military Government Courts, to file a petition setting forth grounds why the findings and sentence should be set aside or modified.

ARTICLE VI

Review

9. The record of every case in which a petition for review is filed and of such other cases as shall be determined in accordance with the Rules of Military Government Courts shall be reviewed by such officer or officers as may be designated for that purpose by or under the authority of the Military Government.

10. The reviewing authority shall have power to set aside any finding of guilty, to suspend, reduce, commute or modify the sentence, to order a new trial, and to make such other orders as may be appropriate, but shall not set aside a finding of not guilty. The reviewing authority may increase the sentence in any case in which a petition of review has been filed which is considered to be frivolous, but shall not otherwise increase any sentence.

ARTICLE VII

Confirmation of Death Sentences

11. No sentence of death shall be executed unless and until confirmed in writing by the Supreme Commander, Allied Expeditionary Force, or other head of the Military Government for the time being, or such other officer as he may designate. The confirming authority shall have, with respect to such sentence, all the powers of a reviewing authority.

ARTICLE VIII

Rules

12. Rules of Military Government Courts not inconsistent with this Ordinance prescribing the procedure of such courts and the mode of exercise of the powers conferred may be made, amended or supplemented by or under the authority of the Supreme Commander, Allied Expeditionary Force, or other head of the Military Government for the time being.

ARTICLE IX

Effective Date

13. This Ordinance shall become effective upon the date of its first promulgation.

BY ORDER OF MILITARY GOVERNMENT.

MILITARY GOVERNMENT—GERMANY
SUPREME COMMANDER'S AREA OF CONTROL

Ordinance No. 3

OFFICIAL LANGUAGE

1. The English language shall be the official language within the above area of control in all matters concerning the Military Government.

2. All official pronouncements and all documents issued or made by or under authority of the Supreme Commander, Allied Expeditionary Force, will be drawn in the English language. If translations into German or any other language are furnished, the English text shall, in every instance, prevail.

3. This Ordinance shall become effective on the date of its first promulgation.

BY ORDER OF MILITARY GOVERNMENT.

MILITARY GOVERNMENT—GERMANY
SUPREME COMMANDER'S AREA OF CONTROL

NOTICE

SURRENDER OF FIREARMS, AMMUNITION, WEAPONS, CARRIER PIGEONS AND RADIO SENDING EQUIPMENT

Article I

Notice is hereby given that all firearms, including shotguns, ammunition and explosives, and all other weapons, of any kind, must be surrendered immediately.

To .....

At .....

Article II

Notice is hereby given that all wireless transmission sets and parts and accessories thereof must be surrendered immediately.

To .....

At .....

Article III

Notice is hereby given that all carrier pigeons must be surrendered immediately.

To .....

At .....

Article IV

Violations of these Orders are punishable by death or imprisonment.

BY ORDER OF MILITARY GOVERNMENT.

MILITARY GOVERNMENT—GERMANY
SUPREME COMMANDER'S AREA OF CONTROL

NOTICE

DECLARATION OF RADIO RECEIVING SETS, TELEPHONE, TELEGRAPH AND ELECTRO-MEDICAL APPARATUS

Article I

Notice is hereby given that all radio receiving sets, parts or accessories thereof, and all telephone or telegraph wire or

facilities for the installation, maintenance or repair of radio, wireless, telephone, teletype or telegraph apparatus must be declared immediately.

To .....

At .....

Article II

Notice is hereby given that all electro-medical equipment or diathermy apparatus must be declared immediately.

To .....

At .....

Article III

Violations of these orders are punishable by a Military Government Court.

BY ORDER OF MILITARY GOVERNMENT.

MILITARY GOVERNMENT—GERMANY
SUPREME COMMANDER'S AREA OF CONTROL

NOTICE
CURFEW

Until further notice no person within the occupied territory will be permitted to circulate on the streets or outside his own house without a permit of Military Government, between the hours of .....and.....

Any persons found in the streets without such permit between those hours will be severely punished.

All persons are further warned that military guards are instructed to shoot any persons seen outside their houses after hours who attempt to hide or escape.

BY ORDER OF MILITARY GOVERNMENT.

MILITARY GOVERNMENT—GERMANY
SUPREME COMMANDER'S AREA OF CONTROL

NOTICE

This building.....
is closed to the public until further notice.

BY ORDER OF MILITARY GOVERNMENT.

MILITARY GOVERNMENT—GERMANY
SUPREME COMMANDER'S AREA OF CONTROL

NOTICE
MOVEMENT OF PERSONS

ARTICLE I
Travel Restrictions

No person shall travel beyond the limit of.....
.....
(here insert travel limitation specifying distance from home or place of business or area to which travel is confined) without a permit from the Military Government Officer at.....
.....or his authorized subordinate.

ARTICLE II

Penalties

Violation of this notice is punishable by a Military Government Court.

BY ORDER OF MILITARY GOVERNMENT.

PART II

(This Part is reserved for future use in the event circumstances require modification of the organization or general policies established in Part I)

PART III

Background Material and Functional Policy for Use by Military Government Officers in the Field

Chapter I

CIVIL ADMINISTRATION

200. Since Military Government is to be operated by a system of supervisory control it is necessary that Mil. Gov. Officers should acquire a working knowledge first, of the system of government and public administration which the Nazis have set up in Germany, and secondly, of the changes to be made during the process of denazification. Mil. Gov. Officers should refer to the technical manual on Administration and Local Government for further details of the German governmental system.

GERMAN ADMINISTRATION

201. THE FÜHRER. Under the leadership principle (*Führerprinzip*) the entire administrative system of the Reich culminates in Hitler. He is the final authority in the determination and execution of policy; he boasts of his role as the supreme lawgiver and judge. However, it is impossible for him to exercise this vast power in a detailed fashion, though he does not hesitate to intervene when and where his fancy dictates. In contrast to Mussolini, who changed administrative horses every few months as a matter of principle, Hitler has depended on a fairly stable group of followers, which includes Göring, Goebbels, Himmler, Frick, Ley, Frank, and Funk, to guide the day-to-day operations of the government.

202. THE CHANCELLERIES. There are several chancelleries and the Bureau of the High Command of the Armed Forces through which Hitler normally controls the administration of German government in so far as he has not delegated responsibility to others. A Presidential Chancellery deals with formal appointments, pardons, and other more or less routine matters, while a Reich Chancellery handles legislative procedure, cases of conflicting jurisdiction, changes in the administrative structure, and other important political matters. A Party Chancellery serves as the medium between the Führer and the National Socialist Party. The Bureau of the High Command of the Armed Forces provides a control mechanism for the exercise of Hitler's authority as supreme commander.

203. MINISTERIAL COUNCIL FOR THE DEFENCE OF THE REICH. The Cabinet (*Reichsregierung*), which assumed legislative power after the Nazi accession to power in 1933, seldom meets and since the outbreak of the war it has surrendered any importance it once claimed to the Ministerial Council for the Defence of the Reich. Composed of six of the Nazis closest to Hitler this Council bears a large measure of responsibility for the actual guidance of Reich economy and administration during wartime, leaving Hitler free to give his attention to military matters. It enacts laws and issues decrees without being bound by existing legislation.

204. THE FUNCTIONAL MINISTRIES. In so far as special agencies noted below have not taken over, fifteen ministries operate the administrative system of the Reich. They are as follows: (1) Interior, (2) Foreign Affairs, (3) Public Enlightenment and Propaganda, (4) Finance, (5) Justice, (6) Economics, (7) Food and Agriculture, (8) Labour, (9) Armaments and War Production, (10) Science and Education, (11) Ecclesiastical Affairs, (12) Transport, (13) Posts and Telegraph, (14) High Command of the Armed Forces, and (15) Air. Each of these is headed by a minister assisted by one or more under-secretaries. Ministries are sub-divided into departments (*Abteilungen*) usually under a ministerial director (*Ministerialdirektor*). These departments in turn may be broken up into sections (*Unterabteilungen*) which are in charge of subdirectors (*Ministerialdirigenten*). Ministerial councillors (*Ministerialräte*) and other officials and civil servants comprise the staffs of the component parts of the ministries.

205. SPECIAL AGENCIES. Even before the outbreak of the war special provisions were made for the completely centralized control demanded by the Nazis. A Commissioner-General for Reich Administration received broad powers for the co-ordination of administration throughout the Reich. A Commissioner-General for Economic Affairs was given similar authority in the economic sphere. An elaborate Office for the Four-Year-Plan received far reaching power over many of the existing administrative agencies. Other special agencies, such as the Commissioner for War Production, the Inspector-General of German Roads, the Inspector-General for Motor Transport, and the Inspector-General for Water and Power, have been created. These agencies have been superimposed upon the existing ministries, through which they act.

206. ROLE OF THE REICH MINISTRY OF THE INTERIOR. The general problem of government administration is particularly the responsibility of the Reich Ministry of the Interior. Before the Nazis appeared on the scene, there was drafted (1st May, 1924) the General Code for Administrative Procedure which was binding on other government agencies unless "in case of urgent necessity" the Reich Minister of Interior agreed to a departure. The Nazis recognized this role of the Interior Ministry, extending it throughout the Reich by appointing the Minister of the Interior as Commissioner-General for Reich Administration. Departments I, II, V, and VI of the Interior Ministry are especially concerned with administrative procedures. The Reich Ministry of Interior also administers the following: Reich Office of Weights and Measures, Reich Archives, National Printing Office, Reich Office of Land Survey and Reich Bureau of Immigration.

207. ROLE OF THE NATIONAL SOCIALIST PARTY. It is not easy for a British or an American citizen to appreciate fully the integral relationship which exists between the governmental

structure of the Reich and the National Socialist Party. The tie-up is indeed so complete that it is difficult if not impossible to determine in every case what is government and what is party. In general, the party has a national organization which parallels the government structure and is in large measure a device for controlling the latter. On lower levels the party structure is also closely patterned upon the government structure and again it exercises a control function. The picture is further complicated by the fact that the heads of the party agencies in many instances hold corresponding offices in the government.

ADMINISTRATIVE UNITS

208. PRUSSIA/PROVINZ/LAND/REICHSGAU. In regional organization three main types of administrative units may be distinguished. First, there is the State (*Land*) of Prussia, embracing more than half of the area and population of Germany, which is actually governed through Reich ministries (except for finance) and is sub-divided for administrative purposes into Provinces (*Provinzen*). By merging Prussian ministries (except finance) with those of the Reich and assimilating the position of the *Provinzen* to that of the *Länder,* Hitler has in effect brought about the administrative partition of Prussia. Secondly, there are the parts of Germany where States (*Länder*), with remnants of their own ministries, are still to be found. And thirdly, there are the newly established districts (*Reichsgaue*) whose administration is more closely integrated with the Reich system. The chief officials in the Prussian provinces are known as *Oberpräsidenten,* while in the *Länder* and *Reichsgaue* the corresponding official is the *Reichsstatthalter.*

209. OBERPRÄSIDENT AND REICHSSTATTHALTER. The *Oberpräsident* and the *Reichsstatthalter,* who are appointed by and subject to dismissal at the hands of Hitler, may be regarded as general administrative officers at the regional level. They are the permanent deputies of the Reich as well as the heads of self-government (now only nominal) within their jurisdiction. The *Oberpräsident* has jurisdiction over secondary schools, public health and welfare, and the provincial Order Police. Both the *Oberpräsident* and the *Reichsstatthalter* have usually also been Party Gauleiter to whom since the outbreak of the war many of the new economic offices have been attached.

210. REGIERUNGSBEZIRK. The Prussian provinces and Land Bavaria have an intermediate administrative sub-division known as the *Regierungsbezirk* (Government District). It is more a basis for central control than an area of local government. Not to be confused with this district are the four *Landeskommissarbezirke* in Baden, each headed by a *Landeskommissar* whose functions are limited to supervising local government. For purposes of Military Government the smaller *Länder* are to be treated as *Regierungsbezirke,* though under

the German system they have normally had a more impressive status. At the head of a *Regierungsbezirk* there is a *Regierungspräsident* who is appointed by the Minister-President in Prussia and by the *Reichsstatthalter* in Bavaria. In Prussia this official comes directly under the Reich Minister of the Interior, but in Bavaria he is responsible to the *Reichsstatthalter*. The *Regierungspräsident* who is both an executive authority for the central government and a supervisor of the lower officials in the *Landkreise* and *Stadtkreise* has broad administrative responsibility for the general government of the *Regierungsbezirk*. Under him there is a *Bezirksausschuss* (District Committee), made up of a judge, a representative of the administrative service, and four lay members. This committee of six renders assistance in general administrative matters, gives approval to certain important decisions, and prior to 1939 served as an administrative court. The *Regierungspräsident* is the *Landespolizeibehörde* (Local Police Authority) and controls elementary schools, Reich domains, and forests. The regional administrative agents dealing with economic, food, and labour matters are grouped around him.

211. KREIS AND GEMEINDE. In all *Provinzen/Länder* the principal lower administrative unit is the *Kreis* (County). The *Kreis* may be either a *Stadtkreis* (City County with a population over 20,000) or a *Landkreis* which is a rural county with a population of more than 20,000. The chief official of the former is known as an *Oberbürgermeister* (Chief Mayor), while in the case of the latter he bears the title *Landrat* (County Councillor or Manager). The *Landkreis* is subdivided into *Stadtgemeinde* (Urban Communes or Towns) and *Landgemeinde* (Rural Communes or Areas). The former is headed by a *Bürgermeister* (Mayor) and combinations of the latter, for purposes of police administration only, by an *Amtsvorsteher* (District Officer).

212. SPECIAL DISTRICTS. The regional and intermediate units for the administration of such functions as finance, justice, labour, transportation, and post and telegraph do not correspond with those for general administration noted above. Each of these functions is separately administered through an exclusively national administrative apparatus. Finance control, for instance, runs directly from a Reich Ministry of Finance to a district finance office and thence to a local finance office. For purposes of economic control the Reich is divided into 30 *Wirtschafstbezirke* (Economic Districts). Of these, 22 are identical with the Party Gau, while the other eight are made up of two or more Gaue. These districts, sometimes called Gau Economic Districts, deal with matters relating to food, labour, housing, rationing, and the like. Although based on the Gau which is political rather than administrative, they are staffed by members of the Civil Service. Officials of any special district may issue orders for the carrying out of their functions to

Regierungsbezirk, Kreis and *Gemeinde* authorities and in any case keep regional and intermediate offices of the general government informed of their actions.

213. PARTY GAU. The structure of the National Socialist Party is based on 42 *Gaue* (Regions), which include 32 in Germany proper and 10 in the occupied territory. Some Party Gaue contain one or more *Regierungsbezirke,* while others coincide with *Länder* or Prussian Provinces. The Party Gau, headed by a *Gauleiter,* is not a true administrative unit though economic functions are linked with it as noted above ; rather it is an area in which party political control is imposed on the administrative machine. Under the *Gauleiter* is a *Kreisleiter* (in the Party Kreis) and an *Ortsgruppenleiter* having control of an *Ortsgruppe* with a population averaging approximately 40,000. The lowest geographical subdivisions of the Party are knowns as Cells and Blocks, in each case controlled by a *Leiter.*

LOCAL GOVERNMENT

214. BACKGROUND. Local government in the Reich is not what the British and Americans know as local government. It may mean control exercised by the government at the lower or local level ; or it may mean government on the local level by representatives chosen by the community. Viewed in its latter aspect, local government in Germany has never been a hardy plant. Contrary to the development in England, for example, the commercial middle classes of German cities adjusted themselves to and accepted the point of view of the ruling classes. As a matter of fact the German middle class never really got a chance to participate in important political matters, although it came close to it on at least two occasions during the 19th century.

215. UNDER THE WEIMAR CONSTITUTION. The Weimar Constitution provided that the *Gemeinde* (Communes) and Districts should "have the right of self-government within the limits of the law." It also stipulated that the principle of Proportional Representation laid down for the *Länder* should be extended to the municipalities and all self-governing bodies. Practically no progress toward this end was made in Prussia, but Bavaria and Württemberg made some advance. In Bavaria, for example, city councils were popularly elected and in turn chose the *Bürgermeister.* In Württemberg both council and *Bürgermeister* were chosen by popular vote. During the early years of the Republic control from above was somewhat relaxed and municipalities engaged in many often important enterprises. However, the movement toward centralization soon set in, and economic difficulties resulted in Reich and *Länder* legislation which was fatal to any real local self-government.

216. THE NAZI NATIONAL MUNICIPAL CODE. The *Deutsche Gemeindeordnung* (Municipal Code) of 1935 gives the Reich authority to control any local government both as to *Selbst-*

angelegenheiten (local affairs) and as to those tasks delegated from the top. It establishes the leadership principle for all local officials and provides for most of the local government machinery as well as for the *Aufsichtsbehörde* (Supervisory Authority). Though the code mentions a Supervisory Authority, it does not state who that Authority is. This is done by the Minister of the Interior of the Reich who designates both the immediate and superior Supervisory Authorities. The former is usually the *Regierungspräsident,* but in *Länder* which do not have *Regierungsbezirke,* the *Reichsstatthalter* acts in such a capacity. The Supervisory Authority has the right and indeed the duty to inspect local activities. He assists in the selection of the Mayor and Associates and holds the Mayor to strict accountability for his administration. The Higher Supervisory Authority has the power to initiate action against the local government through the Immediate Supervisory Authority. In case of conflict between the Mayor and the Immediate Supervisory Authority, the former can appeal to the Higher Supervisory Authority.

217. MACHINERY. In presenting administrative structure of German local government it must be pointed out that such a pattern is to be taken only as a guide. No pattern would hold for every German *Stadtkreis* or *Landkreis,* for a great deal depends upon the locality.

THE STADTKREIS

218. OBERBÜRGERMEISTER. The *Oberbürgermeister* is appointed in cities over 100,000 by the Reich Minister of the Interior on the nomination of the local Party Delegate ; in smaller cities he is selected by the *Reichsstatthalter* on the nomination of the *Regierungspräsident.* In all cases the local Party Delegate must be satisfied. The *Oberbürgermeister* has a term of 12 years and may be compelled to serve again unless for specified reasons he is unable. He is subject to recall at any time by the Party Delegate and the Supervisory Authority acting in conjunction, but in cities over 100,000 the Reich Minister of the Interior must approve. The *Oberbürgermeister,* who is a full-time paid official, combines both legislative and adminstrative powers and functions.

219. PARTY DELEGATE. Under the Nazis the *Parteibeauftragter* (Party Delegate) has played an important part in *Stadtkreis* government. He has, as noted above, been very active in selecting and removing the *Oberbürgermeister.* He also has had a great deal to say about the appointment of city councillors and the local charter.

220. CITY COUNCILLORS. The city councillors, known as *Gemeinderäte* in smaller cities and *Ratsherren* in the larger, number from 12 to 36, depending upon population. They are appointed by the *Oberbürgermeister* in agreement with the Party Delegate and usually serve in an honorary capacity for terms of

six years. They may be removed at any time by the Party Delegate and the Supervisory Authority. Their function is to keep the *Oberbürgermeister* in close touch with the citizens and for this purpose the Code lists 13 matters which are to be discussed by the *Oberbürgermeister* with them. They are " obliged to speak " when they disagree with the *Oberbürgermeister ;* they must attend council meetings unless excused ; but they have no vote.

221. ASSOCIATES. Department heads usually known as *Beigeordnete* (Associates), including the First Associate or deputy *Oberbürgermeister,* are appointed by the Reich Minister of the Interior from a list of three candidates proposed by the Party Delegate after consultation with the councillors in cities over 100,000. In cities under 100,000 they are chosen by the *Reichsstatthalter,* or in the case of smaller communes by the *Regierungspräsident.* They are numbered according to seniority —the city treasurer is usually the First Associate. The term of the Associates, who have a professional staff at their disposal, coincides with that of the *Oberbürgermeister.*

222. ADVISORY COMMITTEES. *Beiräte* (Advisory Committees), which are an old feature of German local government, are provided for in the municipal Code. The *Oberbürgermeister* may appoint as many as are needed. They consist of technical experts and work with the various departments of the city, particularly in the field of public works and utilities. Members of advisory committees attend council meetings.

223. CITY CHARTER. The *Hauptsatzung* (City Charter or organic Law) prescribes the number of Associates and their duties, indicating who is to serve as *Stadtkämmerer* (City Treasurer), which positions carry a salary, and which are honorary. It must be approved by the Party Delegate and the immediate Supervisory Authority.

224. ORDINANCES. *Satzungen* (ordinary city ordinances) cover a limited field dealing with such matters as public works, public health, housing, and other local enterprises. Legislative authority is vested in the *Oberbürgermeister,* who must discuss all important items with the city councillors. Ordinances to be valid must be approved by the Supervisory Authority and be published. The *Haushaltsatzung* (city finance ordinance) is drawn up for each fiscal year, which begins on 1st April. It contains the *Haushaltplan* (budget), fixes the tax rates and prescribes the borrowing capacity for current expenses. Sections of this ordinance provide for long-term borrowing as well as for the retirement/redemption of the indebtedness.

THE LANDKREIS

225. GENERAL CHARACTER. The nearest counterpart of the *Landkreis* is probably either the French Arrondissement or the County of the United States. There were in 1943 a total of 894

Landkreise as against 238 *Stadtkreise*. Each *Landkreis* includes a varying number of *Gemeinde* (Communes), of which there are more than 50,000 in the Reich. Approximately 85% of these *Gemeinde* have a population of less than 1,000. Within a Landkreis the *Gemeinde* are of two types: *Landgemeinde*, which may include small villages along with open land, and *Stadtgemeinde*, which are larger towns.

226. LANDRAT. The most important local government official, known as the *Landrat* (County Manager or Councillor), occupies a dual position as a Reich representative on the one hand and head of the *Landkreis* government on the other. He is appointed by Hitler on recommendation of the Reich Minister of the Interior and can be retired at any time. He receives orders from the *Regierungspräsident*—or in *Länder* where this intermediate official does not exist from the Land Minister of the Interior. In matters of central administration he is assisted by a *Regierungsoberinspektor* (District Chief Inspector), and in matters of local self-government by a *Kreisoberinspektor* (County Chief Inspector). The *Landrat* is the police authority within the Landkreis, but in matters concerning security he is subject to the overriding control of the Security Police. As head of the local government he is in charge of the administration of the *Gemeinde* within the *Landkreis*, occupying as he does a position as the immediate Supervisory Authority for self-government in that area. In his capacity as a Reich official the *Landrat* cooperates with the local branch of the Reich Food Estate as well as the Economic Offices, Labour Offices, and other national services within the *Landkreis*. He must work in conjunction with the local Party Delegate and keep the latter informed on all administrative matters.

227. ADMINISTRATIVE MACHINERY. Among the administrative agencies to be found in the *Landkreis* are the following: (*a*) *Kreisbaurat*, dealing with buildings, works and engineering; (*b*) *Kreismedizinalrat*, or Health Inspection Service; (*c*) *Kreisschulrat*, who superintends all schools except vocational; (*d*) *Kreiswohlfahrtsamt*, supervising the care of needy persons; (*e*) *Kreiskassenführer*, or county treasurer—attached to this office are the *Katasteramt* or Land Registry, the *Vermessungsamt* (Surveyor's Office), and the *Kreissparkasse;* (*f*) *Kommandeur der Gendarmerie* in command of the rural police, including traffic, hunting, personal registration, military and labour registration; (*g*) *Kreis Wirtschaftsamt*, or economic office; (*h*) *Kreis Ernährungsamt*, Kreis branch of the Reich Food Estate; (*i*) *Finanzamt*, branch of the Reich Tax office; and (*j*) *Steueramt*, or municipal tax office.

CIVIL SERVICE

228. GENERAL. With a history going back more than a century and the boast that it has survived the Empire and the Republic and now functions under the National Socialist regime,

the German Civil Service occupies a much more important place than corresponding services in most other countries. It includes even municipal workers, teachers, and transportation and communication staffs. *Abteilung II* of the Reich Ministry of the Interior with its *Reichsprüfungsamt* (Reich Examination Office) exercises central control of the Civil Service under the unifying Civil Service Act of 26th January, 1937. A Chief Civil Service Official in each *Regierungsbezirk* possesses a considerable amount of authority in the direct administration of the system.

229. NAZI CONTROL. The National Socialists seized control of the Civil Service by:

(*a*) eliminating obstructionists at all levels of government through dismissal, retirement, or transfer;

(*b*) placement of available Nazis with or without adequate qualifications; and

(*c*) indoctrination, supervision or control of non-Nazi civil servants.

It may be noted that some civil servants without enthusiasm for party activities have been retained because of technical ability.

230. CAREER AND POLITICAL CATEGORIES. The established Civil Service is subdivided into two main categories, namely, the "career service" entered through competitive examination and the "political service" which requires no examination. The greater percentage of the civil servants belong to the career service which has four grades: lower, intermediate, elevated and higher. The political Civil Service includes *Oberpräsidenten, Landräte,* etc., many of whom have advanced from the higher grade of the career service. Once appointed as political civil servants they tend to achieve permanent tenure, though legally subject to dismissal at the will of Hitler without any reason being given. Naturally the proportion of active National Socialists is largest among the political civil servants. Candidates for positions in each grade must meet specifications relating to citizenship, education, experience, probationary training, age, race, political reliability and personal oath to Hitler.

231. DISCIPLINARY COURTS. Prior to the Nazi regime the various *Länder* made their own provisions for agencies charged with enforcing discipline among public employees, but since 1937 the German Civil Service Act has covered the entire Reich. Thirty-one *Dienststrafkammer* (Disciplinary Chambers), each consisting of a chairman, who is a judge drawn from an ordinary court or an administrative tribunal, a legal member, and an assessor (of the same standing as the accused), operate in the larger cities. These chambers may issue a disciplinary decree, involving a warning, an admonition, or a fine, and they may also order a reduction in salary, dismissal, or a reduction or cancellation of pension. A *Dienststrafhof* (Disciplinary Court of Appeal), consisting of five members, constitutes a section of the Reich Supreme Administrative Tribunal.

ADMINISTRATIVE TRIBUNALS

232. PRE-NAZI ADMINISTRATIVE TRIBUNALS. In contrast to the United States and Great Britain where administrative law is placed under the ordinary courts, Germany has followed the general continental practice of providing separate administrative tribunals. Prior to 1933 no uniform system of these agencies existed in the Reich because the *Länder* exercised the authority. The Weimar Constitution defined the role of these tribunals as follows: " The protection of the individual against orders and instructions of administrative authorities."

233. ADMINISTRATIVE COURTS UNDER THE NAZIS. The Decree for the Protection of People and State issued by the Nazis in 1933 undermined the jurisdiction and influence of the administrative courts. Indeed, though the formal transformation of the system took place rather gradually, the authoritarian control demanded by the National Socialists, placing as it did the emphasis on the will of the Führer rather than on " Legality," left the administrative tribunals with little vital reason for existing. Their jurisdiction was whittled away ; the consent of the administrative officials whose acts were involved and of higher officials was required before cases could be brought or appeals taken ; their staffs were to a considerable extent filled with Party Members. In 1939 the lowest tribunals were abolished entirely, ostensibly as a wartime measure, but in all probability with no thought of restoration, while the second grade tribunals had their jurisdiction largely transferred to the *Regierungspräsident.* In 1941 a decree was issued creating *Reichsverwaltungsgerichte* (Supreme Administrative Tribunals), which incorporated the Prussian Supreme Administrative Tribunal, the Austrian Administrative Court, the Reich Economic Court, the Reich Disciplinary Court, the War Damage Claims Office, and several other minor courts.

PUBLIC RECORDS

234. While the Archives maintained by the Reich Ministry of the Interior, the *Reichsgesetzblatt,* which is the official publication containing Reich laws, decrees, and treaties, and the *Deutscher Reichs- und Preussischer Staatsanzeiger* (the official gazette setting forth various public announcements) possess great general importance, it is not probable that Mil. Gov. officers in the field will be immediately concerned with them. Mil. Gov. officers will have considerable occasion to utilize public and party records on the local government level.

CITIZENSHIP

235. Though prior to 1933 the German provisions relating to citizenship followed a conventional pattern, they are now permeated with National Socialist principles. A decree of April,

1943, codifying the elaborate rules drafted by the Nazis provides four categories of persons, the fourth including Jews, who are not recognized as having legal existence at all. One of the immediate responsibilities of Military Government will be the suspension of the objectionable features of these citizenship regulations. Law No. 1 (see Chapter IV, Part I, this Handbook) abrogates the Reich Citizenship Law of 15th September, 1935, and all supplementary or subsidiary laws, decrees or regulations.

MILITARY GOVERNMENT ORGANIZATION FOR CONTROL OF GERMAN ADMINISTRATION

236. GENERAL. Reference is made to Chapter II of Part I of this Handbook for the general plan for operation of Military Government in Germany. Additional background information is given below. For purposes of controlling and supervising the German administrative system Mil. Gov. officers will work at four levels—Ministerial, *Provinz/Land/Reichsgau*, *Regierungsbezirk* and *Kreis*. The means through which Military Government will be imposed will depend entirely upon the military situation as areas of Germany are progressively occupied. In the event that large districts are taken over more or less intact, it will be possible to impose Military Government at higher levels in the German administrative organization. If occupation proceeds gradually and is accompanied by continual action, Military Government can only be imposed at the outset at the *Kreis* level. The plan for control at various administrative levels must be read with this possibility in mind.

237. MINISTERIAL. Military Government will impose necessary controls upon the German central authorities at the Ministerial level. The extent to which German centralized controls will be utilized in the period of the Supreme Commander's responsibility depends on factors which are impossible to accurately forecast in advance. However, the policy is established that any communications on matters of concern to Military Government which may issue from agencies of the central government (whether or not authorized by Mil. Gov. officers at that level) to subordinate civil agencies in the Mil. Gov. Regions must be cleared by the subordinate agencies with the Mil. Gov. Detachment responsible for the Region. Action on such matters will be taken by the subordinate civil agencies only on orders from an appropriate Mil. Gov. officer in the Region. Prior to the establishment of Mil. Gov. Regions similar authority will be exercised by Mil. Gov. Detachments for areas under their control.

238. SPECIALIST OFFICERS. In the field Mil. Gov. functional specialist officers on G-5/Mil. Gov. Staffs or in Mil. Gov. Detachments will supervise the operations of the Reich Ministries in so far as they are to be utilized for Military Government purposes.

These specialists and the corresponding Ministries are as follows:

Interior, consisting of Administration and Local Government, Public Safety, Public Health and Welfare, and Monuments, Fine Arts and Archives officers.	*Reichsinnenministerium* (Reich Ministry of the Interior)
Legal	*Reichsjustizministerium* (Reich Ministry of Justice)
Finance	*Reichsfinanzministerium* (Reich Ministry of Finance)
Food and Agriculture	*Reichsministerium für Ernährung und Landwirtschaft* (Reich Ministry of Food and Agriculture)
Economics and Public Utilities ..	*Reichswirtschaftsministerium* (Reich Ministry of Economics)
Labour	*Reichsarbeitsministerium* (Reich Ministry of Labour)
Posts, Telephones and Telegraph (Co-ordination of Mil. Gov., Signals, and G-2/Int. necessary)	*Reichspostministerium* (Reich Ministry of Posts)
Education and Religious Affairs..	*Ministerium für Wissenschaft Erziehung und Volksbildung* (Reich Ministry of Science and Education) *Reichsministerium für die Kirchlichen Angelegenheiten* (Reich Ministry of Ecclesiastical Affairs)
Transport .. .. (Except for road transport, this is primarily a responsibility of Movement and Transportation but Mil. Gov. Officers will assist with civil authorities, if required. See Chapter XVI for Mil. Gov. Officers' responsibility for road transport.)	*Reichsverkehrsministerium* (Reich Ministry of Transport)

Additional functional specialists for Supply, Displaced Persons and Property Control will deal with their special problems.

239. MILITARY GOVERNMENT REGIONS. Military Government ultimately will be based on the German regional system. For the purpose of regional control the Zones in the Supreme Commander's area of responsibility are subdivided into Military Government Regions, made up of single *Länder/Provinzen*, or in the case of the smaller of these regional units, of combinations. Each area will contain from 2,500,000 to approximately 8,000,000 inhabitants. Military Districts, established for military command purposes in Germany, ultimately will coincide, in general, with Military Government Regions. The Military District Commander will be directly responsible for the Military Government of the Region under his control. He may suspend the execution of any Mil. Gov./G-5 technical instructions pending representation by him to superior authority. Military Government Staffs, Detachments and functional specialists are responsible, under the Military District Commander, for supervising the German administrative machinery. Prior to the establishment of Mil. Gov. Regions and Military Districts, the conduct of Mil. Gov. will be the responsibility of each Military Commander in the areas occupied by his forces.

240. REGIERUNGSBEZIRKE. Each Military Government Region is divided into administrative districts, corresponding to *Regierungsbezirke* or in certain instances small *Länder*. There are 32 of these districts in the Supreme Commander's area of control, each with a population averaging approximately 1,000,000. These districts are particularly important since they are basic units in the German administrative system, receiving their orders directly from the Berlin Ministries. Each of these districts has a Mil. Gov. Detachment of general administrative and specialist officers to supervise the office of the *Regierungspräsident*, which has charge of general government, and various Reich offices located in the District.

241. KREISE. The final point at which Military Government controls the German system is the *Kreis*. Detachments will be located in the *Stadtkreise*, where numerous important regional offices are located. *Landkreise* and smaller *Stadtkreise* are in charge of smaller Detachments where the principal responsibility is that of supervising the office of the *Oberbürgermeister* or *Landrat*. Military Government Detachments will in some cases supervise several smaller *Kreise*.

ESTIMATE OF THE SITUATION

242. GENERAL. It is impossible to foretell the conditions which will be encountered when the leading Detachments of Military Government enter Germany. It is, however, likely that there will be general confusion amounting perhaps to chaos as a direct result of military reverses. It is certain that the administrative machinery will in any case be seriously disorganized as a result of the severe bombing of Germany, which has taken place

over a period of many months and on a scale unprecedented in history. Other features which will closely affect the problems of Military Government will be the closing down of industry, including armament plants, the presence of many millions of displaced persons and refugees of many different nationalities, longing to return to their homes and families, and the disappearance of all the prominent Nazis who, if they have not been done away with, will have taken refuge in flight in the hope of saving their skins and at least some portion of their ill-gotten gains. This will mean that many, if not the majority of the more important officials, will no longer be at their posts, and improvised measures, including the appointment of temporary officials, will be necessary. The civil servants still carrying on may be seriously demoralized due to the non-receipt of their salaries, the high prices due to inflation, and the lack of proper food and housing. It is certain also that the fear engendered by the German propaganda that the conquerors will enslave the country will contribute to the general sense of unrest and uncertainty. Many of the public records will have been destroyed or lost.

243. ATTITUDE OF THE PEOPLE. From the German people themselves neither a high degree of co-operation nor, perhaps, violent obstruction need be expected. It is more probable that their attitude will initially be that of dazed apathy. Many of those who have not been ardent Nazis, and who therefore might otherwise be useful, may be found to be reluctant to help Military Government, lest by so doing they should discredit themselves in the eyes of their countrymen or because of fear for the safety of members of their families in parts of Germany still controlled by the Nazis. Others may be profuse in their expressions of relief at the collapse of Hitler's tyranny and may indeed be over-anxious in proffering their services. Such people should be treated with suspicion, until they have proved by their acts that they are in fact to be relied upon.

244. ADMINISTRATIVE MACHINERY. In many cities committees (*Ortsdreiecke*) have been set up, consisting usually of the *Oberbürgermeister*, the Party Delegate, the local leader of the Labour Front and the local Peasant Leader. Such committees have summary powers to take action to meet emergencies. But, in general, the highly centralized form of local government in Germany and the application throughout administrative channels of the leadership principle will, when collapse comes, render confusion worse confounded. It is probable that in some places local authority will have been seized by groups representing varying political views.

245. POLITICAL PARTIES. It is probable that the revival of most of the Political Parties which existed under the Republic will be gradual, and that as they form there will be a pronounced swing to the left, the Socialist and Communist Parties gaining many adherents. At the same time those Nazis who escape will

certainly endeavor to build up an "underground," with the objects of interfering with government and preparing for a future recrudescence of Nazi activity.

246. CIVIL SERVICE. The serious shortage of trained personnel during the war has resulted in failure to fill many important public offices. Recent editions of the *Taschenbuch für Verwaltungsbeamte* show a surprising number of officials as *Abgegangen* (absent for the war) or as *Unbekannt* (unknown). A high proportion of Nazi officials will have disappeared, either because they have been assassinated, imprisoned or taken refuge in flight, but there will probably be a large number of minor officials and civil service employees at the lower levels who, not being active Nazis or ardent sympathizers, will be available to operate the administrative machinery. This will be particularly the case in the Government agencies dealing with technical matters.

POLICY

247. GENERAL. Reference is made to Chapter III (Political and General) of Part I of this Handbook for general policies of Military Government with respect to civil administration in Germany.

248. BASIC PRINCIPLES OF SUPERVISION. Military Government will be effected, as a general principle, through indirect rule. Mil. Gov. Detachments have the responsibility of controlling the German administrative system, not of operating it themselves. Hence they should work through *Oberpräsidenten, Regierungspräsidenten, Oberbürgermeister,* and *Landräte* rather than directly with the rank and file of German officials and citizens. The selection of persons with adequate educational background, practical experience and freedom from Nazi contamination is of the highest importance—indeed the very success or failure of each Mil. Gov. Detachment will depend in large measure upon the choice of the right persons for these key posts. Once the general administrators have been selected, they must be made to discharge their duties. Failure to obey the orders of Military Government will not be tolerated. Direct administration by Mil. Gov. personnel will be undertaken only in the event that acceptable German personnel cannot be found in time to prevent an administrative breakdown which would imperil the attainment of the objectives of Military Government.

249. REPLACEMENT OF OFFICIALS. The administrative officials in the offices of the *Oberpräsidenten, Regierungspräsidenten, Oberbürgermeister,* and *Landräte* are, with few exceptions, career civil servants, and those of them who do not have to be removed (see Part III, Chp. II) will be subject to the ordinary civil service regulations. Where replacement is necessary Mil. Gov. Officers will, as far as possible, make use of the existing civil service machinery and personnel, so far as the

time factor and the available lists of eligible candidates will allow. To meet an emergency, it may however be necessary for Mil. Gov. Officers to act upon their own initiative, but they must be careful not to violate the basic principle that Military Government is to be carried out by supervision and not by executive action. In the discharge of their functions *Oberpräsidenten, Regierungspräsidenten, Oberbürgermeister,* and *Landräte* must be given full responsibility, and in consequence must be accorded some freedom in the selection of their subordinates, and of the members of their councils. Mil. Gov. Officers should, however, discuss the selection of candidates for these positions with them and should, when necessary, exercise a power of veto over any individual of whom they may disapprove. The German officials must be given clearly to understand that the responsibility is theirs and that they will be held strictly accountable for results. It should be made clear to all concerned that any appointments made are of a temporary nature only.

250. USE OF CIVIL ADMINISTRATIVE CHANNELS. The German administrative system will be employed where possible and Mil. Gov. Officers will recognize that officials with whom they deal will receive instructions from higher civil authorities. Any communication on matters of concern to Military Government which may be issued from the agencies of the central government to subordinate agencies in the Mil. Gov. Regions must be cleared by the subordinate civil agency with the Mil. Gov. Detachment responsible for the Region. Action on such matters may be taken by the subordinate civil agency only on orders of the Regional Mil. Gov. Officer or such subordinate as he may designate. Regional Mil. Gov. Officers will take steps to ensure that civil instructions issued at all levels within their Regions are approved by appropriate Mil. Gov. Officers and, when necessary, checked by Mil. Gov. Officers exercising direct supervision of the subordinate civil agency.

251. DUTIES OF O.C., MIL. GOV. DETACHMENT. Within the limits of authority delegated to him, and in appropriate co-ordination with C.I.C., an officer commanding a Mil. Gov. Detachment:

(*a*) Will immediately find out what government offices exist in his area and the functions for which they are responsible.

(*b*) Will dismiss all active Nazis and all ardent sympathizers and other German officials in accordance with the procedure laid down in Chapter II, Part III.

(*c*) Will suspend all German officials who in his opinion are acting in a manner inimical to Allied interests or who are non-co-operative or inefficient.

(*d*) Will select and appoint, on a temporary and provisional basis, replacements for the above categories (sub-paras. (*b*) and (*c*)). The selection of the new personnel will be based upon

professional and occupational qualifications and will depend, of course, upon satisfactory political records.

(*e*) Will not suspend *Oberbürgermeister* or *Landräte*, once appointed under the authority of Military Government, except as an emergency measure.

(*f*) Will issue instructions to the *Oberbürgermeister* and *Landräte* as to their duties, making it clear to them that their activities will be constantly controlled for the purposes of Military Government and that their retention in office is dependent upon their good behaviour and loyal co-operation.

(*g*) Will take all possible steps to protect public records from damage and destruction and will undertake a survey of existing Public Records as soon as possible.

Chapter II

ERADICATION OF NAZISM

Section I

GENERAL

275. OBJECTIVES. It is the declared war aim of the United Nations to extirpate both Nazism and Militarism in Germany. Both of these forces are represented in, and closely interwoven with, the Army, the Government in war production and civil administration, and in the Party Organizations themselves. It will, therefore, be necessary to effect:

(*a*) the destruction of the Nazi Party and its subsidiary non-military political organizations;

(*b*) the demobilization and disbandment of the armed forces and of Nazi military and para-military formations;

(*c*) the purging, re-organization and control of the police;

(*d*) the dismissal of all active Nazis and ardent sympathizers of the Party and of all militarists and leading military figures from Government offices and from other positions of influence and trust;

(*e*) the dismantling of super-centralized and typically Fascist agencies of government and of agencies for war mobilization and production.

276. The foregoing will be accomplished upon the basic principle that active Nazis or ardent Nazi sympathizers will, in no circumstances, be retained in office for purposes of administrative convenience or expediency; that the National Socialist Party and its subsidiary organizations will be dissolved with the single exception that the administrative machinery of certain dissolved organizations may be used where necessary to provide the essential functions of relief, health and sanitation, after the elimination of Nazi personnel and of discriminatory features in the administration of their services.

277. An essential step, complementary to the removal of Nazis from governmental positions and positions of influence, will be the internment of certain government and Party officials and members of police and para-military formations, whose presence at large might be a threat to the security of the Allied Forces or an impediment to the attainment of the objectives of Military Government in Germany.

278. RESPONSIBILITIES. The dissolution of the National Socialist Party and its subsidiary organizations is a responsibility of Counter Intelligence personnel assisted by Mil. Gov. Officers. The demobilization and disbandment of Nazi military and para-military formations is a responsibility of Military Commanders. The purge of the police and the removal of Nazis from the civil

administration of Germany is a responsibility of Mil. Gov. Officers in which they will be assisted by Counter Intelligence personnel. Mil. Gov. Officers, assisted by Counter Intelligence personnel, will be responsible for ensuring that those placed in civil administrative posts and other positions of influence and authority are not Nazis or ardent Nazi sympathizers. The re-organization of all types of administrative agencies necessary for government is the responsibility of Mil. Gov. Officers. Counter Intelligence personnel will be responsible for ensuring that Nazis who might, at liberty, be a danger to military security are interned or kept under surveillance.

Section II

DISSOLUTION OF NAZI INSTITUTIONS

279. ADMINISTRATIVE AGENCIES. The process of demobilization and de-Nazification will require the dismantling of those parts of the administrative structure which

(*a*) were set up for war purposes,

or (*b*) were set up for the government of occupied areas

or (*c*) are essentially Nazi in character.

The greater part of this work must be carried out centrally and, except for those agencies whose re-organization is required to be carried out locally as well as centrally, such work will not, until further instructions are issued, be the task of Mil. Gov. Officers. Such work as must be carried out by Mil. Gov. Officers is discussed herein.

280. PARTY ORGANIZATIONS. In the practical application of de-Nazification in the province of Military Government there are differences which must be recognized in the treatment to be accorded to the various Nazi organizations. The Party Organization itself and its subsidiary organizations will be abolished forthwith. All further activities of the para-military organizations of the Party will be prohibited and their personnel and property will be subject to the orders of Military Commanders. The facilities and administrative organization of certain agencies, cleared of Nazi personnel and of National Socialist principles in the administration of their services, which serve useful functions, such as welfare, health and sanitation, may be preserved. Control of these agencies will be transferred to non-Nazi organizations at the direction of Military Government. An organization to be treated in this manner is the *N.S. Volkswohlfahrt,* an agency providing extensive and diversified relief and welfare facilities, whose activities will be transferred to the *Wohlfahrtsamt* under the *Bürgermeister*. The organizations which are at once to be dissolved are listed in Table " A," and immediately on occupation Law No. 5 will be published dissolving and prohibiting further activity on the part of the Nazi Party and all

of the subsidiary and para-military organizations listed in that Table and directing, where necessary, the disposition of personnel and property.

281. Additional Nazi organizations will have to be dissolved. Some of these organizations are central ones which can be disposed of most efficiently when there is effective control at Berlin. Mil. Gov. Officers will be furnished with lists and further directions with respect to the dissolution of any additional Nazi organizations.

282. All of the property of the organizations which have been abolished will be secured and controlled in the manner indicated in Chapter III of this Handbook, "Finance and Property Control." Particular attention will be given to securing the records and archives of the organizations which are dissolved.

Section III

CONTROL AND ELIMINATION OF NAZI PERSONNEL

283. The elimination of Nazi Party members, and those who have collaborated with the Party, from positions of power and influence in political offices, and in the Civil Service, is an essential part of the process of eradicating Nazism. The manner of eliminating Nazi personnel will vary from case to case. In the case of high party officials, dismissal from office will not suffice; such individuals will not only have to be dismissed but will have to be arrested and imprisoned, or restricted in their actions. In the case of the holders of less important party or governmental offices, mere dismissal will suffice, though some control may have to be exercised over their movements.

284. In respect of dismissal, the policy of the Supreme Commander requires that the entire Nazi leadership will be removed from posts of authority and that no member of the German General Staff or holder of an office in the Nazi Party will occupy any official position. Political officials, civil servants and other officers holding the positions which are listed in Table "B" will be dismissed, or in the case of a few officials, suspended as a matter of principle. Many of these officers, as pointed out below, will also be arrested and detained. In considering the dismissal or internment of Nazi Party members in government offices, it must be clearly understood that the lists in the Tables appended to this Chapter should not be regarded as exclusive. As to the other officials, the general rule should be that no holder of office in the Nazi Party organization should be continued in a governmental position.

285. In the arrest or surveillance of high party officials, the holders of responsible governmental positions or the former members of the Nazi Police, Mil. Gov. Officers will give all prac-

ticable assistance to CIC, which is primarily responsible for carrying out such arrests. Table "C" gives a list of Nazi Police, Party, Para-Military and Government Officers who will be arrested and interned. It also provides an estimate of the number involved in Germany as a whole. It is estimated that roughly one-half of the officers of the ranks and organizations mentioned will be found in the area of the Supreme Commander's responsibility. Additional persons may be designated for internment by CIC from time to time.

286. The *Ortsgruppenleiter* and the *Partei Beauftragter* in larger towns. As is indicated above, the lists of Party and other officials who are to be dismissed on principle or interned are not to be regarded as exclusive. While neither the *Ortsgruppenleiter* nor the *Beauftragter der NSDAP* is listed for detention by reason of his Party office alone, the positions in the Party organization and the extent of the indoctrination and possible influence of these officials may require their detention. The *Ortsgruppenleiter* may be regarded as a party official chosen for his complete loyalty to the NSDAP, with a responsibility for perpetuation and propagation of Nazi doctrine out of proportion to the position which he holds on the scale of Nazi offices. The *Beauftragter der NSDAP* is responsible for ensuring that all officials of any municipal organization are politically acceptable and that they remain politically loyal. His political surveillance usually extends to other members of the community as well. Mil. Gov. Officers will therefore be on the alert for, and give close attention to, any information that they may receive regarding political activities or activities perpetuating Nazi doctrines carried on by these officials. They will furnish any such information to CIC officers with a view to the internment of offenders. Naturally, no person who has held either of these Party positions will be retained in office or considered eligible for appointment to any other office.

Section IV

PROCEDURE FOR REMOVAL AND APPOINTMENT OF PUBLIC OFFICIALS

287. Public officials not automatically removed will be scrutinized in the order of the importance of their positions with a view to the elimination of active Nazis and ardent Nazi sympathizers and the retention or appointment of non-Nazis for the essential functions of civil administration. Each official and candidate for appointment will be required to record on a questionnaire (*Fragebogen*) detailed and specific information concerning his background and participation in Nazi activities and organizations. The information disclosed by the questionnaire will be checked against other sources of information, such as counter-intelligence, Nazi Party and police records, civil service certificates, publications and informants.

288. Officials holding certain offices or having certain political backgrounds will be dismissed from their positions forthwith, while the retention of others in office will be within the discretion of the Officer Commanding Mil. Gov. Detachment. A list of those Nazi positions which automatically entail the suspension from office of the holder are shown in Table " D." An analysis of the past record of each official will be made from the *Fragebogen* filled in by him, and a decision will be reached as to whether his dismissal is mandatory or whether he may be retained. The detailed procedure for the examination of *Fragebogen* is set out in the Public Safety Technical Manual.

289. Wherever possible, removals and appointments in the civil service will be made through German officials who are vested with power to remove under German law. Removal will be summary. Where removal through the German official is impracticable, removal will be effected directly by the Officer Commanding Mil. Gov. Detachment.

290. All appointments will be temporary and are subject to approval by higher Military Government authority.

291. REMOVAL OF NAZIS FROM QUASI-GOVERNMENTAL POSITIONS. Elimination of Nazism will also require the removal of persons holding positions of influence in certain business and commercial organizations outside of the government, originally similar to chambers of commerce and trade associations, but which have become agencies of governmental control, and have collaborated particularly closely with the Nazi Party and the German war machine. The organizations and positions from which such officials should be removed are listed in Table " E."

292. THE JUDICIARY AND LAW OFFICIALS. To achieve the elimination of Nazi elements from the judiciary, special measures are necessary. These should be initiated during the period while the courts are closed. The establishment of a working court system which will administer justice free from the principles of Nazi doctrine is an urgent requirement of Military Government. The first, and most necessary, step is to de-Nazify the *Oberlandesgerichte,* as these are the most suitable levels at which to impose control on the ordinary German court system. The members of the court will be suspended from office, as will be the *General-Staatsanwälte* and *Staatsanwälte.* The presumption is that the presidents of the *Oberlandesgerichte* and the *General-staatsanwälte* will be dismissed on principle unless, in the individual case, definite and over-riding reasons to the contrary are clearly established. The remaining judges of the *Oberlandesgerichte* and also the *Staatsanwälte* should be carefully scrutinized on the lines laid down in the first two paragraphs of this Section, and removal should be effected on the principle that, at this level, it is better to start with a small and evidently reliable judicial nucleus, even at the cost of accumulating arrears of court business on the calendar, than to establish a full work-

ing system which may subsequently have to be interfered with. A new President should be selected from the existing bench only if clear evidence exists of his political independence. If none is available, every effort should be made to find a reliable and efficient ex-judge for this important post.

293. With regard to the rest of the judges and legal profession within such *Oberlandesgericht* area, a considerable measure of discretion should be exercised. The following general principles may afford guidance:

(*a*) Judges and prosecutors not considered suitable for responsible posts may, in some cases, be employed for such work as Land Registrar or Company Registrars, or for other appropriate subordinate posts.

(*b*) The bench may be recruited from retired judges—by extending the age limit—or by appointing attorneys of good standing. The latter is possible under existing German law.

(*c*) Special attention should be given to the *Kammervorstand* or "Benchers." These are likely to be in all cases Nazi appointees and should probably all be dismissed. A temporary body should be reconstituted through appointment by the President of the courts.

(*d*) With regard to the rest of the legal profession, the standard to be generally applied should be one of professional integrity. Mil. Gov. Officers should aim at transferring responsibility for upholding this standard to the profession itself, through the disciplinary courts of the profession.

294. CONTROL OF POLICE OFFICIALS AND POLICE. The importance of police functions to Military Government and the vital role which police forces have played in the execution of the plans of the Nazi leaders and the extent of penetration of the regular German police by the Nazi Party, necessitate that special measures be taken. Mil. Gov. Officers, in co-operation with the CIC, will ensure the detention and control of the police officials listed in Table "C," and of any SS personnel in the special police, such as the *Bahnschutz, Postschutz* and others.

295. EDUCATION OFFICIALS. Removal of active Nazis, ardent Nazi sympathizers and militarists from the German educational system and eradication of Nazis and militaristic influence is a particularly difficult and important task. Reference is made to Chapter X, "Education and Religious Affairs," for further guidance with respect to teachers and other officials who are to be removed.

296. FINANCIAL SANCTIONS. In addition to actions outlined in this Chapter, steps will be taken to block ("freeze") the properties of individuals who would be classified as active Nazis or ardent Nazi sympathizers. Reference is made to Chapter III, "Finance and Property Control," for such procedures.

Section V

THE TASK OF THE MILITARY GOVERNMENT OFFICER

297. The Mil. Gov. Officer will be responsible:

(*a*) for publicizing and for enforcing the law relating to dissolution of the Nazi Party and the control of its property and records (Law No. 5);

(*b*) for the dismissal of the officers, referred to by rank or organization in this Chapter or who appear undesirable upon individual investigation;

(*c*) for ensuring that official positions in the German Administrative agencies and units within his cognizance are filled by persons who have been carefully investigated and are non-Nazis;

(*d*) for co-operation with the CIC in any steps which will facilitate or ensure the arrest, detention or necessary surveillance of the persons in the categories referred to in this Chapter.

TABLE "A"

Nazi Political Organizations to be Abolished

A. Central Offices of the NSDAP.

1. Party Chancellery (*Partei-Kanzlei*).
2. Führer's Chancellery (*Kanzlei des Führers der NSDAP*).
3. Organization of Germans Abroad (*Auslandsorganization*).
4. Offices in Germany of the National Union for German Elements Abroad (*Volksbund für das Deutschtum im Ausland*).
5. Centre for *Volksdeutsche* (*Volksdeutschemittelstelle*).
6. Party Scrutiny Commission for the Protection of National Socialist Literature (*Parteiamtliche Prüfungskommission zum Schutze des NS-Schrifttums*).
7. Office of the Reich Organization Leader (*Reichsorganisationsleiter der NSDAP*).
8. Office of the Reich Treasurer of the Party (*Reichsschatzmeister der NSDAP*).
9. Supreme Party Court (*Oberstesparteigericht*) and Subordinate Courts.
10. Office of the Führer's Commissioner for the Supervision of the Whole Intellectual and Ideological Training and Education of the Party (*Beauftragter des Führers für die Überwachung der gesamten geistigen und waltanschaulichen Schulung und Erziehung der NSDAP*).

11. Office of the Reich Propaganda Leader of the Party (*Reichspropagandaleiter der NSDAP*).
12. Office of the Reich Leader for the Press (*Reichsleiter für die Presse und Zentralverlag der NSDAP (Eher Verlag)*) together with the publishing houses owned by the Party and controlled by him.
13. Office of the Reich Press Chief of the Party (*Reichspressechef der NSDAP*).
14. Reich Office for the Agrarian Population (*Reichsamt für das Landvolk*).
15. Head Office for Public Health (*Hauptamt für Volksgesundheit*).
16. Head Office for Technology (*Hauptamt für Technik*).
17. Head Office for Teachers (*Hauptamt für Erzieher*).
18. Head Office for Local Government (*Hauptamt für Kommunalpolitik*).
19. Head Office for Officials (*Hauptamt für Beamten*).
20. Office of the Party Commissioner for all Racial Questions (*Beauftragter der NSDAP für alle Volkstumsfragen*).
21. Racial-Political Office of the Party (*Rassenpolitisches Amt der NSDAP*).
22. Office of Genealogical Research (*Amt für Sippenforschung*).
23. Colonial Office of the Party (*Kolonialpolitisches Amt der NSDAP*).
24. Foreign Office of the Party (*Aussenpolitisches Amt der NSDAP*).
25. Reichstag Party of the NSDAP (*Reichstagsfraktion der NSDAP*).
26. Reich Women's Leadership (*Reichsfrauenführung*).
27. Head Office for War Victims (*Hauptamt für Kriegsopfer*).

B. Regional and Local Offices of Party Administration.

1. *Gauleitung* in each Party *Gau* or *Reichsgau*.
2. *Kreisleitung* in each Party *Kreis*.
3. *Ortsgruppenleitung* in each Party *Ortsgruppe*.
4. *Zellen* and *Block* offices.
5. The *Beauftragter der NSDAP* in each Governmental Unit.

C. Professional, Political and other Party Organizations.

1. Reich League of Doctors (*NSD–Ärztebund*).
2. Party League of German Technicians (*NS–Bund Deutscher Technik*).
3. Party League of Teachers (*NS–Lehrerbund*).

4. Reich League of German Officials (*Reichsbund der Deutschen Beamten*).
5. Reich Colonial League (*Reichskolonialbund*).
6. NS Women's Organization (*NS Frauenschaft*).
7. NS Reich League of Nurses (*NS Reichsbund der Deutschen Schwestern*).
8. German Women's Association (*Deutsches Frauenwerk*).
9. Reich Student Leadership (*Reichsstudentenführung*).
10. National Socialist German Students' League (*NSD–Studentenbund*).
11. German Students' Association (*Deutsche Studentenschaft*).
12. National Socialist German Lecturers' Association (*NSD–Dozentenbund*).
13. Party League of Lawyers, Notaries and Accountants (*NS–Rechtswahrerbund*).
14. Party League of Old Students (*NS–Altherrenbund der Deutschen Studenten*).
15. Reich League of German Families (*Reichsbund Deutsche Familie*).
16. German Labour Front (*Deutsche Arbeitsfront*).
17. Party Association for Physical Training (*NS–Reichsbund für Leibesübungen*).
18. NS–Ex-Servicemen's League (*NS–Reichskriegerbund*).
19. Reich Chamber of Culture (*Reichskulturkammer*).
20. German Local Government Union (*Deutscher Gemeindetag*).
21. Secret Police (*Geheime Staatspolizei*).
22. German Hunters' Association (*Deutsche Jägerschaft*).
23. Council of Experts on Population and Race Politics (*Sachverständigenbeirat für Bevölkerungs und Rassenpolitik*).
24. Reich Committee for the Protection of German Blood (*Reichsausschuss zum Schutze des Deutschen Blutes*).
25. National Socialist Relief Organization for War Victims (*NS–Kriegesopferversorgung*).
26. Winter Relief (*Winterhilfswerk*).

D. Para-Military and Police Organizations.

1. The Storm Troops, SA (*Sturmabteilungen*), including the SA–*Wehrmannschaften* or pre-military training centres.
2. The SS (*Schutzstaffeln*), including the Armed–SS (*Waffen–SS*) and the SD (*Sicherheitsdienst*).

3. The National Socialist Automobile Corps, NSKK (*NS-Kraftfahrerkorps*).
4. The National Socialist Flying Corps, NSFK (*NS-Knaftfahn-Korps*).
5. The Hitler Youth (*Hitler Jugend,* or HJ).
6. The Reich Labour Service, RAD (*Reichsarbeitsdienst*).
7. The Todt Organization, OT (*Organization Todt*).
8. The Technical Emergency Squads, TENO (*Technische Nothilfe*).

NOTE:—Pending surrender, or the declaration by the Supreme Commander that the Germans have been defeated, all German personnel of the above organizations are entitled to the status and privileges of Prisoners of War.

TABLE "B"

Political Officers and Civil Servants who should be Dismissed or Suspended. (The holders of the offices marked with asterisks will be suspended.)

Item	*Title of Position*	*Number*
1.	Reich Ministers and State Secretaries, Ministerial Directors**	40
2.	Land Ministers, State Secretaries and Ministerial Directors** of the Länder..	50
3.	(*a*) Provisional Presidents and Reich Governors ..	30
	(*b*) Department Heads of Provinces and Reichsgaue**	—
4.	Other Supreme Reich Authorities. At present these are :	
	Commissioner General for Medical and Health Service	
	Reich Housing Commissioner	
	Reich Commissioner for Security of the German People	
	Reich Commissioner for Shipping	
	Inspector-General for Water and Power	
	Inspector-General for German Roads	
	Inspector-General for Motor Transportation	
	Reich Commissioner for Treatment of Enemy Property	
	Reich Youth Leader	
	Head of the *Reichsstelle fiir Raumordnung*	
	Division Chief in Four-Year Plan Office	30

Item	Title of Position	Number
5.	Heads of Reich Institutions. At present these are : Reichsbank Supreme Administrative Tribunal Reich Committee for Public Health Service Reich Office for Social Insurance Reich Hereditary Court Reich Labour Court Reich Honour Court Reich Archives	20
6.	Reich Labour Trustees	40
7.	Reich Food Estate Officials from *Kreisbauernführer* up	300
8.	Chiefs of Military and Civil Administration in the Occupied Countries..	3,000
9.	*Regierungspräsidenten*.	40
10.	*Landräte*	700
11.	*Oberbürgermeister* of Cities of more than 100,000 inhabitants	95
12.	Officials of the Reich Ministry of Public Enlightenment and propaganda, National, Regional and subsidiary agencies	300
13.	Reich Ministry for Armaments and War Production high officials, including the Chairman of the *Hauptausschüsse* and *Ringe*	70
14.	Members of the Present German *Reichstag* not already covered on account of other positions held	—
15.	Members of the Supreme Court (*Reichsgericht*), the People's Court (*Volksgericht*), Special Court (*Sondergericht*), members of the Courts of Appeal (*Oberlandesgericht*)**	—
16.	Chief Public Prosecutors (*Oberreichsanwälte, General Staatsanwälte*, and *Oberstaatsanwälte*)**	—
17.	Police Officials : (*a*) Reich Leader SS and Chief of the German Police (*b*) All higher SS and Police Leaders (*c*) All Police Presidents and Directors, and Police Officials above the rank of Lieutenant-Colonel	

Item	*Title of Position*	*Number*
	(*d*) All members of the *Gestapo* and *Sicherheitsdienst*	
	(*e*) Members of the Administrative Police who are serving with the *Gestapo*, either in their HQ or as "Special investigators." Those who have served should be treated on their merits after investigation	
	(*f*) Inspectors of the Security Police and ORPO	
	(*g*) Commissioner officers of the *Technische Nothilfe*	
18.	University Rectors and Curators, including Heads of Institutions of University rank.	

NOTE :—Figures shown are an approximation, where such can be made, of the numbers of officials in the whole of Germany.

TABLE "C"

Nazi Party, Police, Para-military and Governmental Officers to be Interned

The following categories of Nazi officers will be arrested and detained upon the entry into Germany of the Allied Occupational Forces. The figures shown are an estimate of the number of persons who will be detained in Germany as a whole. The estimate of the number in the Western Zone is roughly one half of each group.

Item	*Title of Position*		*Number*
1.	*The Secret State Police (GESTAPO)*	.. All personnel	15,000
2.	*Security Service of the SS (SD)*	.. All personnel	15,000
3.	*Police Officials :*		
	(*a*) Police Presidents and Directors ..	100	
	(*b*) *Befehlshaber der ORPO* and *der SIPO*	60	
	(*c*) *Technische Nothilfe*	50	
	(*d*) Police Officers in Key Posts	320	
	(1) *Höhere SS* and *Polizeiführer*		
	(2) *Inspekteur der ORPO*		
	(3) *Inspekteur der SIPO und SD*		
4.	*Nazi Party Officials :*		
	(*a*) Administrative officials of the Party on the Reich, *Gau* and *Kreis* levels down to the post of *Kreishauptstellenleiter*		
	(*b*) All other members of the Party holding rank of *Bereichsleiter*		30,000

Item	*Title of Position*	*Number*
5.	*Para-Military Officers :*	
	(*a*) *Waffen* SS (all officers)	60,000
	(*b*) *Allgemeine* SS (all officers)	8,000
	(*c*) SA (officers holding the rank of *Sturmbannführer* or higher)	30,000
	(*d*) *Hitler Jugend* (officers holding the rank of *Stammführer* or higher) ..	20,000
	(*e*) NSKK (officers holding the rank of *Staffelführer* or higher)	10,000
	(*f*) NSFK (officers holding the rank of *Sturmbannführer* or higher)	5,000
	(*g*) RAD (Headquarters officials) ..	250
6.	*Public Officials :*	
	(*a*) Reich Ministers	40
	(*b*) State Secretaries	40
	(*c*) Ministers of *Land* Governments ..	30
	(*d*) Provincial Presidents and Reich Governors	30
	(*e*) Heads of other supreme Reich authorities (Commissars, Inspectors, Division Chiefs in the Four-Year Plan Office, etc.)	30
	(*f*) Heads of certain Reich institutions such as the Reichsbank, the Reich Office for Social Insurance, the Supreme Administrative Tribunal, the Reich Health officer, Supreme Court Martial, President of the People's Court	20
	(*g*) All Reich Labour Trustees	40
	(*h*) The following officials of the Reich Food Estate : All *Bauernführer*—from and including the *Kreis* level up ; Chairman of the Central Market Associations (*Hauptvereinigungen*), Regional Market Associations (*Wirtschaftsverbände*) and County or Local Marketing Associations (*Unterverbände*), Presidents of Regional Food Offices (*Landesernährungsämter*) and County Food Offices (*Ernährungsämter*) ; and their deputies	—
	(*i*) The chiefs of the German military and civil administration in the occupied countries and territories	3,000

Item	Title of Position	Number
(*j*)	District Presidents (*Regierungspräsidenten*)	40
(*k*)	Heads of rural *Kreise* (*Ländrate*) ..	700
(*l*)	Mayors of cities (*Oberbürgermeister*) over one hundred thousand inhabitants	95
(*m*)	The officials of the Reich Propaganda Ministry and its regional offices and branches, the heads of its subsidiary agencies	300
(*n*)	All high officials (from Ministerial Councillor up) in Speer's Reich Ministry for Armaments and Production and the chairman of *Hauptausschüsse* and *Ringe* in the same Ministry	70

NOTE.—Figures shown are an approximation, where such can be made, of the numbers of officials in the whole of Germany.

TABLE "D"

Positions in Nazi Party Organizations and Formations and Relations to the Party which are to be regarded as Disqualifying if held at any time

1. NSDAP; National Socialist Party: membership in the NSDAP prior to 1933.
2. NSDAP; National Socialist Party: holders of the positions in the Nazi formations referred to below or listed among the Party Officials in Table C or in para. 286.
3. SS: *Schutzstaffel*—holders of the rank of *Unterscharführer* or higher, and any person who was a member of the SS before 1933.
4. SA *Sturmabteilung:* holders of the rank of *Scharführer* or higher, membership in the SA prior to 1933.
5. *Hitler Jugend:* holders of the rank of *Bannführer* or *Bannmädel* or higher.
6. NS *Dozentenbund:* officials of this formation.
7. NS *Deutscher Studentenbund:* officials of this formation.
8. NS *Frauenschaft:* officials of this formation.
9. NS *Kraftfahrer-Koys:* holders of commissioned rank in this formation.
10. NS *Fliegerkorps:* holders of commissioned rank in this formation.

11. RAD—*Reichsarbeitsdienst:* holders of the rank of *Arbeitsführer* and above.

12. Business men who have accepted Nazi honours, such as the "*Ehrendolch*" or "*Ehrensold*" or "*Blutorden*".

13. Persons holding the positions in quasi-governmental organizations listed in Table E.

14. Officials in the "Affiliated Organizations" of the NSDAP named in items 1, 2, 3, 4, 13, 16 and 25 in Category C of Table A (Professional, Political and other Party Organizations) and officials of the NSV (NS *Volkswohlfahrt*).

15. Officials of the "Supervised Organizations" of the NSDAP named in item 4 in Category A of Table A (Central Offices) and officials of the similar organizations named in items 5, 7, 8, 14, 15 and 17 in Category C (Professional, Political and other Party Organizations) of Table A.

TABLE "E"

Quasi Governmental Positions from which Principal Officers should be Removed

1. Head of the National Economic Chamber (*Reichswirtschaftskammer*) and his immediate subordinates; or president or chairman of a Gau Economic Chamber or affiliated Economic Chamber.

2. Chairman, president or deputy of a *Reichsgruppe* or an Economic Group (*Wirtschaftsgruppe*).

3. Chairman, president or deputy of a National Transportation Group (*Reichsverkehrsgruppe*).

4. *Wehr Wirtschaftsführer.*

Chapter III

FINANCE AND PROPERTY CONTROL

A. FINANCE SECTION

Survey

325. GENERAL. Under the Nazi regime, and particularly during the war, German finance has been subjected to highly centralized controls exercised partly through regular administrative channels and partly through political organizations. The Minister of Economics (who since 1939 has also been President of the Reichsbank) and the Minister of Finance stand at the apex of the existing administrative machinery for finance.

326. CURRENCY. Only three types of paper currency are legal tender or valid in Germany at present. They are:

(*a*) Reichsmarks

(*b*) Rentenmarks (not legal tender, but " legally admitted ")

(*c*) Allied Military Marks (*Alliierte Militärbehörde Mark*) (See Appendix " B ")

327. Military currency, such as the *Reichskreditkassenscheine,* which was issued to the German Army in invaded countries, is not legal tender in Germany. *" Marks "*, as distinguished from *Reichsmarks* or *Rentenmarks,* are not legal at all. No German paper currency in denominations over 1,000 is valid. Currency which is not legal tender or valid may not be accepted for any purpose whatsoever.

(*a*) Reichsmarks are issued by the Reichsbank under decrees dated 30th August, 1924, and later, one of which appears on all such notes. All Reichsmarks also bear a date of issue, later than the date of the decree, the earliest date of issue being 11th October, 1924.

(*b*) Rentenmarks are issued by the Rentenbank. At present only denominations of Rentenmarks 1, 2 and 5 are valid. Rentenmarks are issued under decrees dated 15th October, 1923, or later, one of which appears on all Rentenmarks. The date of issue also appears on all Rentenmarks and will be 2nd January, 1926, or later. The 5 Rentenmark notes were scheduled to be withdrawn from circulation during 1943, but it appears that they have not all been withdrawn. All notes of 10 Rentenmarks or more are invalid.

(*c*) Allied Military Marks are in all respects legal tender in Germany and are exchangeable for Reichsmarks or Rentenmarks of equal face value. (Mil. Gov. Law No. 51.)

(*d*) There are also coins in circulation which are legal tender (see Appendix " B ").

328. FOREIGN EXCHANGE CONTROL. Since 1931, Germany has had a stringent system of control of all transactions involving foreign exchange. The export of capital and currency has been prohibited; the proceeds, in foreign exchange, of goods delivered and services rendered to persons abroad, and all gold, securities and claims in foreign currency held by persons in Germany, have had to be declared or tendered to the Reichsbank. Imports of goods into Germany and the use of services involving outlays of foreign exchange have been subject to rigid controls exercised by the Reichsbank, the Reich Ministry of Economics, or bodies operating under the latter's authority.

329. FINANCIAL INSTITUTIONS, BANKS.

(*a*) The basic characteristics of the German banking system are:

(i) highly centralized control and supervision by a number of Reich agencies, chiefly the Ministry of Economics and the Reichsbank;

(ii) the importance of savings banks which alone hold approximately 60 per cent. of bank deposits;

(iii) the extensive use of cashless transfer systems (*Giroverkehr*) which largely replace the check/cheque system known in other countries;

(iv) the extent to which the entire German banking system has invested in government paper (in 1943 approximately 80 per cent. of total bank deposits); and

(v) the close relationship with industry.

(*b*) Banking in Germany can be divided roughly into the following groups:

(i) The Official Central Bank (Reichsbank), its numerous branches, and affiliated institutions;

(ii) Commercial Banks (the Big Six in Berlin, Provincial Banks, Land Banks, and private banking firms);

(iii) Savings Banks (*Sparkassen*, with their regional *Girozentralen* and *Landesbanken*) acting as reserve banks and clearing centres;

(iv) Credit Co-operatives (*Kreditgenossenschaften*, both rural and urban);

(v) Mortgage banks (*Hypothekenbanken*);

(vi) Banks for special purposes or owned by special interests (e.g., *Deutsche Verkehrs-Kredit-Bank*, owned by and serving the German Railways).

(*c*) The Post Offices in Germany handle Giro payments, money orders, and travellers' checks. Since 1938 they also have handled savings accounts, the central records for which presumably are

still kept in the Postal Savings Office (*Postsparkassenamt*) in Vienna.

330. STOCK AND COMMODITY EXCHANGES. The only stock exchange of any importance left in Germany is the Berlin Exchange, and even its activities are severely limited. There are still a few commodity exchanges left, mostly for trading in wheat and foods. Stock and commodity exchanges are under the supervision of the Ministry of Economics.

331. PRIVATE INSURANCE. All private insurance companies and public establishments for commercial insurance are under the supervision of the Ministry of Economics. Widely interlocked as to ownership and managerial control, they are grouped in "*Konzerne.*" A close relationship exists between private insurance companies and banks.

Insurance companies have no branches as such but operate through agencies. The assets and records are centralized in the cities where the companies are located. Like the banks, the private insurance companies are heavy investors in government paper.

Reinsurance is effected chiefly through a pool of German and other European reinsurance companies under the leadership of the Munich Reinsurance Company.

332. PUBLIC FINANCE.

(*a*) Nazi policy has centralized the control of Public Finances in the Reich. The autonomous powers formerly exercised by the *Länder* have been practically eliminated.

(*b*) The administrative system for the collection of Reich taxes includes: two departments at the level of the Ministry of Finance (one dealing with customs duties and taxes on articles of consumption and the other with the remaining Reich taxes, including income, corporation, turnover, inheritance, and other taxes); a number of tax collection districts, each headed by an *Oberfinanzpräsident* and each having two departments corresponding in scope with those at the level of the Ministry; and a number of subordinate offices in each tax collection district—the *Zollämter* dealing with customs and consumption taxes and the *Finanzämter* dealing with the remaining taxes.

(*c*) The more important taxes are now levied and collected by the Reich. Some taxes (the Land and Building Tax and some local amusement, luxury, and license taxes) are still levied and collected by *Stadtkreise* and *Landkreise* through local tax collection offices.

(*d*) The Reich, *Länder, Stadtkreise, Landkreise* and other governmental subdivisions receive substantial revenues from sources other than taxation. These sources are in the main contributions, administrative fees, and profits from enterprises publicly owned in whole or in part. The *Länder, Provinzen, Stadtkreise* and *Landkreise* are dependent for a substantial

part of their requirements upon redistribution by the Reich of a portion of Reich taxes.

(*e*) Budgets are prepared by the Reich, *Länder, Provinzen, Stadtkreise* and *Landkreise*. The Finance Ministry has a budget department for the Reich. In the *Länder,* budgets are prepared by the Minister of Finance of the *Land;* in the *Provinzen* by the *Oberpräsident;* in the *Stadtkreise* by the *Oberbürgermeister;* and in the *Landkreise* by the *Landräte.* Budgets of *Stadtkreise* and *Landkreise* require the consent of the supervisory authority (*Aufsichtsbehörde*).

(*f*) Control of the finances of the Reich and of the *Länder* is exercised primarily by the Reich Minister of Finance. The financial affairs of the municipalities are regulated by the Reich Minister of the Interior in agreement with the Reich Minister of Finance.

333. Financial Intelligence and Liaison. Under normal conditions, most of the German financial statistics and economic information is collated and published by the *Statistisches Reichsamt,* a subordinate department of the Ministry of Economics, at Berlin. It is believed that some of its facilities and activities have been assumed as a war-time measure by the Ministry of Armaments and War Production. There are also statistical departments of the Reichsbank, the Reichsbahn, and the Reichspost, and statistical offices are maintained by the *Provinzen, Länder,* and principal municipalities.

334. Estimate of the Situation. The extent to which existing financial machinery will have deteriorated by the time Allied forces occupy Germany will vary with the circumstances of occupation, but in any event the effect will be severe. The destruction by bombing, the disintegration of the Nazi party and the removal, flight or death of governmental officials, the return of a defeated army, the prospect of widespread unemployment, the abrupt cessation of war production and exports and imports, the fear of a possible impending collapse and the memory of the total collapse of the German currency and price structure after the last war will be among the factors that will profoundly affect the financial picture. The collection of taxes and other public revenues will almost surely decline. If occupation is partial or gradual, administration of revenues and expenditures on a local basis may be necessary. A period of profound disturbance is almost certain to develop. In the event that general distrust of government credit results in runs on banks, financial institutions may be forced to close prior to the arrival of the occupying forces.

The uncertainty of the situation necessitates constant revision of an estimate of the financial problems which will arise. It emphasizes the importance of and the need for constant reporting of the changing factors that will affect the financial situation.

Objectives and Policies

335. GENERAL. The initial objectives of Mil. Gov. in the financial field are to take such measures:—

(*a*) as are necessary to eliminate active Nazis or ardent sympathizers from the financial system (see Financial and Property Control Technical Manual);

(*b*) as are essential to avoid conditions which will adversely affect the military forces in their operations;

(*c*) as will assist the Supreme Commander and any successor control organization in dealing with undesirable German practices, institutions and persons;

(*d*) as will facilitate control of German foreign exchange assets and certain categories of other assets;

(*e*) as will facilitate the obtaining of such financial and economic intelligence as will enable the Supreme Commander or any successor control organization to discharge their program and responsibilities.

To carry out these objectives the financial machinery existing in Germany at the time of occupation will be utilized to the maximum extent practicable, consistent with policy, subject to supervisory control from the highest possible level down and in accordance with instructions which may be issued from time to time to the German authorities. This will facilitate Mil. Gov. financial administration and the formulation of uniform policy.

The Finance and Property Control Technical Manual (hereafter called F & PC Manual) must be consulted.

336. INFLATION. The establishment of a comprehensive financial program to deal with long range problems of inflation is not, at least initially, a responsibility of Mil. Gov. During the period of the Supreme Commander's Military Government, the German authorities will be ordered to continue the counter-inflationary controls already operating, such as rationing and measures to control prices and to combat black markets, subject to the requirements of the military situation and the program for eliminating discriminatory and objectionable practices and undesirable personnel.

337. CURRENCY.

(*a*) The Currency Section will be the sole source of currency for use in Germany by the Allied Armed Forces and for Mil. Gov. purposes. If Allied Military stamps are used, this Section will supply them as needed.

(*b*) If, during the initial phase of operations, cash for Mil. Gov. purposes cannot, for any reason, be obtained from the Currency Section and the need for such money is urgent, Military Pay Services will issue funds to authorized Mil. Gov. Officers.

(*c*) The Currency Section will maintain accounts and records necessary to indicate supply, control and movement of currencies held by it, as well as financial data and expenditures arising out of operations or activities of Allied Military Forces.

(*d*) As soon as banking facilities are under adequate control, the Currency Section will use the Reichsbank, or if the Reichsbank is not available, other conveniently located banks, for the purpose of receiving and paying out funds.

(*e*) Reichsmarks will be used as far as possible for necessary cash expenditures. If the supply of Reichsmarks is insufficient, Allied Military Marks will be used to supplement the currency and coin now in circulation in Germany. (See Appendix B for denominations of Allied Military Marks.) Allied Military Marks will be declared to be legal tender by Law No. 51. Reichsmarks, Rentenmarks and German coin will be legal tender or valid to the extent fixed by existing German law. If it is found necessary to use US Yellow Seal Dollars, BMA notes, or US or British coin, specific instructions will be issued in regard thereto by higher authority.

(*f*) Except as authorized by Mil. Gov., no person shall enter into any transaction in which the consideration or any part thereof is expressed or is payable in a currency other than Marks. *Reichskreditkassenscheine* and other German military currency and coin will not be legal tender. Non-yellow Seal US Dollar notes and coins and regular British Pound Notes and coin are not legal tender and may not be imported, exported, acquired or otherwise dealt in, except under such conditions as may be specifically authorized by Mil. Gov. Only Finance Officers and Paymasters of the Armed Forces may accept US money, British money and other non-German currencies from the US and British military or other authorized personnel for conversion into Mark currency at the established rate of exchange, after satisfying themselves as to the legitimacy of the source of such money.

(*g*) Further instructions will be issued on the subject of rates of exchange of the Mark, the Dollar and the Pound Sterling and the rate of convertibility of Allied Military Marks currently circulating in Germany.

338. FOREIGN EXCHANGE CONTROL.

(*a*) The object of Foreign Exchange Control is to maintain control of all foreign exchange assets and transactions. Under Law No. 53 (Foreign Exchange Control), all foreign exchange transactions are prohibited, unless licensed, including transactions involving:—

(i) German-owned foreign exchange assets, including gold or silver coin or bullion, foreign securities; foreign currencies, wherever situated; and any German-owned property located outside Germany.

(ii) Properties in Germany owned or controlled by persons outside Germany.

(iii) Export and import of German currency and securities.

(*b*) Law No. 53, also requires delivery of gold and silver coin or bullion, foreign currencies, foreign securities, etc., located within Germany to the Reichsbank or other designated institution within 15 days after the effective date of the Law. Such property will be delivered to the Reichsbank together with Form MGAX–2 duly filled out. Instruction No. 1 to the Reichsbank sets forth the responsibilities of the Reichsbank under Law No. 53. (See Appendix B.)

(*c*) In order to obtain full information concerning all German Foreign Exchange assets, and to obtain information concerning the international position of Germany, a declaration of such assets and of obligations due or owing by persons in Germany to persons outside of Germany is also required by this Law. Such declaration (Form MGAX–1) must be filed at the Reichsbank or other designated institution within 30 days of the effective date.

(*d*) Mil. Gov. Law No. 53 provides for licenses permitting certain transactions otherwise prohibited by the Law. All such licenses will be issued by Supreme Headquarters or under authority delegated by it to the Reichsbank or other organization, from a central control point. Pending further instruction, all applications for licenses will be filed with the Reichsbank.

339. FINANCIAL INSTITUTIONS.

(*a*) After the elimination of active Nazis and ardent sympathizers from the financial system, the objectives in respect to financial institutions are to permit their functioning at such time and under such conditions as will be determined by the Supreme Commander.

(*b*) Banks will be placed under such control as is necessary to provide adequate facilities for military needs and to ensure that instructions and regulations issued by Mil. Gov. are observed. Banks should be closed only if absolutely necessary and then only long enough to introduce satisfactory control by Mil. Gov., to remove objectionable personnel and to carry out instructions for the blocking of certain accounts and other instructions contained in the letters entitled "Instructions to Financial Institutions." (See Appendix B.) Consistent with the foregoing, banks, if closed, will be permitted to reopen as soon as possible.

(*c*) Control over the banking system will be exercised as much as possible through the Reichsbank and its branches.

(*d*) To the extent that Mil. Gov. formulates policies affecting the financial services of the Postal System, the work of formulating such policies will be done by Financial Officers. Instructions to carry out these policies will be transmitted through Mil. Gov. Officers to the Postal authorities.

(*e*) Access to safe deposit boxes and vaults and other objects left for safe-keeping will be permitted only after a system of control has been inaugurated by Mil. Gov.

(*f*) Insurance companies will be permitted to operate subject to such control by Mil. Gov. as may be undertaken.

(*g*) Subject to Mil. Gov. laws, including blocking and property controls, and foreign exchange controls, and until further instructions are issued, the German authorities will be ordered to continue existing controls and regulation of transactions in real estate and securities and transactions on stock and commodity exchanges.

(*h*) Closest co-ordination will be maintained by Mil. Gov. Officers with Financial Officers regarding blocked accounts, credits and other assets in financial institutions.

340. BLOCKING CONTROLS.

(*a*) The provisions for blocking (freezing) controls are contained in Mil. Gov. Law No. 52 (Blocking and Control of Property). This law blocks transactions or other dealings in all classes of property, including bank accounts, securities and other financial assets, owned or controlled by certain categories of persons. In connection with the categories of property to be blocked, it is to be noted that all property owned or controlled by persons and organizations listed in General Order No. 1 (Blocking and Control of Property), Appendix B, will be blocked immediately.

(*b*) It is the fundamental purpose of freezing controls to maintain the *status quo* with respect to property of designated classes of owners. As regards enemy property, including property of hostile persons and organizations, this *status quo* is maintained in order to facilitate the application of affirmative measures by Mil. Gov. In addition it will be possible through administration of these controls to prevent fraudulent or clandestine transfers to conceal or retain ownership of such property or to evade such penalties, fines and forfeitures as may later be imposed. With respect to property of absentee owners who are not enemies, the purpose of freezing controls is to protect the property for such owners.

(*c*) Licenses to effect transactions with respect to property which has not been taken into control by the Property Control Branch will be issued by the Reichsbank under the supervision of the Finance Branch. The Property Control Branch will authorize necessary transactions with respect to property which has been taken into control by it. General licenses will be issued authorizing the use of a certain amount of controlled property for living expenses, as well as for other transactions which would seem clearly to be necessary and desirable. Under provisions of Law No. 52, business enterprises may continue in normal operation until otherwise ordered by Mil. Gov. Special licenses will be issued in accordance with directions and

instructions given to the Reichsbank and other authorizing institutions. See Appendix B for Instructions to Reichsbank (Instruction No. 2) with respect to its responsibilities under Law No. 52 and for general licenses to be issued under Law No. 52.

(*d*) At the outset the submission of the reports of property blocked pursuant to Law No. 52 (other than reports on Form MGAF–2 Series A from banks on accounts and other financial assets blocked) is not required. It is contemplated, however, that shortly thereafter the submission of detailed reports of such blocked property will be required. In the meantime persons owning or exercising control over such properties are to be advised to safeguard and protect such properties, to continue them in operation and to carry out their duties with regard thereto, as set forth in the pertinent laws, regulations or instructions.

341. MORATORIUM. A general or limited moratorium may be established only if absolutely required by the situation found in the area and only upon specific instructions from higher authority.

342. PUBLIC FINANCE. In relation to public finance, Mil. Gov. will ensure that expenditures are not made for purposes that might be prejudicial to the military situation or Mil. Gov., such as programs for control or elimination of certain German institutions and programs of demilitarization and demobilization, and will further ensure that taxes are not collected under laws abolished or suspended by order of Mil. Gov. In other respects, Mil. Gov. will order the German officials to continue collection of taxes and other public income and to make proper budgetary expenditures by local German public authorities who will continue to be responsible in such regard. See "Instructions to German Officials on Revenues and Expenditures," Appendix B.

343. ACCOUNTING AND AUDITING. Accounts, records of all receipts and disbursements of Mil. Gov. funds, and other records essential for ultimate inter-governmental settlements regarding the cost of occupation will be maintained. An audit will be made of the accounts and other records of all officers handling Mil. Gov. funds. The accounting and auditing provisions and forms in the F & PC Manual must be consulted and followed by all Mil. Gov. Officers who handle funds or supplies at any time.

344. ADVANCES OF MILITARY GOVERNMENT FUNDS. Mil. Gov. Officers will make no loans or advances. If a loan seems necessary, the facts will be reported through channels to Supreme Headquarters for action. The German public authorities, the German banking system and other normal local channels of finance will provide and pay for all required government services including all extraordinary and emergency needs, labour, supplies, equipment, and transportation required for all Mil. Gov. purposes as well as financing essential

private enterprises. Necessary funds to meet deficits will be obtained through normal German channels, such as higher German government authority, the Reichsbank and local banks.

Duties of Military Government Officers

345. CURRENCY. Mil. Gov. Officers will make sure that the law establishing Allied Military Marks as legal tender (No. 51) is duly posted at the earliest possible time and complied with. They will inform the nearest Mil. Gov. Financial Officer of any violation of currency laws, ordinances and regulations. Mil. Gov. Officers will also include in their reports, information as to the availability of currency, including small denominations and coinage, in their areas, the acceptability of Allied Military Marks and the existence or non-existence of any unauthorized disparity in the value of Allied Military Marks and German Reichsmarks.

346. FOREIGN EXCHANGE CONTROL. Mil. Gov. Officers will see that the Foreign Exchange Control Law (No. 53) is duly posted and complied with. They will inform the nearest Mil. Gov. Financial Officer of any violation of the law, ordinances and regulations. All applications for licenses under the Foreign Exchange Control law will be filed in accordance with procedure to be prescribed by Mil. Gov.

347. BLOCKING (FREEZING) CONTROLS. Mil. Gov. Officers will make certain that the Mil. Gov. Law on Blocking and Control of Property (No. 52) is duly posted at the earliest possible time and complied with. Mil. Gov. Officers should inform the nearest Mil. Gov. Financial Officer of violations of such law that come to their attention.

348. LICENSES UNDER BLOCKING (FREEZING) LAW. This Law (Mil. Gov. Law 52) provides for licenses permitting the use of property otherwise blocked. There may be general licenses or special licenses. The former will be of general application (e.g. General Licenses—1 (Payment of Living Expenses), 2 (Payments into Blocked Accounts), 3 (Transactions on Municipal Property), 4 (Intra and Inter-bank Transfers) and 5 (Transactions in Certain Church Property)—see Appendix B). Special licenses will be granted to particular persons permitting them to engage in specified transactions. All licenses will be issued by Supreme Headquarters, or under authority delegated by it to the Reichsbank or other organization, from a central control point. For the time being no special licenses will be granted. When the German financial system is under control so as to warrant establishment of a licensing system and organization, instructions regarding such applications will be published to the Mil. Gov. Officers and financial institutions involved, as part of or supplements to the F & PC Manual, which should be consulted. Pending further instructions, all applications for licenses will be filed with the Reichsbank.

349. BANKS AND OTHER FINANCIAL INSTITUTIONS.

(*a*) Mil. Gov. Officers will deliver either to the individual banks in the area or through a central banking institution (for example, Reichsbank, *Girozentrale*) the letters of Instruction to Financial Institutions (see Appendix B) whether or not such banks are open at the time. If banking institutions are closed, Mil. Gov. Officers will keep in touch with local banking and public officials with a view to ascertaining what steps are being taken by the banks or by a local authority for resumption of banking activity and will advise the nearest Mil. Gov. Financial Officer. If banks are open and if there appears to be a critical situation with respect to the banks, such as an extreme run, or if, in order satisfactorily to control the banks, remove personnel, or block accounts, it appears desirable that banks in an area be closed for a temporary period or otherwise, Mil. Gov. Officers will report the facts with their recommendations to the nearest Mil. Gov. Financial Officer but will not close the banks except upon instructions from higher authority.

(*b*) Private insurance companies will be permitted to continue their activities. Mil. Gov. Officers will inform the nearest Mil. Gov. Financial Officer of any facts indicating inability of insurance companies to carry on normal activities or of activities of insurance companies in any way inimical to the policies of Mil. Gov.

(*c*) Stock and commodity exchanges will be permitted to continue their activities in accordance with Mil. Gov. law, the requirements of " Instructions to Stock Exchanges and Commodity Exchanges " (see Appendix B) and applicable German law. The Mil. Gov. Officer will see that such instructions are complied with.

350. PUBLIC FINANCE.

(*a*) Mil. Gov. Officers will maintain contact with all offices for the collection of taxes, customs duties and other public revenues (unless and until a Mil. Gov. Financial Officer establishes such contact) for the purpose of ascertaining whether:

(i) The German administrative machinery is continuing in the performance of its customary duties under some responsible German official; and

(ii) All funds and records are being safeguarded and preserved.

(*b*) Mil. Gov. Officers will deliver to the German official in charge of local budgets at *Kreis* level the Letter of Instructions to German Officials on Revenues and Expenditures (see Appendix B). Mil. Gov. Officers will not be responsible for the examination of local budgets or for the collection of taxes or revenues, by Reich, *Länder* or *Provinzen*. No Mil. Gov. Officer will collect, requisition or use any funds arising from taxation or from public revenue without specific instructions from higher authority. Mil. Gov. Officers will at once report

to higher authority any instances of payment or collections of taxes in violation of the Letter of Instructions and will immediately and specifically prohibit such payments or collections.

(*c*) Budgetary deficits of local governmental authorities and state enterprises will be met by funds provided by higher German governmental authorities, the Reichsbank, the German banking system, or other normal channels of finance. Mil. Gov. Officers will not advance Mil. Gov. funds to meet such deficits. If Mil. Gov. Officers find that such budgetary deficits are not being met or are unlikely to be met by funds provided through German channels, they will advise higher authority.

(*d*) The personnel, equipment and transactions of Allied forces and their personnel are exempt from all German taxes, customs and other fees (including social security contributions) except that the personal expenditures of Allied Military personnel are liable to non-discriminatory sales taxes.

351. DE-NAZIFICATION. Mil. Gov. Officers will initiate and carry out the policy of the Supreme Commander to remove active Nazis and ardent sympathizers. The procedures for such removals of persons in the financial systems of Germany are set forth in the F & PC Manual which Mil. Gov. Officers must consult.

352. FINANCING OF PRIVATE ENTERPRISES. Private enterprises whose activities are essential to Military Government and which require financing will obtain the same through their normal local channels. If such financing is unavailable, Mil. Gov. Officers will notify the nearest Military Government Financial Officer of all the facts so that he may take appropriate steps to require the Reichsbank or other local bank to make the necessary funds available.

353. EXPENDITURE OF MILITARY GOVERNMENT FUNDS. Services, equipment, supplies and office space necessary for the conduct of military operations and Mil. Gov. will be obtained as far as possible from the appropriate branch of the Allied Military Services, or through a purchasing or contracting officer, or in the absence of such, direct from the German public authorities. If it is impossible to secure them from such sources Mil. Gov. Officers may make necessary expenditures from Mil. Gov. funds. The needs may include the hiring of office workers and interpreters, carriage of supplies, rent, storage, heat, light, power, water, telephones, telegraph, printing, stationery, and witness fees and expenses. Whenever such expenditures are necessary, they will be made only in minimum quantities required for the immediate need, at prices in conformity with official price schedules to be issued and through methods prescribed by the Claims and Hiring Branch/ General Purchasing Agent whenever possible.

354. PROHIBITED EXPENDITURES.

(*a*) Except on instructions from Supreme Headquarters, Mil.

Gov. funds will NOT be expended for billeting, personal rations or fuel for Mil. Gov. or other military personnel; personal travelling expenses when not on duty; pay for personnel other than Mil. Gov. civilian employees (on no account may servants of officers' messes or of individual officers be paid out of Mil. Gov. funds); or for any other expense for personal use or need; payment for requisitioned property; claims for damages made against the Armed Forces or Mil. Gov.

(*b*) Mil. Gov. Officers will not deal with claims. Mil. Gov. Officers will express no opinion to a claimant, nor say or do anything that might later be understood to amount to an admission of liability, but may assist in forwarding claims to the proper military agency.

355. FINANCIAL INTELLIGENCE AND LIAISON.

(*a*) All Mil. Gov. Officers will assist in the collection of information touching upon the financial life of their areas. They will make use of whatever agencies are available for this purpose.

(*b*) In the earliest report after arrival in an assigned area, Mil. Gov. Officers will include in their field report a section covering financial matters, with particular reference to the banks and other financial institutions, local government conditions and finances, and the general conditions affecting the financial and economic aspects of the area. Similar material on financial matters will also be included in their periodic reports. Such reports should be sufficiently explanatory to assist higher Mil. Gov. Financial authority to arrive at a general estimate of the situation.

356. ACCOUNTING.

(*a*) All Mil. Gov. Officers functioning as Sub-Accountants will conform strictly with the instructions and provisions relating to accounting procedures issued by Mil. Gov. (see F & PC Manual). Upon request, they will produce for audit all records and vouchers relating to receipts and disbursement of Mil. Gov. funds.

(*b*) A Sub-Accountant is any Mil. Gov. Officer who is designated as being accountable for Mil. Gov. funds. He will keep a cash book recording his transactions and will conform with the instructions and provisions relating to accounting procedure issued by Mil. Gov. (See F & PC Manual.)

357. DEPOSIT OF MILITARY GOVERNMENT FUNDS WITH SUB-ACCOUNTANTS. Any Mil. Gov. Officer who is not a Sub-Accountant and who comes into possession of Mil. Gov. funds will, at the first opportunity, deposit these funds with the nearest Sub-Accountant, furnishing to the Sub-Accountant complete information of the transaction in writing. (See F & PC Manual.)

358. TECHNICAL CHANNELS OF COMMUNICATION. On any matter which is purely technical, a Financial Officer or Sub-Accountant may correspond directly with a Financial Officer at the next higher or lower level, but on any matter which relates solely to accounting for the receipt or expenditure of Mil. Gov. funds, a Mil. Gov. Officer shall communicate in accordance with the accounting instructions. (See F & PC Manual.)

359. CHECK LIST. A check list of financial and property control duties of Mil. Gov. Officers is inserted at the end of this Section. Frequent reference to this check list will help the Mil. Gov. Officer and make his financial duties easier to perform.

CHECK LIST

Of Financial and Property Control Duties to be Performed by Military Government Officers

IMMEDIATELY upon entry into his area, every Mil. Gov. Detachment Commander will ensure that the following action is taken:

1. See that Military Government Laws Nos. 51, 52 and 53 are posted.

2. Contact and deliver to Reichsbank, if available, otherwise to principal financial institution, for distribution to all financial institutions, a supply of:—

(*a*) Letters of Instructions to Financial Institutions Nos. 1, 2 and 3.

(*b*) Forms MGAF (2) Series A; MGAF (3); MGAF–A (1), MGAX (1); and MGAX (2).

(*c*) General Order No. 1 (Blocking and Control of Property).

(*d*) General Licences Nos. 1, 2, 3, 4 and 5 (Blocking Control).

(*e*) Instructions to Reichsbank and its Offices, Nos. 1 and 2.

3. Deliver supply of Letter of Instructions on Revenue and Expenditures, No. 1 to *Oberfinanzpräsident, Finanzämter* and *Zollämter* offices.

4. See that De-Nazification Program has been instituted as required by Letter to Financial Institutions, No. 3, on personnel.

5. See whether financial institutions are safe or in need of guards. If latter, post them.

6. Convene meeting of representative of each financial institution:—

(*a*) Deliver a copy of " Gazette " to each.

(*b*) Inform them they are under Mil. Gov. and must comply with *all* Proclamations, Laws, Ordinances and instructions immediately. After such compliance they may

carry on as usual upon their own responsibility and in accordance with remaining and unabrogated German law.

(*c*) Notify them that future distributions of relevant material will be made through Reichsbank and they should make arrangements to get distribution promptly.

(*d*) Tell them to safeguard all records, etc.

7. Initiate Blocking (Freezing) Control Program, if not already done, by directing Financial Institutions to block accounts and mark records of black-listed persons and organizations and removed persons under de-Nazification program.

8. Initiate Foreign Exchange control program, by directing Financial Institutions to comply with and publicize pertinent law, letters, etc., published in " Gazette."

9. Take into immediate control without awaiting specific authority:

(*a*) Property and records of local offices of the Nazi Party and its affiliated, attached, controlled and supervised organizations (see Mil. Gov. Law No. 5) where such property was used for party purposes. Such action to be taken in co-ordination with officers of G-2 (CIC), when available.

(*b*) Abandoned properties of sufficient value and importance to warrant control, with priority given property of United Nations and their nationals.

(*c*) Loot obtained by Germans from all sources outside Germany when readily identifiable as such.

10. Locate and take necessary measures to ensure protection of *Grundbücher, Handelsregisters* and other public records which are of use in tracing property interests.

11. Make contact with local officials, bankers and other persons from whom information regarding properties subject to control may be obtained.

B. PROPERTY CONTROL SECTION

Diverse Controls Affecting Property

360. " Property Control " is a phrase of special meaning to denote the custodianship or possession of property which a part of Military Government, *i.e.*, the G-5 Financial organization, may assume over specified categories of property (Mil. Gov. Law 52). Within certain limits the property is held by Mil. Gov. in place of the owner's control. Under military occupation property and the use thereof may be regulated or controlled, *e.g.*, deposit of radio transmitters or firearms, prohibitions on right to use transport, to manufacture munitions, etc.

These types of control, however, are *not* what is meant by Property Control. Property Control involves the taking into custody of property by Property Control personnel of the Financial organization. Thus the (freezing) blocking of bank accounts or the deposit of foreign exchange assets or the use of property by the armed forces under requisition, seizure or confiscation, are not Property Control because Property Control personnel do not take such property into control. If such deposited, blocked, seized, requisitioned or confiscated properties are later delivered to Property Control or to an agency or enterprise under Property Control, or designated by it, they would then come under Property Control.

Definitions

361. The terms "property," "control," "Germany" and "United Nations" are defined in Military Government Law No. 52 (Blocking and Control of Property).

Categories of Property Subject to Property Control

362. (*a*) Under Article I of Military Government Law No. 52 (Blocking and Control of Property), properties owned by the following entities are subject to being taken into control by Mil. Gov. At the outset, however, the activities of Mil. Gov. Officers exercising Property Control functions will be limited to the instructions set forth in Paragraph 383 hereof:

(i) The German Reich, or any of the *Länder, Gaue,* or Provinces, or other similar political subdivision, or any agency or instrumentality thereof, including all utilities, undertakings, public corporations or monopolies under the control of any of the above.

(ii) Governments, nationals or residents of nations, including those of territories occupied by them, at war with any of the United Nations at any time since 1st September, 1939.

(iii) The NSDAP, all offices, departments, agencies and organizations forming part of, attached to, or controlled by it, its officials and such of its leading members or supporters as may be specified by Mil. Gov.

(iv) All persons held under detention or any type of custody by Mil. Gov.

(v) All organizations, clubs or other associations prohibited or dissolved by Mil. Gov.

(vi) Absent owners, including United Nations governments and nationals thereof.

(vii) All other persons specified by Mil. Gov. by inclusion in lists or otherwise. Included in this category will be the property of all persons and organizations listed in General Order No. 1 issued pursuant to Military Government Law No. 52, and of other undesirable or hostile

persons, institutions or agencies including war criminals, black-listed nationals of the United Nations, etc.

(viii) Regardless of present ownership, property which has been the subject of duress, wrongful acts of confiscation, dispossession or spoliation, whether pursuant to legislation or by procedures purporting to follow forms of law or otherwise.

(*b*) BLOCKING CONTROL. In order to maintain the above categories of property *in statu quo* the technique of blocking controls has been instituted (Article II of Military Government Law No. 52) to apply to all the categories of property listed above, and also to municipal and certain institutional property and to works of art and cultural materials of value and importance. When property is blocked (frozen) no transaction or dealing in respect thereto may be engaged in, except in so far as such transaction is licensed or otherwise authorized by Mil. Gov.

GENERAL PLAN

363. Mil. Gov. Officers will post Military Government Law No. 52 (Blocking and Control of Property) and will see that it is complied with.

364. The provisions of Military Government Law No. 52 provide for holding properties until such time as it may be determined to take the property into control (*i.e.*, the present custodian, holder or other person in possession, custody or control, is charged with the responsibility of preserving, maintaining and safeguarding the property).

365. Control of property by Mil. Gov. will be organized by specialist Property Control Officers. In the initial period, however, Mil. Gov. Officers will be called upon, as described in the Working Plan below, to exercise certain controls with respect to property.

366. Mil. Gov. Officers will communicate with the appropriate Property Control Officer for advice, consultations and information and shall report to such Property Control Officer all the facts of any violation of Law No. 52 coming to their attention and of any problems arising in connection with the administration of that law within their area.

WORKING PLAN

General Instructions to Military Government Officers

367. F. & P.C. TECHNICAL MANUAL. Mil. Gov. Officers exercising property control functions will use this Handbook as well as the Financial and Property Control Technical Manual (F & PC Technical Manual). The Manual contains general technical guidance and property and accounting records and forms to be used in connection with property control functions.

368. Mil. Gov. Officers may be furnished with "black" lists of: (*a*) persons and organizations whose property will be taken into control and (*b*) specific property to be taken into control. "White" lists of reliable German personnel who may be used as custodians may also be furnished.

369. SUMMON PUBLIC AUTHORITIES. Local authorities will be summoned at the earliest possible moment and required to furnish information and lists concerning all property of categories subject to property control, and to assist in locating such property and all other property found in a "black" list. Reports of information thus obtained will be sent to the appropriate Property Control Officer.

370. POSTING OF NOTICES. After property to be controlled or protected has been identified or selected, the Notice of Custody (MG/PC/1) will be posted on all such properties. This will afford some deterrent against trespassing, but should not be depended upon to prevent it.

371. PRESERVATION OF PROPERTIES. In appropriate cases, particularly with respect to United Nations' properties, arrangements will be made with local Mil. Gov. Public Safety Officers for the protection of properties taken under control. Intelligence and confidential information on the associations, character, loyalty and efficiency of civilians under consideration for employment as custodians of property should be sought from Mil. Gov. Public Safety Officers.

372. PUBLIC REGISTERS. It is important to ascertain at once where the *Grundbuch* (register of title) for the area, *Handelsregister* (Register of Commerce) and other basic records are located (these will normally be at the *Amtsgericht*) and to take immediate steps for the protection of these and other public records, which are of use in tracing property interests.

373. PRIORITY. In taking control of any of the above-mentioned categories of property, priority will be given to such property as is necessary for the purpose of the military effort or for Mil. Gov. or those which may be used in a manner prejudicial to the military effort, Mil. Gov., or the United Nations.

374. RELATIONSHIP WITH MIL. GOV. FINANCIAL OFFICERS. Financial Officers will be charged with the administration of the Foreign Exchange Control Law (Military Government Law No. 53) which establishes control of foreign exchange transactions and foreign exchange assets in Germany. Financial Officers will also be concerned with the administration of the Blocking and Control of Property Law (Military Government Law No. 52), in so far as property covered by such law has not been taken into control by Property Control, and in so far as such property, whether or not taken into control, is subject to overall financial policies. An explanation of the type of

licenses and the procedure for licensing under the Blocking and Control of Property Law is set forth in the F & PC Technical Manual and should be referred to in this connection. General licenses to be issued under the Property Control Law and Instructions to Financial Institutions and the Reichsbank respecting Property Control will be found in Appendix B. It should be noted that applications for licenses to effect transactions in property not taken into control by Property Control should be made to the nearest Branch of the Reichsbank. Situations will arise in the administration of Property Control affecting the administration of the above-mentioned laws. Appropriate contact will be maintained with Mil. Gov. Financial Officers and Mil. Gov. Officers charged with administering such financial functions. As far as possible full reports of such problems will be given by Mil. Gov. Officers to the Mil. Gov. Financial Officer, as well as the appropriate Property Control Officer.

375. RELATIONSHIP WITH MONUMENTS, FINE ARTS AND ARCHIVES OFFICERS. Mil. Gov. Monuments, Fine Arts and Archives Officers will provide information regarding works of art and other similar objects which require special custody or control. Mil. Gov. Officers should consult with such specialist officers on questions arising with regard to such property.

376. RELATIONSHIP WITH LEGAL OFFICERS. Mil. Gov. Legal Officers are available in case of doubt as to property control authority in any specific case and they will be consulted with respect to all legal proceedings.

377. MILITARY FORCE REQUISITION. Requisitions of property for military use will be made through normal military channels and not through Mil. Gov. channels.

Methods of Control

378. Wherever practicable and compatible with United Nations interests, existing custodians, attendants and operators found in properties may be permitted to remain. Actual physical custody by Mil. Gov. Officers or other military personnel should be kept to a minimum.

379. In general, Mil. Gov. Officers should draw freely on all available German personnel to perform such duties as those of trustees, managers, superintendents, operators and guards. In this connection see Para. 398 of this chapter. Every effort should be made to turn over actual physical custody or operation to a responsible agency, tenant, or manager.

380. After the courts have been cleared of Nazi influence, use may be made of them to assist Mil. Gov. Officers in the control of property. Specific instructions with regard to such use of courts will be issued at a future date.

381. To assist Mil. Gov. Officers in the control of property, the German machinery for custody of property of enemy aliens (used against United Nations' property) will be continued and will also be extended to cover property of other enemies of the United Nations and will be subject to control of Mil. Gov. Pending establishment of controls by Property Control Officers the procedure under these laws may, if desirable, be resorted to by Mil. Gov. Officers to establish control over property to which they are applicable. More detailed instructions with regard to such procedure will be furnished at a later date. Custodians already appointed will be removed by Mil. Gov. Officers if they are unacceptable, or otherwise unsatisfactory; if possible the approval of the appropriate Property Control Officer will be obtained before such removal.

382. If none of the foregoing methods of control is found feasible, military personnel or guards should be installed for such time and to such extent as may be necessary.

Special Instructions to Mil. Gov. Officers

383. Mli. Gov. Officers will be concerned with the categories of property described in Para. 362 hereof to the following extent:

(a) *The German Reich, or any of the Länder, Gaue, or Provinces, or other similar political subdivision, or any agency or instrumentality thereof, including all utilities, undertakings, public corporations or monopolies under the control of any of the above:*

(i) Mil. Gov. Officers will be specifically instructed which, if any, of such properties in their respective areas will be taken under control.

(ii) Munitions and war supplies, unless otherwise directed, will be collected by Allied Military forces and not under Mil. Gov. direction.

(iii) Ships and loaded cargoes, railroads and other inland transportation facilities will not be controlled by Mil. Gov. as a function of Property Control.

(b) *Governments, nationals or residents of nations, including those of territories occupied by them, at war with any of the United Nations at any time since 1st September,* 1939:

Mil. Gov. Officers will take such property into control only when specifically instructed to do so.

(c) *The NSDAP, all offices, departments, agencies and organizations forming part of, attached to, or controlled by it, its officials and such of its leading members or supporters specified by Mil. Gov.:*

Mil. Gov. Officers will be specifically instructed which of such properties in their respective areas will be taken under control, except that actual headquarters and party property used for

party purposes by the Nazi Party and its affiliated, attached, controlled and supervised organizations will be taken into control at once in co-ordination with CIC.

(*d*) *Property of absent owners, including United Nations Governments and Nationals thereof :*

(i) PROPERTY OWNED BY ABSENT GERMANS OR NEUTRALS. Mil. Gov. Officers will take control of property of this category only if there is no custodian or other person in possession and if such property is of sufficient importance and value to warrant such control. To assist Mil. Gov. Officers in exercising such control, German laws for the appointment of custodians for property of absent owners (*curator absentis*) may be used, with care that custodians so appointed are satisfactory to Mil. Gov. Further specific instructions with regard to such use of courts will be issued at a later date.

(ii) PROPERTY OWNED BY UNITED NATIONS GOVERNMENTS OR ABSENT NATIONALS THEREOF. In most cases of property in this category custodians will probably be found in possession who were appointed under the German alien enemy property legislation. If however such property is found abandoned, it will be taken into control as soon as practicable. Custodians found in possession will be removed by Mil. Gov. Officers if found unacceptable. Full investigations should be made by Mil. Gov. Officers at the earliest possible moment to determine the efficiency and reliability of custodians. When property of the United Nations or any of their nationals has been taken into control, particular care should be taken where possible to see that the value of such property is preserved. It may be expected that shortly after the termination of hostilities nationals of United Nations whose property is in custody of the German or Mil. Gov. appointees will seek repossession, but Mil. Gov. Officers will not restore such property until specifically directed.

(*e*) *Property obtained by Germans through duress or wrongful acts of dispossession or spoliation :*

Mil. Gov. Officers will be specifically instructed which of such properties in their respective areas, looted from outside Germany, will be taken under control; except in cases of prima facie loot from outside Germany in which case such property will be taken into control at once and held pending further investigation. Mil. Gov. Officers will not take into control property which has been looted from within Germany unless there is some reason, other than looting, for taking such property into control.

(*f*) Mil. Gov. Officers should send to the Deputy Chief Property Control Officer recommendations of specific properties enumerated in Article I of Military Government Law No. 52, which they believe should be taken into control at once.

THE ARMY LIBRARY

Operating Procedure

384. In exercising Property Control functions, the role of the Mil. Gov. Officer is that of a military government official, not that of a receiver or trustee in the British or American sense. He should do what is reasonable in the circumstances. No personal liabiltiy will attach to any Mil. Gov. Officer for acts which are performed, permitted or omitted, in good faith, relative to the control or administration of property.

385. Mil. Gov. Officers are not authorized to submit to the jurisdiction of the local courts in proceedings in which Mil. Gov. or Mil. Gov. Officers are, in effect, defendants. Further instructions will be issued in regard to this matter.

386. Mil. Gov. Officers will arrange for the receipt of reports and returns required from local officials, organizations and persons relating to property under control.

387. Mil. Gov. Officers will at all times gather and forward to the Deputy Chief Property Control Officer all local information relevant to the classes of property subject to property control. Of particular interest will be reports of cloaking activities used to disguise property acquired through duress or wrongful acts of dispossession or spoliation, or to conceal holdings of the Nazi Party and prominent members and supporters thereof.

388. In the event it is necessary to use force to take possession of any property or to exclude any person from it, and sufficient assistance from Mil. Gov. Public Safety Officers cannot be obtained, a request should be made for the necessary aid to the appropriate Military Commander.

389. In the administration and operation of property taken under control, Mil. Gov. Officers should not, except after consultation with the appropriate Property Control Officer, lease or repair such property, nor employ agents and fix and pay compensation for any of the foregoing.

390. Mil. Gov. does not ordinarily take title to property taken into control. Sales may be made on behalf of the owner only if specially ordered or in cases of perishables.

391. Mil. Gov. Officers will not enter into a contract for a term in excess of 30 days, without approval from the Chief Property Control Officer.

392. Property should be entered on the Property Record (MG/PC/2) as soon as taken into control. The Record of Property Transactions (MG/PC/3) will be maintained by Mil. Gov. Officers or Mil. Gov. Detachments and will recite all facts and transactions that affect the property, its condition and history. Until property is entered on the Property Record by the Mil. Gov. Officer and the Notice of Custody (MG/PC/1) is filed, it is not completely taken into control. It may there-

fore be released to its owner or his representatives without formality even though protective notices have been posted on it or have been delivered to its occupants. (See F & PC Technical Manual.)

393. When a going concern is taken over, Mil. Gov. Officers should consult with any Mil. Gov. functional specialist officers interested in the functioning of such concern. When a going concern is taken over Mil. Gov. Officers will give to the person or persons in charge Property Control Letter of Instruction No. 1 (MG/PCO/IBE/1). (See F & PC Technical Manual.)

394. Operating agents and custodians shall be instructed to keep proper and appropriate accounts so that reports and accounts may be rendered to owners or to higher authorities. Where Mil. Gov. takes control of any business or undertaking which already has a satisfactory accounting system in operation, the existing accounting system will be continued. If the Mil. Gov. Officer finds an inadequate accounting system in an undertaking taken under control, a report thereof will be made to the appropriate Property Control Officer.

395. Funds received or produced by the operation of the property may be retained in such accounts or depositories as are maintained on its behalf, subject to directions of the appropriate Property Control Officer. Large accumulations of funds by such undertakings will be reported to the appropriate Property Control Officer.

396. Custodians appointed to operate any property shall have no power, without the consent of higher authority, to alter the nature of a business, or to sell, liquidate, incumber or obligate the property or any part of it beyond the ordinary course of business.

397. Fees paid to custodians, and allowances made to owners or their dependents, out of such properties may be continued, but may not be reduced or increased without prior approval from the Chief Property Control Officer. When paid they shall stand as a charge against the property and its owner.

398. Under no circumstances will persons who have been removed from any office or position because of the Supreme Commander's policy of removal of active Nazis and ardent Nazi sympathizers be employed or used in any other way in connection with the Property Control program of Mil. Gov.

399. Mil. Gov. Officers exercising property control functions will use the Finance and Property Control check list which is contained at the end of the Finance Section of this Chapter.

Chapter IV

PUBLIC SAFETY

RESPONSIBILITY

425. Mil. Gov. Public Safety Officers will be responsible for the control of the following agencies:

(*a*) Civil police forces, other than the *Sonderpolizei* (Special police responsible to ministries other than Interior).

(*b*) Fire Defence services.

(*c*) Civil Defence services.

(*d*) Concentration camps—until dissolved.

(*e*) Prisons.

426. Mil. Gov. Public Safety Officers will ensure that law and order are maintained as far as the military situation permits, and that the above agencies perform their proper functions in accordance with guides set out in this HANDBOOK and in the more detailed Public Safety Technical Manual and the Legal and Prison Technical Manual issued hereunder.

427. While Mil. Gov. Public Safety Officers are responsible for the control of prisons in the field all staff work in connection with these agencies will be a responsibility of Mil. Gov. Legal Officers.

428. In addition to the control of the above agencies Mil. Gov. Public Safety Officers will be particularly concerned with the assistance to be given to Counter Intelligence in the dissolution of the Nazi Party and the arrest of Nazi officials, as well as with those procedures which are set out in Chapter II, Part III, of this handbook for the removal and appointment of public officials.

THE GERMAN POLICE

429. ORGANIZATION AND CHAIN OF COMMAND. The right to exercise police power, formerly vested in the *Länder*, has been transferred to the Reich. The Chief of the German Police is Himmler, who is also head of the SS (*Schutzstaffel*). The ranks of all branches of the police have been invaded by the SS. To strengthen SS co-ordination and control the combined office of the *Höhere SS* and *Polizeiführer* staff was set up at each *Wehrkreis* headquarters. Apart from this there exist two main channels: (1) through the officers of the police force according to rank for command, inspection, discipline and training, and (2) through the Central Office for Administration and Law down to the *Polizeibehörde* (Police Authorities) for matters of policy and administration.

430. Police authorities exist at three administrative levels. The *Landespolizeibehörde* (*Land* or *Regierungsbezirk* Police Authority) is the level immediately below the Headquarters of the Order Police in Berlin. It is represented in Prussia and Bavaria by the *Regierungspräsident*, and in other *Länder* variously by the *Reichstatthalter*, Department or Minister of the Interior of the *Land*, the *Landesregierung* or the *Regierende Bürgermeister*. Subordinate to the *Landespolizeibehörde* is the *Kreispolizeibehörde* (County or City Police Authority), represented in the *Landkreis* by the *Landrat*, in the *Stadtkreis* by the *Oberbürgermeister* and in cities or in districts with National Police Administration by the *Staatliche Polizeiverwalter* (National Police Administrator). Subordinate to the *Kreispolizeibehörde* is the *Ortspolizeibehörde* which exists in small communities and in which the mayor is usually the police authority.

431. Under the Reich Minister of the Interior, the German Police Force is divided into two main sections, the *Ordnungspolizei* (Order Police) (*ORPO*) and the *Sicherheitspolizei* (Security Police) (*SIPO*).

432. ORDNUNGSPOLIZEI (*ORPO*). The Order Police are the uniformed police under the *Hauptamt Ordnungspolizei* (Head Office of the Order Police). They are subdivided into the following forces:

(*a*) *Schutzpolizei* (Protection Police) (*Schupo*).

(1) *Schutzpolizei des Reiches* which are found in cities and districts of National Police Administration. They include the *Verkehrsbereitschaften* (Traffic Police) and the *Kasernierte Polizei* (Barrack Police). The latter is a highly militarized reserve with armoured cars and heavy weapons used when additional manpower is needed at the scenes of mass demonstrations, severe air raids, or similar emergencies.

(2) *Schutzpolizei der Gemeinden* (Municipal Police) which comprise the local police forces in communities where National Police Administration does not exist.

(3) *Verkehrskompanien* (*Mot*) *z.b.V.* (Motorized Special Duty Traffic Police) recently created to patrol the main highways, to regulate traffic, and to enforce special wartime measures of motor vehicle and tire conservation.

(4) *Wasserschutzpolizei* (Waterways Protection Police) which police the navigable rivers and canals, regulate waterborne traffic, prevent smuggling, enforce safety and security measures, and inspect shipping.

(*b*) *Gendarmerie* (Rural Police) which perform all Order Police functions in rural areas and include the *Motorisierte Gendarmerie* (Motorized Traffic Gendarmerie) and the *Hochgebirgs Gendarmerie* (Mountain Gendarmerie).

(*c*) *Verwaltungspolizei* (Administrative Police), units of which are attached to police agencies to perform the clerical record-keeping and general administrative police functions and to issue permits and licences with attendant inspectional and regulatory duties. These include the *Gesundheitspolizie* (Health Police), *Gewerbepolizei* (Factory and Shops Police), *Baupolizei* (Buildings Police). In a more limited sense the term *Verwaltungspolizei* is applied to officials engaged in clerical, office and record-keeping functions.

(*d*) *Feuerschutzpolizei* (Fire Protection Police). See section on Fire Defence, below.

(*e*) *Luftschutzpolizei* (Air Raid Protection Police). See section on Civil Defence, below.

(*f*) *Technische Nothilfe* (Technical Emergency Service) (*Teno*) a technical auxiliary police service composed of engineers and skilled workmen used in public emergencies to perform restorative tasks for the military and civil defence services and in industries in the event of strikes.

433. Supplementary to the Order Police are the *Hilfspolizei* (Auxiliary Police) consisting of unpaid civilians who perform part-time police duty under the supervision of the regular police. The *Landwacht* (Rural Guards) assist the *Gendarmerie*, and the *Stadtwacht* (City Guards) assist the *Schutzpolizei*. In the main they are organized in collaboration with the Nazi Party. They are armed and wear brassards for identification.

434. Candidates for the *Schutzpolizei des Reiches* are recruited from the SS or other Nazi Party organizations. Officers undergo special police training and are recruited principally from the SS. Personnel of the *Gendarmerie* and *Schutzpolizei der Gemeinden* are recruited from the *Schutzpolizei des Reiches*. Thus a uniform standard obtains throughout police personnel in Germany.

435. National Police Administration, as distinct from local administration, has been set up in those cities of the greatest importance. In those cities, *Schutzpolizei des Reiches* are assigned. Where no National Police Administration exists, the *Schutzpolizei der Gemeinden* are employed and controlled by the local police authority, usually the *Bürgermeister*, under Reich supervision. Rural areas and towns up to 2,000 (sometimes 5,000) are policed by the *Gendarmerie*.

436. Basic police procedure is comparable with American and British police practice. *Schupo* duty areas in large towns are the *Gruppe* (Division), *Abschnitt* (Sub-Division) and *Revier* (Ward). In small towns, the municipal boundary is the limit of jurisdiction. The *Gendarmerie* are organized on a *Land* or *Regierungsbezirk* basis, and in rural areas duty posts are based on the distribution of the population.

437. SICHERHEITSPOLIZEI (SIPO) AND SICHERHEITSDIENST DER SS (S.D.). The Security Police, comprising the *Reichskriminalpolizei* (Criminal Police) (*Kripo*), and *Geheime Staatspolizei* (Secret Police) (*Gestapo*), and the *SD* (Security Service of the SS), are under the joint command of the *Chef der Sicherheitspolizei und des SD*. They are thus brought together at the top in the *Reichssicherheitshauptamt* (Head Office for the Security of the Reich). The SD is the Party Intelligence organization. Its function is to safeguard the Party and the Reich from subversive activity by collating information and political intelligence, but it does not ordinarily adopt an executive rôle. Political crimes are the concern of the *Gestapo* which is the executive arm of the SD. The *Gestapo* are not subject to any judicial or administrative control other than by their own headquarters. The *Grenzpolizei* (Frontier Police), a branch of the *Gestapo*, police the borders of Germany. Ordinary crimes are the concern of the *Kripo*, whose branch offices are usually associated closely with local units of the *Schupo* in cities under National Police Administration ; the personnel of both agencies work in close co-operation in the day-to-day routine of law enforcement. Thus the Security Police and the SD form a combination of crime specialists, political police, and quasi-official political investigators, each organization maintaining its own character and fulfilling its special mission. Co-ordination is achieved through unity of command and close liaison rather than through interpenetration or control of one agency by another.

438. SONDERPOLIZEI. Certain organizations are specialized and outside the normal Police structure (Public Safety officers are not concerned with these) :

Organization	*Controlling Agency*
(*a*) *Eisenbahnpolizei* (Railway Police)	Ministry of Transport
(*b*) *Bahnschutz* (Railway Patrols)	S.S.
(*c*) *Bergpolizei* (Mines Police)	Ministry of Economics
(*d*) *Forstschutzpolizei* (Forest Police)	Forestry Office
(*e*) *Flurschutzpolizei* (Agricultural Police)	Ministry of Agriculture
(*f*) *Jagdpolizei* (Game Preservation Police)	Forestry Office
(*g*) *Postschutz* (Post Office Guards)	Postal Authorities
(*h*) *Zollbeamten* (Customs Officials)	Ministry of Finance
(*i*) *Werkschutz* * (Factory Guards)	Air Ministry
(*j*) *Deichpolizei* (Dyke Police)	Ministry of Economics
(*k*) *Hafenpolizei* (Harbour Police)	Ministry of Transport

* Privately employed by industries, subject to regulation by the Air Ministry.

439. APPRECIATION. The German Police system is under rigid national control. The police are concerned with almost every action of the individual citizens, and their functions widely exceed those of the US/Br Police. As occupation progresses it will probably be found that many of the senior police officials will have fled or have been assassinated. This will apply especially to the *Gestapo*, though it is uncertain to what extent the identity of *Gestapo* personnel is known to the civil population. All higher posts are held by Nazis, and the personnel of the Police is so closely identified with the Nazi Party that it is improbable that many of the senior officials will co-operate. Some co-operation may be expected, however, from the NCOs and lower ranks, particularly among the older men.

440. Owing to the depletion in numbers and the time required for recruiting and training of new personnel, Military Government may find a police force insufficient to maintain public order, and it may be necessary to employ military police and troops to assist in maintaining order.

POLICY

441. As soon as the military situation permits, except for the *Wasserschutzpolizei* and a newly organized Frontier Police, the command hierarchy of the German Police will be abolished and chief officers of regional and local police units will be made responsible to civil administrative officials at regional and local levels. Under Military Government control exercised through Mil. Gov. Public Safety Officers the police will be responsible for maintaining civilian law and order. Nazi officials, methods and influence will be eradicated from the German Police and operations inimical to the interests of the United Nations will be prevented. Undesirable personnel in the *Ordnungspolizei* and *Kriminalpolizei* will be discharged and, where necessary, interned (see Chapter II). All military training and military practices will be discontinued, and the police disarmed of all weapons except sidearms, the *Gendarmerie* and the newly organized Frontier Police retaining carbines as well. Mil. Gov. Public Safety Officers may temporarily provide the police with other weapons suitable to quell disturbances. The ammunition per weapon will be strictly limited. With the exception of the Criminal Police, all elements of the Security Police, including the *Gestapo* and the *Sicherheitsdienst der SS*, will be dissolved. All offices combining control of both the police and SS, or police and the SD, or completing a chain of command from the national to the local level will be abolished. Armlets and warrant cards will be furnished to approved German Police by Mil. Gov. Public Safety Officers. Instructions will be issued to ensure that German police procedure and practice conform with the policy of the Supreme Commander, abrogating in particular such powers as infringe the accepted rights and liberties of a citizen.

ACTION TO BE TAKEN

442. As towns and areas are uncovered by the Allied entry into Germany, provisional control of the police machine will be seized at the local level. As soon as possible, however, permanent control will be maintained at three main levels:

(*a*) The *Stadtkreis* and *Landkreis*.

(*b*) The *Regierungsbezirk* or its equivalent.

(*c*) The Military Government Region, i.e. Province or State.

Control on administrative matters will be exercised at:

(*a*) The *Stadtkreise* through the *Bürgermeister*, or equivalent known as the *Amtsbürgermeister*, *Oberbürgermeister*, or *Amtvorsteher*; the *Landkreise* through the *Landräte*.

(*b*) The *Regierungsbezirk* or its equivalent through the *Regierungspräsidenten* in Prussia and Bavaria; the Ministers of the Interior of Württemberg, Baden, Oldenburg and Braunschweig; the offices of the former *Reichstatthalter* in Hesse, Lippe, Hamburg, and Westmark; the *Landesregierung* in Schaumburg-Lippe; and the *Regierende Bürgermeister* in Bremen.

(*c*) The Military Government Regional HQ, through the *Oberpräsidenten* in the Prussian Provinces, and the Ministers of the Interior and offices of the former *Reichsstatthalter* in the *Länder*.

443. In cities which have a *Staatliche Polizeiverwaltung*, the Chief Officer of Police will be made directly responsible to the *Oberbürgermeister*. The Chief of Police will be instructed that he is not to take any further operational orders from German national authority.

444. Control on operational matters will be exercised by Mil. Gov. Public Safety Officers over the Chief Officers of the *Gendarmerie* in each *Regierungsbezirk* or its equivalent, and over the Chief Officers of the *Schutzpolizei* in each *Stadtkreis*, including all *Staatliche Polizeiverwaltungen*.

445. The Criminal Police will be merged with the local police units, but the national office of the Criminal Police will be retained as an agency for police statistics and identification records to which all police will contribute and from which information desired by local units of the German Police can be obtained.

446. A German Frontier Police will be organized as a national agency responsible for normal border control. Immediate frontier control will be the responsibility of the *Gendarmerie* and *Schutzpolizei* of the areas adjacent to the frontiers. These forces will be required to assist Counter Intelligence in the enforcement of regulations controlling the movement of civilians across frontiers. Counter Intelligence will supplement border control by these forces with their own personnel and with troops where necessary.

447. The *Kasernierte Polizei* (Barracks Police) as an organized national militarized and heavily armed reserve of the *Schutzpolizei* will be abolished. Any suitable and reliable members will be assigned to routine local police duties or as a local reserve of policemen in accordance with need.

448. If the regular local police forces are inadequate, Mil. Gov. Public Safety Officers will continue to use suitable and reliable members of the *Land-und-Stadtwacht* as auxiliary police or as temporary full-time replacements. All undesirable members will be disarmed and dismissed and if necessary, interned (see Chapter II). When no longer needed, the organization will be disbanded and its personnel disarmed.

449. Mil. Gov. Public Safety Officers will seize control of the *Technische Nothilfe* at all levels, preserving it as an organization until the need for its services can be determined. The *Technische Nothilfe* will ultimately be dissolved as an agency of the German Police. As pointed out in Chapter II (Table C) officials of the *Technische Nothilfe* will be interned.

450. SS schools, the school for services abroad, and the *Gestapo* and SD schools will be abolished. All other national police schools will be temporarily closed for purging and reorganizing on acceptable lines, after which they will be reopened as soon as possible. Public Safety Officers will ensure that police training is resumed on a local basis, devoid of all military training or instruction in Nazi ideology.

451. *Verkehrskompanien* (*Mot*) *z.b.V.* may ultimately be discontinued as a national agency and their equipment and any suitable and reliable personnel transferred to units of *Schupo Verkehrsbereitschaften* or units of Motorized Gendarmerie in accordance with need.

452. At a later stage operational control may be exercised at the national level over the activities of the *Wasserschutzpolizei*, the Frontier Police, and a small Criminal Police agency retained to investigate important crimes and security matters of national significance. They will be required to report their presence to the Chief of local departments in whose jurisdictions they conduct investigations. Similar control and supervision will be exercised over national offices retained for police statistics, crime records and criminal identification, crime detection laboratories, administration, fire statistics and research.

RELATIONSHIPS BETWEEN MIL. GOV. PUBLIC SAFETY OFFICERS AND MILITARY POLICE AND COUNTER INTELLIGENCE

453. To ensure co-ordination of activities at all levels and the constant interchange of information, a close relationship must be maintained between Mil. Gov. Public Safety Officers, Military Police and Counter Intelligence Staffs and personnel. Wherever

possible, Mil. Gov. Public Safety Officers will serve as the channel for dealing with public safety agencies and will ensure that the police give every assistance to MP and CIC personnel. On purely routine matters, MP and CIC personnel will deal directly with the police. To co-ordinate security matters in some localities, committees may be established consisting of representatives from Army, Navy and Air Force CIC Staffs, the Provost Marshal, Mil. Gov. Public Safety Officers and when desired German police authorities. *A detailed outline of relationships between Mil. Gov. Public Safety Officers and Military Police and CIC will be found in the Public Safety Technical Manual.*

454. The arrest and internment of war criminals and all persons whose continued liberty is a threat to the military security of the Allied Forces is the responsibility of the Counter Intelligence Corps. Mil. Gov. Public Safety Officers will secure such practical assistance for CIC as can be obtained from the German police by the arrest of such persons or the enforcement of any restrictions of movement or residence which CIC may impose.

RELATIONSHIP OF GERMAN POLICE TO ALLIED PERSONNEL

455. The German police will not have the power to arrest or exercise any authority over Allied Military personnel. The German police will be authorized to request the particulars of any person in the Allied Forces whom they consider likely to be required as a witness, but they will not be permitted to take a deposition from him, or to call him as a witness before any German court or any other authority without prior consent of the Military Commander. German police will be directed to report immediately to Public Safety Officers any action taken by them with respect to any nationals of the United Nations.

ARREST OF CIVILIANS BY MILITARY PERSONNEL

456. Members of the Allied Forces will be empowered to arrest all persons committing acts prejudicial to Mil. Gov. or the security of the Allied Forces or in breach of any Mil. Gov. legislation. Military Personnel of the Allied Forces, on delivering an arrested civilian to the German police, will complete an Arrest Report which they will leave with the police who take custody of the prisoner. The German police will be instructed to report to the Mil. Gov. Public Safety Officer any cases where prisoners have been delivered without complete Arrest Reports. Information from the Arrest Report will guide the Mil. Gov. Public Safety Officer in supervising the disposal of the case. If the prisoner has been arrested by CIC for investigation or for security reasons, the Mil. Gov. Public Safety Officer's interest is limited to ensuring that he is held in accordance with instructions

given; if the prisoner is held for trial in a Military Court, a charge sheet will be prepared; if he is held for trial in a German Court, the police will be instructed accordingly.

SPECIAL POLICE OPERATIONS

457. APPRECIATION. Collapse or military defeat may produce conditions in Germany bordering on chaos. It is impossible to gauge the extent of potential crime; but disorder, riots, and opposition by underground Nazi and other resistance groups are to be expected. Mil. Gov. Officers will be concerned with crimes affecting the Military Forces of the United Nations rather than with those affecting the civilian population.

458. ACTION TO BE TAKEN. RIOTS AND DISORDERS. Pre-incident investigation and advance preparations, including the earmarking of reinforcements, will be made by the German police to anticipate and suppress riots. They will be required to use all necessary force to quell a riot, and to investigate, apprehend, and prosecute offenders, the organizers, agitators, and principal participants. Riots will be reported to the Military Commander; and when it appears that the German police cannot maintain law and order, the Mil. Gov. Public Safety Officer will seek assistance from the Provost Marshal or the CO of the nearest military unit, and notify the next higher Mil. Gov. echelon. If troops intervene, their Commander will assume charge, including control of any police forces present.

459. LOOTING. Mil. Gov. Public Safety Officers will require the German police to make full use of all facilities and personnel to prevent looting, particularly of stores and supplies. Easily entered buildings will be made secure and adequate police patrols provided for isolated localities. Looting by members of the Allied Forces will be reported immediately to the Provost Marshal, the Commander concerned, and the next higher Mil. Gov. echelon.

460. PROSTITUTION AND VENEREAL DISEASE. The venereal disease incidence among troops is the concern of their Military Commander and the enforcement of his regulations is the duty of Military Police. Mil. Gov. Officers will assist the Military Police and Medical Officers by requiring German officials to take three positive steps toward the control of VD: (*a*) Prohibit solicitation for sexual intercourse; (*b*) Take measures to detect VD infection among civilians; (*c*) Quarantine and treat all diseased prostitutes, or women known to have transmitted VD, for such period as will ensure that the disease is no longer infectious. (See also Chapter VI, Public Health.)

461. INTOXICANTS AND NARCOTICS. Mil. Gov. Public Safety Officers will advise the Provost Marshal of liquor establishments where trouble between civilians and troops occurs and will report violations of military regulations by troops. The German police

will be required to enforce regulations governing liquor licences, sale and closing hours, and to assist the Military Police. Narcotics control is discussed in the Public Safety Technical Manual.

462. BLACK MARKET. The existence of a black market tends to nullify all efforts to ensure the equal distribution of commodities in short supply, and Mil. Gov. Public Safety Officers will co-operate with Mil. Gov. Officers supervising civilian supply, agriculture, trade, industry, economics, finance, and transportation, all of whom have an interest in this matter. In particular Mil. Gov. Public Safety Officers will maintain a close watch to ensure that the German police take all possible steps to stamp out any black market by rigorous investigation and prosecution of persons who infringe German laws dealing with the subject. In addition they will co-operate with the Military Police to ensure that military stores are not improperly diverted to civilian uses.

463. FORGERIES. Mil. Gov. Public Safety Officers will be alert to detect forgeries, particularly of military currency, permits, passes, ration coupons, and identity cards, and will require the German police to investigate and to prosecute offenders. Violations will be reported to Counter Intelligence and the Provost Marshal as well as to the next higher Military Government echelon.

464. MILITARY GOVERNMENT ENACTMENTS. The German police will be required to be conversant with Military Government proclamations, laws, ordinances, notices and other enactments and to ensure that such enactments are correctly interpreted and rigidly enforced. Violations will not be overlooked in any circumstances. Counter Intelligence and the Provost Marshal will be informed of serious or extensive violations.

465. Observance of regulations by the civilian population is induced by the dissemination of information concerning Mil. Gov. enactments and by publicity given to the punishment of offenders. The assistance of PWD should be sought in the use of the press, radio, and other publicity facilities at their disposal. (See Appendix " C.")

466. TRAFFIC CONTROL. The German police will be required to assist the Military Police in controlling traffic on military routes, keeping them clear of unauthorized civilian vehicles. In large cities Mil. Gov. Public Safety Officers will utilize the *Verkehrsbereitschaften* (Traffic Control Squads), and in small towns, rural areas, and on National Highways, the *Motorisierte Gendarmerie*, supplemented when necessary by ordinary patrol police.

467. PROHIBITED ARTICLES. The possession of wireless transmitters, firearms (including sporting guns) and certain other articles is prohibited by Military Government enactments. Exceptions may be made permitting the police and the *Sonder-*

polizei to retain stipulated firearms and essential wireless communication facilities, but checks on the use of the latter should be applied in the form of occasional monitoring. The German police will be required to enforce this enactment under the strict supervisition of Mil. Gov. Public Safety Officers. Surrendered or confiscated articles will be collected and labelled and receipts will be issued for them on forms to be provided.

468. CURFEW. The German police will be required to enforce curfew regulations and, subject to Military Government regulations, will be empowered to grant exemptions to certain classes of persons. Mil. Gov. Officers will grant exemptions to other persons.

469. TRAVEL RESTRICTIONS. When it is found necessary to impose travel restrictions, police check systems will be set up at road barriers, bridges, railway stations, and docks. Travel across the frontiers of occupied Germany (see Law No. 161, Chapter IV, Part I, this Handbook) will be regulated by the Allied Military Forces and suitable and reliable members of the *Schutzpolizei* and *Gendarmerie* will be assigned to assist in frontier control where their jurisdictions coincide with the borders of Germany.

470 POLITICAL ACTIVITY. Political activity of any kind will be restricted (see Chapter III, Part I). All public meetings, assemblies, and parades without permit will be forbidden by Military Government enactments. Religious services will ordinarily be exempt from this restriction. Permits for non-political assemblies not involving political action may be granted at the discretion of Mil. Gov. Officers.

471. MOTOR VEHICLES. Civilian motor transport will only be used in the interests of Allied Armed Forces or for other essential uses. Control will be effected through the existing system of licensing and rationing with any essential modifications.

472. SUPPRESSION OF NAZI PARTY. CIC is primarily responsible for the seizure of Nazi Party Offices and records, the arrest of its officials, and the suppression of underground Nazi movements. Mil. Gov. Public Safety Officers will secure such practical assistance from the German police as is obtainable and will assume responsibility for the performance of these duties in the absence of Counter Intelligence personnel. (See also Chapter II.)

473. A Special Branch of Public Safety will obtain and analyse complete reports of the Nazi activities of persons in order to advise other Mil. Gov. Officers concerning their removal from, or non-appointment to, public offices. These officers will be charged with the investigation of public officials and of applicants for public appointment. These officers will also obtain and analyse security intelligence and reports of political movements and will gather evidence for the purpose of enforcing Military

Government proclamations and ordinances relating to the security of civil administration.

474. To discharge these responsibilities, at each Military Government Region, *Regierungsbezirk* and in each *Stadtkreis* of 100,000 inhabitants or over, one or more Public Safety Officers will be specially detailed to establish as an operating function of Public Safety a Special Branch to ensure the security of civil administration. This special branch will operate under the same system of command and control as other Military Government functions.

CONCENTRATION CAMPS

475. ORGANIZATION. Concentration camps are under the control of the *Reichsführer SS* through the *Kommandeur der Konzentrationslager* (Commander of Concentration Camps) and the *Inspekteur der Totenkopf-Verbände* (Inspector of Deaths Head Units), both of the SS Central Office. The I.D.T.V. is responsible for the guarding and security of camps, while the general administration comes under the *Wehrwirtschaft und Verwaltungs-Hauptamt* (War Economy and Administration Headquarters).

476. Camp Commandants have under them camp leaders and camp NCOs from the SS. The internees are organized under a *Lageraltester* (senior prisoner), with subordinate grades of *Blockführer, Zugführer, Stubenältester,* and *Vorarbeiter,* who frequently are ordinary criminals specially selected for their "toughness." A political Commissar has authority to release or otherwise dispose of internees. The majority of internees are German political offenders and Jews, but there are also a number of ordinary criminals, military delinquents, and non-Germans. A few special camps exist for women.

477. APPRECIATION. The Nazis have interned thousands of persons under conditions of great physical hardship and without sufficient food. Many have been detained indefinitely without charge, while others have been convicted of purely political offences or of imaginary offences used to cloak their detention for political reasons.

478. As the Allied advance brings concentration camps within the combat zone, or if government controls break down at any time from other causes, it is probable that the guards will flee either after, or without, releasing the detainees. In many cases, therefore, detainees may not be found in such camps other than those too ill to move. However, it is most desirable for the well-being of the detainees that they should await our arrival and permit of proper arrangements being made for their return to their homes.

479. ACTION TO BE TAKEN. When military operations bring a concentration camp within the jurisdiction of a Military

Commander, he will assure that the following action is taken:

(*a*) Initial seizure of the camp and preventing the escape of either camp personnel or detainees for reasons of security. This may necessitate the use of combat troops or other troops made available for this purpose.

(*b*) Arrest and detention of all camp staffs and guards.

(*c*) Seizure and retention in safe custody of all records, equipment, and supplies.

(*d*) Assurance of the safety and well-being of all detainees to the extent permitted by the military situation.

480. After the initial seizure of such a camp and under arrangements to be made by the Military Commander, an administrative group, to include, whenever possible, a Mil. Gov. Public Safety Officer and a representative of CIC, will take over and supervise the administration of the camp. Guards and other necessary personnel may be drawn from troop units or from indigenous non-Nazi sources, depending on the situation.

481. The Allied officer responsible for the administration of each concentration camp will arrange to obtain evidence from detainee witnesses with a view to the prosecution at a later date of the former staffs and guards for acts of cruelty committed against Nationals of the United Nations. Further instructions in connection with this matter will be issued in due course.

482. The Allied officer in charge will also arrange for the rapid processing of the detainees by a Board under his chairmanship composed of three or more officers, to include a Mil. Gov. Public Safety Officer, a member with Legal experience, a member of Counter Intelligence Branch (if available), and a medical officer (if available). If no Allied Medical Officer is available the Board may obtain the services of a qualified indigenous non-Nazi physician in an advisory capacity, but without vote on any matter before the Board. The detainees will be classified and arrangements made for their disposal as follows:

(*a*) Non-German civilians, who will receive priority of treatment, will be transferred to the Displaced Persons organization.

(*b*) German nationals interned for purely anti-Nazi or racial reasons will be released.

(*c*) Ordinary criminals with a prison sentence still to serve will be transferred to civil prisons.

(*d*) Members of the German armed forces or para-military bodies will be transferred to PW camps or as may be otherwise instructed.

(*e*) Detainees whose continued detention is required as their freedom might constitute a danger to the security of the Allied Forces, or of Military Government, will be disposed of on instructions from Counter Intelligence.

(*f*) Detainees whose continued detention is necessary pending further investigation will be held.

483. Special tribunals, as required, will be appointed by the Military Commander to hear appeals from the above Board and to review all cases in which the Board has ordered the continued detention of any person as a civilian detainee.

484. The processing of the detainees and the final liquidation of the camp will be completed as soon as possible, and the camp will then be transferred to the German Prison Administration or to the United Nations Forces for the use of the Displaced Persons organization or any other administrative purpose.

FIRE DEFENCE

485. ORGANIZATION. The *Feuerschutzpolizei* was created in 1938 and about ninety of the larger German cities were ordered to transfer their professional fire-fighting personnel to the new organization. The *Feuerschutzpolizei* became a branch of the *Ordnungspolizei* and is under the command of the same higher police authorities which control the latter. The Head Office of the Order Police in Berlin has a section known as *Amt Feuerwehren* (Office of the Fire Protection Agencies), and under the Chief of the Order Police is a *Generalinspekteur der Feuerschutzpolizei* (Inspector General of the Fire Protection Police). The age limit for the branch is sixty years. All candidates must attend special fire protection schools. The officers must be graduates of the fire protection officer school at Eberswald.

486. The smallest administrative area is the *Wachbezirk* composed usually of several ordinary *Schutzpolizei Reviere* (wards). Operational areas for actual fire-fighting are determined independently, however, and *Ausrückbereiche* (operational zones) are drawn in conformity with tactical considerations.

487. The usual operational unit called out in the first instance is known as a *Zug*, and the corresponding *Feuerschutzpolizei Wache* is known as a *Zugwache* (watch squad). In exceptional cases a larger unit, the *Gruppe*, is called out, and the corresponding *Wache* is known as a *Gruppenwache* (watch group). The commander in charge of the local units of the *Feuerschutzpolizei* is called *Kommandeur* or *Leiter*. He directs fire-fighting and fire prevention, allots the respective zones of operation to the subordinate units, and supervises generally the organization and operation of the *Feuerschutzpolizei* under his command. He is responsible for administrative purposes to the *Oberbürgermeister* or *Bürgermeister*.

488. The size of the *Feuerschutzpolizei* is fixed in accordance with the population of the city; but in cities with more than 870,000 inhabitants and in those with harbour installations, numerous industries, or large areas which present particular fire

hazards, the number and nature of the *Feuerschutzpolizei Wachen* is determined in each case individually.

489. In cities with more than 150,000 population, auxiliary fire-fighting units called *Freiwillige Feuerwehren* are established on a voluntary basis to supplement the *Feuerschutzpolizei*. They are organized into tactical units called *Gruppen*. In exceptional cases, where the *Freiwillige Feuerwehren* is inadequate, an obligatory fire service (*Pflichtfeuerwehren*) is established. Its organization is the same as that of the *Freiwillige Feuerwehren*. The strength of these auxiliaries, fixed by law, averages about four times the strength of the local *Feuerschutzpolizei*.

490. Because there are *Feuerschutzpolizei* only in the larger cities, fire protection in the smaller communities is furnished by *Freiwillige Feuerwehren*; and where voluntary enlistment fails, obligatory conscription into the *Pflichtfeuerwehren* is applied to available males between the ages of 17 and 65. The members are not professional firemen; they are considered as *Hilfspolizei* (Auxiliary Police). The *Ortspolizeibehörde* appoints the lower ranks of the fire brigade leaders, *Truppmänner*, *Obertruppmänner* and *Haupttruppmänner*. The Commanding Officer, *Wehrführer*, is appointed by the *Kreispolizeibehörde*. In localities where both voluntary and obligatory fire brigades exist, they comprise a single fire department under unified command.

491. A *Kreisführer* commands all fire brigades in a *Stadtkreis* or *Landkreis*, a *Bezirksführer* in a *Regierungsbezirk*, and an *Abschnittsinspekteur* in a *Wehrkreis* (German military district). Presumably mutual aid is co-ordinated through these officers.

492. APPRECIATION. Information points to the fact that under heavy air raid conditions the German fire-fighting agencies have broken down to a large extent. There is a shortage of manpower, water supplies are inadequate, and replacements of equipment are needed. With the cessation of hostilities, however, sufficient manpower, equipment, and water supply to meet peacetime fire-fighting needs are expected to be available.

493. ACTION TO BE TAKEN. Mil. Gov. Public Safety Officers will assume control of local units of the *Feuerschutzpolizei* and will ensure that the principal local fire officer is reliable and prepared to co-operate, and that the fire-fighting forces are adequate in point of personnel, equipment and efficiency to prevent disasters which might be inimical to Military Government or the security of the Allied Forces. All active Nazis and ardent Nazi sympathizers and all Nazi principles and methods will be eliminated from the *Feuerschutzpolizei*. All military training and practices are to be abolished and complete disarmament effected.

494. In communities that have no professional fire brigades, volunteer fire brigades will be maintained. In cities having

professional fire brigades, auxiliary fire brigades will be disbanded when no longer needed and their personnel and equipment absorbed into the professional fire brigade to the extent required.

495. The offices of *Generalinspekteur der Feuerschutzpolizei* and *Abschnittsinspekteur* may be abolished and at a later date a national office for fire statistics and research and a national school for the training of local fire department instructors may be maintained, but no command functions over local fire departments will be permitted. During fire emergencies necessitating assistance from one community to another, the *Bezirksführer* and the *Kreisführer* will co-ordinate the use of the combined resources.

496. In communities where fire-fighting units of the Army Fire Service/Corps of Engineers are located, Mil. Gov. Public Safety Officers will ensure that the local fire services respond to any call for assistance and that such assistance is rendered under the operational control of the military fire-fighting units.

CIVIL DEFENCE

497. ORGANIZATION. While the household ARP Organization and Wardens' Service (Self-Protection Service) remained under the general supervision of the Air Minister, the full-time Civil Defence Services were transferred in May, 1942, to the control of the Order Police and became the *Luftschutzpolizei* (Air Protection Police). For operational purposes the Order Police control all the full-time civil defence services such as police, fire-fighting, first-aid services, gas detection, rescue work, and decontamination. Demolition and repair work are handled under the orders of the police district superintendent by the *Technische Nolhilfe*. Districts are divided into divisions, subdivisions, and wards. Each ward leader has at his disposal, as well as the ordinary police, a fire and rescue squad, a medical detachment, and two gas detectors. The task of these forces, known as the emergency detachments (*Einsatzkräfte*), is to reinforce the self-protection forces. At each division the leader has reserve forces at his disposal consisting of the above services plus repair and demolition parties and public utility technicians.

498. The *Selbstschutz* (Self-Protection Service) is the organization created for the protection of the ordinary householder based on a warden and fire-guard system. Each house (generally a block of flats) has a House Warden. Over him is a *Blockwart* (Block Warden) who controls several streets under the supervision of a Ward Protection Leader, thus following closely the organization of the Nazi Party. In 1942, a "Leader" was appointed to take charge of several Self-Protection groups with power to transfer reinforcements from one area to another under heavy raid conditions. The *Landluftschutzgemeinschaft* (Rural Air Protection Fellowship) provides fire-fighting and rescue squads in rural areas too small to be served by any of the other services

499. Post-air raid services such as emergency feeding, billeting, and rehousing, the operation of rest centres and information services, and mass evacuation from danger areas are organized by the Nazi Party auxiliary organizations to supplement the regular municipal services.

500. Civil Defence propaganda and training measures throughout the Reich are handled by the *Reichsluftschutzbund* (Reich Air Protection League, or RLB) under the supervision of the Air Ministry. It publishes an illustrated fortnightly "Die Sirene," containing all official instructions; and it supervises all civil defence training. League membership is virtually compulsory for individuals and private firms, and its members number over twenty million. League officials wear a blue-grey uniform with black piping.

501. ACTION TO BE TAKEN. Mil. Gov. Public Safety Officers will assume control through the heads of the local Civil Defence Services and, working in co-operation with the PAD Officer, make full use of them for any purpose of Mil. Gov. Records and equipment will be preserved. Services no longer required will be disbanded. All active Nazis and ardent Nazi sympathizers and all Nazi methods and principles will be eliminated from the direction and operation of the Civil Defence Services. All such Services are to be totally disarmed and all military training and practices abolished.

Chapter V

LEGAL

THE ADMINISTRATION OF JUSTICE IN GERMANY

520. THE GERMAN MINISTRY OF JUSTICE. The Ministry of Justice (*Reichsjustizministerium*) headed by the Reich Minister of Justice, a member of the Reich Cabinet, supervises the administration of justice in Germany. It contains the following departments: I. Personnel and Organization; II. Personnel Training; III. Criminal and Juvenile Legislation; IV. Criminal Procedure; V. Penal Administration (Prisons); VI. Private Law and Civil Procedure, Peasant Law; VII. Commercial Law, Public Law and International Law; VIII. Budget and Financial Questions, Administration of Lands and Buildings, Salaries and Pensions, Business Routine.

521. COURTS SUPERVISED BY THE MINISTRY. The Ministry controls and supervises the administration of:

(*a*) The Ordinary Courts of general civil and criminal jurisdiction which constitute a hierarchy consisting of: The Supreme Court (*Reichsgericht*), Leipzig; 34 Courts of 2nd and 3rd instance (*Oberlandesgerichte*); 183 Courts of 1st and 2nd instance (*Landgerichte*); 2,035 Courts of 1st instance (*Amtsgerichte*); also the Labour Courts (*Arbeitsgerichte*) and, in Baden and Württemburg, Municipal Courts (*Gemeindegerichte*);

(*b*) The Special Courts having jurisdiction over offences against the State and the Nazi Party, consisting of: The Peoples' Court (*Volksgerichtshof*), Berlin, and the *Sondergerichte* constituted as chambers attached to the lower Ordinary Courts; Courts having jurisdiction in special fields of law, including the Prize Court (*Prisenhof*), the Entailed Estates Court (*Fideikommissgericht*); the Patent Office (*Reichspatentamt*) at Berlin, and the Peasant Holdings Courts (*Erbhofgerichte*).

522. OTHER AGENCIES SUPERVISED BY THE MINISTRY. These include:

(*a*) The Enemy Property Control Office;

(*b*) The office for examination of judges, lawyers, notaries (*Reichsprüfungsämter*);

(*c*) The camps for training lawyers and judges in Nazi principles;

(*d*) The Academy for German Law, and

(*e*) The *Rechtswahrerbund*, an organization of all judges and officials concerned with the administration of justice (which was suspended for the duration of the war in 1943).

523. TRIBUNALS NOT CONTROLLED BY THE MINISTRY. There are a number of special tribunals having some of the attributes of courts, including the following, which are supervised by the ministries indicated: Administrative Courts (*Verwaltungsgerichte*), Disciplinary Courts for officials (*Dienststrafkammer*), Insurance Courts (*Versicherungsämter*), Courts regulating cartels (*Kartellgerichte*) and Pension Courts (*Versorgungsgerichte*), all supervised by the Ministry of Interior; Peasant Holdings Appeal Court (*Reichserbhofgericht*) supervised by the Ministry of Food and Agriculture; Labour Courts (*Arbeitsgerichte*) supervised by the Ministry of Labour; Reich Court Martial (*Reichskriegsgericht*) supervised by the High Command; and the Tax Court (*Reichsfinanzhof*) supervised by the Ministry of Finance.

524. ORGANIZATION OF THE ORDINARY COURTS. The Ordinary Courts are divided into senates or chambers dealing with civil cases, criminal cases, and other special branches of jurisdiction, such as personal status (marriage, divorce, inheritance) and estate administration. The *Oberlandesgerichte* and the *Landgerichte* have attached to them Prosecutors (*Staatsanwälte*), who have additional administrative responsibilities over court personnel and prison administration and jails. Attached to the *Amtsgerichte* are certain administrative agencies, including the Land Registry (*Grundbuchamt*), the Registry (*Registergericht*), the office for enforcement of judgments (including judgments of the higher ordinary courts), and the office for uncontested litigation. The *Amtsgerichte* also supervise the records and accounts of notaries. In Baden and Württemburg a special type of local court, called *Gemeindegericht*, exists in each *Gemeinde*. Such courts, in which the *Bürgermeister* functions as judge, have concurrent jurisdiction with *Amtsgerichte*, but no competence in litigious matters involving over 100 RM. This procedure is cheap, expeditious and popular.

525. Under the Nazi regime the prior system of appeals on matters of fact and law has been greatly curtailed. This subject will be dealt with in instructions to legal officers responsible for supervision of the ordinary courts.

526. GERMAN LAW AND NAZI CONTROL.

(*a*) Legal officers supervising German courts will bear in mind that there are fundamental differences in historical background and in administration between the Anglo-American common law and the German law.

(*b*) German law is largely a codified legal system, and its most important elements derive from Roman law. This is especially true of the principal code, the *Bürgerliches Gesetzbuch* or Civil Code. The Civil Code consists fundamentally of two parts. The first, or general part, states briefly but comprehensively the conceptions that permeate the entire code. The second part deals with special subjects, such as contracts, property, torts,

family law, family property, and succession. Codes and laws effective throughout Germany include the Commercial Code, the Criminal Code, Codes of Civil and Criminal procedure, and laws relating to bankruptcy, patents, land registry and various commercial matters.

(*c*) Judicial decisions are based on the interpretation of the code and statutes which regulate the entire civil, commercial, and criminal law. Decisions do not have binding force, like precedents in common law, but merely persuasive force. In civil law, many general clauses in the codes and statutes have enabled judges to develop the law in accordance with economic and social needs; in criminal law, prior to the Nazi regime, the principle was strictly adhered to that there can be no punishment either retrospectively or without a specific legal provision. The Nazi regime has abandoned this principle, mainly by giving the judge (in a law of 1935) power to punish, without a specific legal provision, for acts otherwise innocent, where demanded "by the sound instinct of the people"; and by giving the *Gestapo* powers which enable it to ignore the courts and kill or imprison people without trial.

(*d*) The National Socialist regime has sought to break away from the older traditions of the German law and to employ the codes as a weapon of Nazi domination. There has been much National Socialist legislation promulgated by the Nazis in the form of decrees and administrative instructions, even by speeches and letters of Hitler and his top officials. The ordinary courts have been deprived of jurisdiction over the SS Police and *Gestapo*, and special party and police courts have been created and given extraordinary powers in party and political matters. There is no longer in Nazi Germany a "rule of law," as understood in Great Britain and the United States and as provided in the Weimar Constitution.

527. THE GERMAN PRISON SYSTEM.

(*a*) *Ordinary Prisons.* The ordinary German prison system is administered by the Minister of Justice, Department V, which deals with the administrative officials in charge of the local institutions. The *General-Staatsanwälte* (Prosecutors) attached to the *Oberlandesgerichte* (Courts of Appeal) have certain supervisory functions in this control. The ordinary prison system is administered largely by civil servants trained in penology, subject to the superimposed Nazi control.

(*b*) *Extraordinary Prisons.* Under the Nazi regime there has been created a parallel system of prisons and concentration camps for the detention of party, political, and racial prisoners. These were administered by Himmler as head of the Security Police, through the *Gestapo*, with internal camp organizations of prisoners headed by habitual criminals of the worst type. They are conducted with systematic terrorism and brutality. In connection with concentration camps, see also Chapter IV, "Public Safety" of this Part III.

528. IMPACT OF ALLIED OCCUPATION ON ADMINISTRATION OF JUSTICE. Upon the occupation of German territory, the Supreme Commander will, by proclamations and ordinances, dissolve the Nazi Party and its principal agencies and abrogate discriminatory and oppressive Nazi laws and decrees. All courts will be temporarily suspended and the special party courts and SS police courts will be dissolved. The more important officials of the Ministry of Justice, prosecutors, judges, and court and prison personnel will be replaced where necessary with acceptable German personnel, and the entire administration of justice will require review and reorganization. See also Part III, Chapter II.

LAW APPLICABLE IN OCCUPIED TERRITORY

529. LEGAL FOUNDATIONS OF MILITARY GOVERNMENT. Under international law all powers of government in occupied enemy territory are vested in the Commander of the occupying forces; and proclamations, laws, ordinances, and other enactments promulgated by him or under his authority constitute legislation binding upon enemy officials and the population. For example, by ordinances there are created certain offences against the Military Government which are punishable in Military Government Courts, established pursuant to another ordinance.

530. MILITARY LAW. The law of Military Government thus created should not be confused with military law governing the US/Br armed forces, based on the Articles of War/Army Act.

531. GERMAN LAW—CONTINUING EFFECTIVENESS. The policy of the United States and British Governments, consistent with the concepts of international law, has been to recognize existing law in the occupied territory as continuing in effect, except to the extent that military necessity, national policy, or the proper conduct of Military Government require annulment, suspension or modification.

FUNCTIONS OF MILITARY GOVERNMENT LEGAL OFFICERS

532. Administration of the technical legal aspect of Military Government in occupied territory of Germany will be handled by Military Government Legal Officers.

(*a*) Military Government Legal Officers will provide technical supervision of all activities within the sphere of the Ministry of Justice, and in addition, operate the military Government Courts and furnish legal service to all echelons of Military Government. Legal Officers will be located at all levels necessary for the supervision of activities of the German Legal and Prison systems.

(*b*) At all times Mil. Gov. Public Safety Officers will be closely concerned with and active in the administration of the prisons,

and in the initial stages will have to be almost entirely responsible therefor, and it is of the greatest importance that Legal Officers and Mil. Gov. Public Safety Officers work in the closest conjunction for this purpose.

533. Legal Officers will be responsible for the following functions so far as appropriate at the respective military staff or Military Government administrative levels:

(*a*) The control of the regional and local agencies and officials of the German Ministry of Justice.

(*b*) The organization of Military Government Courts and their staffing (including the furnishing of prosecutors for the more important cases) and operations, and the review of decisions of such courts.

(*c*) The supervision of German courts, including consideration of cases to be removed to Military Government Courts; supervision of bar associations and notaries;

(*d*) The preparation of such proclamations, ordinances, directions, and notices as have not been prepared in advance; arranging for their posting and maintaining a record thereof;

(*e*) Legal advice to the Senior Mil. Gov. Officer at each Military, or Military Government, echelon and to his staff; and responsibility generally for legal matters affecting the conduct of Military Government.

(*f*) The study of German legislation and the preparation of recommendations with respect to suspension of such parts thereof as may be required to carry out the policies of the Supreme Commander.

(*g*) In conjunction with Public Safety Officers and CIC, the review of all persons held under detention and the release of political prisoners;

(*h*) Investigation and recommendations respecting the internment of civilians and the detention and trial of war criminals, to the extent authorized and directed by higher authority;

(*i*) The supervision of German administration of prisons, penitentiaries, and other penal institutions (but not concentration camps, which will be closed as such by Public Safety Officers).

LEGISLATION BY MILITARY GOVERNMENT

534. ENACTMENTS. Military Government legislation affecting the population of the occupied territory, to be issued by the Supreme Commander, will be classified as follows:

(*a*). *Proclamations*. General announcements of policy and action directed to the inhabitants of the occupied territory.

(*b*) *Laws*. Legislation of general application affecting the inhabitants of the occupied territory, subject to the control of the issuing authority.

(*c*) *Army Group Area, Regional, District, etc., Ordinances.* Legislation affecting the inhabitants of a particular area occupied by a group of armies, Region, District, etc.

(*d*) *Notices.* Notices directed to the inhabitants of an area directing specified action to them.

(*e*) *Regulations.* Rules and principles issued under a law or ordinance and intended to be binding on persons affected thereby.

535. MILITARY GOVERNMENT INSTRUCTIONS AND DIRECTIONS.

(*a*) Delegations and other directions to Mil. Gov. Officers and Detachments with respect to how, when and by whom legislative matters shall be given effect will take the form of Military Government Instructions.

(*b*) Directions to specified persons, including the German officials, as distinguished from directions to the public generally, will be known as Military Government Directions.

MILITARY GOVERNMENT COURTS

536. CONSTITUTION OF COURTS. Military Government Courts will be constituted in occupied territory as follows:

(*a*) *General Military Courts,* consisting of not less than three officers, of whom at least one shall be a lawyer serving in Military Government;

(*b*) *Intermediate Military Courts,* consisting of one or more officers, of whom at least one shall be a lawyer in Military Government; and

(*c*) *Summary Military Courts,* consisting of one officer, who shall be a lawyer serving in Military Government, if available.

537. ESTABLISHMENT OF COURTS. Courts will be established as needed.

538. JURISDICTION OF COURTS. Military Government Courts have jurisdiction over offences against enactments of Military Government by persons within the occupied territory, except members of the Allied Forces. Instructions will be issued as to the exercise of jurisdiction over members of the enemy armed forces. The respective jurisdictions of General, Intermediate and Summary Military Courts are determined by the limitations on sentences which they may respectively impose, as set forth in the Military Government Courts Ordinance. There is no appellate jurisdiction, but all cases will be reviewed administratively.

539. SPECIAL FUNCTIONS OF SUMMARY MILITARY COURT. Summary Military Courts will not only try persons charged with lesser offences but, (except where a case or class of cases has been expressly referred for trial by a higher court), will also be the courts before which all persons charged with offences against the

Military Government will be brought for preliminary hearing. Where in the Summary Military Court's opinion a higher sentence should be imposed in the event of conviction than it has power to impose, the court will report the case to the Legal Officer concerned for reference to the appropriate Intermediate or General Military Court for trial.

540. PROCEDURE OF COURTS. Military Government courts are required to conform to the procedure set out in the Rules and Guide for procedure (which, together with Legal Forms, are published in the Technical Manual for Legal and Prison Officers) and in Military Government Instructions. These are designed to establish a system of justice which, in the interests of military security, is speedy, effective, and unhampered by unnecessary technicalities, and which at the same time manifestly conforms to the high standards of Anglo-American justice. Mil. Gov. Officers acting as Legal Officers or sitting on Military Government Courts are charged with the responsibility and duty of exercising the powers vested in them in such a way as will most effectively achieve these ends. Mil. Gov. Officers will also ensure that accused persons are familiar with and are duly accorded their rights as published in the Manual (such as the right to notice of the charges, to representation at the trial, to petition for review).

541. RESPONSIBILITY OF LEGAL OFFICERS. Legal Officers, whether assigned to staffs or headquarters or to Detachments, will have responsibility for the establishment and operation of Military Government Courts in their respective areas. Military Government Instructions will indicate the channels through which required reports will be forwarded and at what staff or headquarters levels the records of trials and petitions for review will be reviewed. Legal Officers will relieve Mil. Gov. Officers of the burden of holding courts as much as possible, and will make appropriate recommendations to their Mil. Gov. Staffs or Mil. Gov. Officers as to all matters relating to the courts and their administration.

CONTROL OF GERMAN COURTS

542. GENERAL. Upon occupation of enemy territory all courts will be suspended, and the special courts established by the Nazi regime will be dissolved. As soon as possible after the establishment of Military Government in any given area, the reorganization of the judicial system in that area will be undertaken. Full information as to personnel and as to the condition of court premises, records, and cases on hand will be obtained and reported to the next higher Military Government staff or headquarters.

543 OPENING OF GERMAN COURTS.

(*a*) Military Government enactments or directions issued from time to time will specify which German courts, civil and criminal,

shall be permitted to reopen and to function under German judges. In general, it is proposed that such orders will specify that the following powers are to be exercised with respect to such courts by Military Government:

(i) the power to dismiss or suspend any German judge;

(ii) the right of attendance at any court session;

(iii) the power to review administratively the decisions of German courts and to nullify, suspend, or modify any sentence or judgment rendered by such courts, and in particular, to set aside or commute any sentence of death; and

(iv) the power to assume jurisdiction for Military Government Courts over any class of cases or any particular case in which it appears that the disposition of such class of cases or particular case may be affected by hostility towards, or be prejudicial to the interests of, the United Nations, or the Allied Forces.

(*b*) In order to dispose of criminal cases awaiting trial, it will be important first to reopen the criminal chambers of the *Amtsgerichte* and *Landgerichte*. The administrative functions of the *Amtsgerichte* should also be put in operation promptly, except such as may be suspended (like recording of transfers of property). The civil chambers of these courts should be reopened when the criminal cases have become reasonably current. Opening of the *Oberlandesgerichte* and the *Reichgericht* will be decided at a high level, when acceptable judges and prosecutors have been substituted for the present personnel, where necessary.

544. METHODS OF CONTROL.

(*a*) Legal officers will, to the extent possible, deal with the highest judicial officer and prosecutor of the area available as to problems which confront the entire local judiciary. Below the ministerial level, the Prosecutors (*Generalstaatsanwälte*) at the *Oberlandesgerichte* hold important administrative positions, particularly in the control of prosecutors of the lower courts and of the prisons. The local officials must not be permitted to transfer responsibility to the Military Government, but should be compelled to make recommendations in writing with respect to every problem submitted. Directions should be given in writing to the highest German legal authority in the areas, and through him to subordinate officials.

(*b*) The operation of German Courts will be closely observed and needed correction obtained through changes in personnel, directions to administrative officials, transfer of cases to Military Government Courts, and similar measures.

(*c*) Reports of all activities of the German prosecutors and courts should be required at weekly or other suitable intervals. Legal Officers will personally observe the working of the courts to the extent possible and investigate all complaints. They will

make recommendations with respect to removal and replacement of personnel and will pay particular attention to prosecution and trials of cases of interest to the Military Government.

545. REVIEW OF CASES. The power reserved to set aside or modify any sentence or judgment of a German court may be exercised at any stage and need not await an appeal to the German appellate court functioning in the occupied area. Legal Officers will report all cases which appear to require review through Military Government channels.

546. TRANSFER OF CASES. Legal Officers will similarly report cases or classes of cases which should be transferred from German courts for trial in Military Government Courts.

547. ADMINISTRATIVE MATTERS. The principal problems in connection with German courts will be administrative, especially until direct control over the Ministry of Justice is established. Problems of personnel, premises, finance, communication, and transportation may greatly impede the operation of courts ; and every effort will be made, subject to military exigencies, to require the German authorities at the *Oberlandesgerichte* and subordinate courts to deal promptly and effectively with these problems.

548. JUDGES AND LAWYERS. The *Rechtswahrerbund*, the present Nazi organization of judges and lawyers which superseded the former central and regional associations, will be abolished. (See Part III, Ch II.) Pending directions from higher authority, Legal Officers may find it useful to encourage the formation of provisional committees to propose plans for local organizations and to represent the bar in dealings with the Military Government. Such organizations would necessarily be unofficial and provisional.

549. CONTROL OF NOTARIES. Legal Officers will exercise close supervision and control over notaries, who are public officials, under administrative supervision of the *Amtsgerichte*. Their functions include drafting and attesting of conveyances, mortgages, powers of attorney, marriage settlements, wills and other documents, certifying inventories, protesting bills of exchange, acting as offices of record and as custodians of cash and securities.

ADMINISTRATION OF GERMAN PRISONS

550. GERMAN PRISON ADMINISTRATION. The ordinary German prisons and penal institutions are administered by Department V of the Ministry of Justice, which gives orders directly to the directors of the institutions. Intermediate control is effected on matters of supervision of sentences, personnel, etc., by the *Generalstaatsanwälte* attached to the *Oberlandesgerichte*, of which there are 17 in the Supreme Commander's area of control.

551. ORDINARY PRISONS. The prison system comprises a number of types of prisons, including the following: *Arbeitshaus*, for educational detention of vagrants, prostitutes, etc., after service of sentence; *Haftanstalt*, for punishment of minor offences (*Übertretungen*); *Jugendarrestanstalt*, for punishment of minor youthful offenders; *Jugendgefängnis*, for punishment of youthful criminals; *Sicherungsanstalt*, for detention of habitual or dangerous criminals after service of sentence; *Strafanstalt-Strafgefängnis*, for adults sentenced to imprisonment; *Zuchthaus*, penitentiary for adults sentenced to penal servitude; *Untersuchungsgefängnis-Untersuchungshaftanstalt*, remand prison attached to a court, for detention of accused persons pending trial, also used for prisoners serving short sentences for minor offences.

552. The concentration camps (*Straflager*), and similar installations for detention of political and racial prisoners, operated by the SS Police under direction of Himmler, will be liquidated under supervision of Public Safety.

553. PRISON OFFICERS. All penal institutions in the Supreme Commander's area of control now administered by the Ministry of Justice will be supervised and controlled by Military Government. This control will be exercised initially through the directors of the penal institutions. Control will be established by directions and by field inspections by Mil. Gov. Officers or by specialist prison officers.

554. LEGAL OFFICERS AND MIL. GOV. OFFICERS. Legal Officers, Mil. Gov. Public Safety Officers and other Mil Gov. Officers at the several echelons will assist in supervision of prison administration. Their duties will be fully stated in the Military Government Instructions on Prisons (the initial instructions on which will be included in the Military Government Technical Manual for Legal and Prison Officers), and will include some or all of the following:

(*a*) Giving instructions as to prison administration to the head of each prison in the area;

(*b*) Assuring preservation of previous prison records and rendering of prescribed reports;

(*c*) Handling of prisoners received from Military Government;

(*d*) Periodic inspections and reports on all prison conditions and enforcement of regulations as to treatment, feeding, clothing, sanitation, guards, segregation of different classes of prisoners, discipline, prison work and organization, transfers of prisoners, etc.;

(*e*) With Military Government Public Safety Officers and G-2 (CIC), review of cases of prisoners held;

(*f*) Maintenance and repair of buildings; and

(*g*) Drawing supplies.

(Forms of reports, case records, lists of institutions, etc., will appear in the Annexes to the Military Government Instructions.)

555. DISPOSITION OF PRISONERS FOUND ON OCCUPATION.

(*a*) Upon the occupation of an area all prisons and other places of detention will be promptly investigated and the cases of inmates reviewed. Procedure for such investigation and review, and for collaboration by Legal Officers with Mil. Gov. Public Safety Officers, G-2 (CIC) and other intelligence services will be provided.

(*b*) Germans detained solely on anti-Nazi or racial grounds will be released unconditionally or treated as displaced persons; Germans detained awaiting trial will be held for trial by the German courts, or if already held for periods approximate to the probable sentence will be released provisionally, remaining answerable in court upon the charges. Prisoners of war belonging to the Forces of the United Nations and their nationals confined, interned, or otherwise held under restraint by German authorities will be freed from confinement and placed under military control or restriction, as may be appropriate pending further disposition.

(*c*) Persons still remaining in penal institutions after the initial review has been completed may exercise any right existing under German law to petition for release, pardon or parole. Decisions made by the German authorities on such petitions will be subject to approval by Military Government Legal Officers before being implemented.

556. USE OF PRISONS BY MILITARY GOVERNMENT. After control of German prisons has been effected in an area, persons arrested or detained by the Military Government or sentenced by Military Government Courts to terms of imprisonment, will ordinarily be committed to German prisons, under procedure prescribed in Military Government Instructions and in directions to the appropriate German officials. It is not proposed to establish separate prisons under Military Government except for special groups, such as suspected war criminals.

LIAISON, REPORTS, MISCELLANEOUS

557. LIAISON ON LEGAL MATTERS. Legal Officers and Mil. Gov. Officers performing legal functions should bear constantly in mind the necessity for maintaining close liaison with all elements of the Allied Forces affected by their activities or whose co-operation is needed in performing their functions effectively. These will include:

(*a*) Headquarters of the military formation controlling the area;

(*b*) The Provost Marshal and Military Police;

(*c*) G-2 (CIC) and other Military Intelligence services;

(*d*) Military Government Public Safety Officers, especially police; and

(*e*) Military Government Legal Officers of the next higher and lower Headquarters or Detachments.

558. REPORTS BY LEGAL OFFICERS. Legal Officers and Mil. Gov. Officers will make promptly all reports on legal and prison matters required by their instructions. They will also report through technical channels, as well as to their military and Military Government Headquarters or Detachment Commanders, all legal and prison matters in their areas requiring attention and not covered by instructions, with their recommendations as to the action to be taken.

559. MISCELLANEOUS ACTIVITIES OF LEGAL OFFICERS. In view of the numerous administrative activities conducted by the Ministry of Justice which do not directly concern the administration of the ordinary civil and criminal courts and prisons, Legal Officers in the field will be called upon to assist in the handling of a great variety of matters which are the primary concern of other Military Government Specialists. In handling such matters, Legal Officers will work in close conjunction with the Mil. Gov. Officers primarily concerned therewith to avoid overlapping of function and duplication of work. Wherever possible, procedure in such matters will be cleared with the senior Mil. Gov. Officer of the area.

560. MANUALS. Due to the great amount of detail involved in performances of the functions of Legal Officers, detailed information, with copies of applicable Military Government legislation, Military Government instructions, forms and reports, will be published in the Technical Manual for Legal and Prison Officers.

561. OBJECTIVES AND POLICY. The following statement (reprinted in the Technical Manual for Legal and Prison Officers as Document I) sets forth the legal and prison policy for the Supreme Commander's area of controlled Germany. Implementation of such policy is set forth in the foregoing paragraphs of this Chapter and in the Technical Manual for Legal and Prison Officers.

LEGAL AND PRISON POLICY

562. OBJECTIVES. In addition to those set out in other manuals, the following policy objectives are to be pursued:

(*a*) To restore and maintain law and order as far as the military situation permits.

(*b*) To safeguard the persons, property and interests of the Allied Forces and of the United Nations and their nationals, including prisoners of war and displaced persons.

(*c*) To destroy the legal foundations of German militarism, of Nazi domination, of the National Socialist Party and its affiliated organizations, and to suppress their activities as such.

(*d*) To prevent the operation of all German laws which discriminate against persons on account of race, colour, creed or political opinions.

(*e*) To reorganize the German system of justice so as to eliminate Nazi elements and Nazi doctrines.

(*f*) To ensure that persons are not imprisoned or detained by German authorities without due legal process.

563. STATEMENT OF RESPONSIBILITIES.

(*a*) As means to the above ends *legislation* will be enacted in Germany and directions given to the German authorities.

(*b*) Necessary initial legislation and directions will be furnished by Supreme Headquarters to Army Group commanders for promulgation upon authorization of Supreme Headquarters by them or on their authority. Such promulgation will be effected by causing printed copies thereof to be posted in territory as it is occupied or by such other means of publication as commanders may deem appropriate.

(*c*) Subsequent *legislation* will be enacted as follows:

(i) Legislation on subjects as to which uniformity of treatment throughout the Supreme Commander's area of control is desirable will be furnished by Supreme Headquarters and promulgated as set forth in 563 (*b*) above.

(ii) Other legislation for a particular area may be enacted by the commanders having Military Government responsibility for the area concerned, or by subordinate officers in their discretion as that power may be delegated. All legislation to be enacted by Army Group Commanders will be submitted prior to promulgation to Supreme Headquarters for approval, except on unusual occasions when the military situation requires emergency action to be taken, in which case a detailed report shall be made. In delegating authority to subordinate commanders, such delegation will be limited to legislation of a character local to the area of responsibility of the officer to whom authority is so delegated, and will be accompanied by appropriate instructions to ensure co-ordination between the various areas. The highest Military Government Headquarters will take such action as may be appropriate to secure uniformity and co-ordination as it deems necessary.

(*d*) Instructions will be issued from time to time by or under authority of Supreme Headquarters relating to the form and method of issuance of legislation. Arrangements will be made for the publication in each area of an official gazette in which will be published all legislation enacted within such area.

(*e*) Subsequent *directions* will be issued in accordance with the principles applicable to *legislation*. Directions will be used, rather than legislation, in all cases in which the action required can most effectively be carried out through the German governmental machinery.

(*f*) Appropriate commanders may issue, and authorize subordinate officers to issue and enforce, any legislation and directions which operational or emergency conditions may require.

(*g*) There will be reported to Supreme Headquarters the fact of issuance of any legislation or directions within the area of the Army Group Commander's responsibility, and Supreme Headquarters will be furnished with at least ten copies of any such legislation or directions not originating at Supreme Headquarters, as well as the date and place of publication of all Proclamations, Laws, Ordinances and Notices, including any furnished by Supreme Headquarters, together with the date, place of issuance and publication, and area of applicability.

564. There will be established as soon as practicable in accordance with the Military Government Courts Ordinance such courts as are required to maintain order and preserve the security of the Allied Forces. Power to appoint such courts may, and normally will, be delegated to the Regional Mil. Gov. Officer at Military Government Regional Headquarters, and in the case of summary courts, to officers commanding Mil. Gov. Detachments, and to such other commanders as the commander of the Military Government Region deems desirable. Powers of appointment vested in officers at levels lower than Military Government Region will be exercised through a Mil. Gov. Officer, if available. Subject to such controls as may be deemed necessary, no formal appointment of a summary court will be required.

565. Rules of Military Government Courts, Forms for use therein, and a Guide to Procedure are contained in Document XII of the Technical Manual for Legal and Prison Officers. In accordance therewith a uniform and balanced system of Military Government Courts will be ensured, and Army Group commanders may initially exercise the powers referred to therein as vested in the Chief Legal Officer. Delegation and re-delegation of such powers are also authorized.

566. Power to confirm death sentences given by Military Government Courts is initially vested in Army Group Commanders, and such power may be delegated by them to Army Commanders or Military District Commanders, when designated. Army Group Commanders and such said subordinate Commanders to whom such power may be delegated are designated as officers having power to confirm sentence of death in accordance with para. 11 of Article VII of Ordinance No. 2.

567. All Nazi, or otherwise undesirable elements will be eliminated from the judiciary and administration of justice. On the commencement of occupation, all German courts will be closed and will not be allowed to reopen until a sufficient nucleus of personnel has been found who can be relied upon to administer

justice free from Nazi principles and doctrines. Courts may be opened for purely administrative functions before they reopen for contentious business.

568. Special courts associated with the Nazi regime will not be permitted to reopen.

569. In the supervision of the German administration of justice, the following principles will be adhered to:

(*a*) In general, the Germans themselves are responsible for the administration of justice as between themselves, provided that there is no interference with the objectives of Military Government.

(*b*) Cases in which the interests of Military Government are affected will in general be withdrawn from the German courts and dealt with in Military Government Courts. It is the special duty of Mil. Gov. Officers to ensure that justice is obtained by United Nations nationals (displaced persons and prisoners of war) in Germany.

(*c*) In cases where it appears that a German court is administering justice in a manner contrary to the objectives of Military Government, the remedy should be by removal or disqualification of the judge or other official involved. Where necessary, cases may be re-tried in Military Government Courts.

570. LEGAL PERSONNEL. Supreme Headquarters will initially furnish legally qualified Mil. Gov. Officers. These should be sufficient to provide legal advisers on staffs at all Military Government levels, a number of specialists for deployment at key points and a nucleus for the organization of Military Government Courts.

571. Conditions may, however, be anticipated and should be provided for in which the establishment of Military Government Courts may become necessary on a considerable scale. For this purpose commanders are empowered to make use of legally trained officers serving in the combatant forces. Officers who are not legally qualified may be used to constitute Summary Courts, but they will, if possible, first have attended under the instruction of, and be subject to control by, legally qualified officers.

PRISONS

572. DEFINITION.

(*a*) The word " prisons " herein shall include all penitentiaries, reformatories, gaols, workhouses, asylums (criminal and insane) and other places of confinement other than concentration camps and police lockups.

(*b*) " Political prisoners " shall mean any person or persons in prisons who have been deprived of their liberty, with or without trial, on account of their race, creed, colour, nationality, political beliefs or acts antagonistic to the Nazi regime.

problems. The *Reichsausschuss zum Schutze des Deutschen Blutes* pays particular attention to the Nazi racial practices and provides liaison between the State and Party racial offices. The *Reichsgesundheitsamt* is a scientific institution containing sections on medical science, veterinary medicine, racial and hereditary research, general hygiene, physiology, pharmacology and chemistry. It also includes the Robert Koch Serological and Bacteriological Institute and the *Landesanstalt für Wasser, Boden und Luft Hygiene*. Its title, *Reichsgesundheitsamt*, is misleading, since it plays no rôle in the administration of Public Health.

605. PROVINZ/LAND. The *Regierungs und Medizinalrat*, who is *Medizinal Dezernent* on the staff of the *Oberpräsident* or the *Reichsstatthalter*, administers the provincial institutions for the deaf, blind, and feeble-minded, supervises the licensing of pharmacies, controls the professional organizations of physicians and pharmacists of the *Provinz* and controls the lower professional courts. Control of health in the *Provinz* is paralleled by health ministries in the *Länder*.

606. REGIERUNGSBEZIRK. At this level the Public Health System is represented by the *Regierungs und Medizinalrat* attached to the staff of the *Regierungspräsident*. As medical advisor he collects all information obtained from the various local health officials and prepares the vital statistics and health records of the various *Regierungsbezirke*. He also transmits and specifically interprets general health laws and regulations and supervises the training of midwives. He controls the employment of personnel in hospitals and similar institutions and checks on the medico-legal activities of the *Amtsarzt*. He supervises the health personnel of the *Bezirk* and checks

extensive health work in the NSDAP, DAF, and NSV organization is to reach communities where health laws and public medical care have been neglected and to promote good will for the Party.

614. The personnel of NSDAP health services is largely voluntary and does not receive special remuneration. Participating physicians in the NSDAP, DAF, and NSV receive special certificates and are preferred by the more influential members of the Nazi hierarchy. Membership in the NSD *Ärztebund* is comparatively limited and members are outstanding adherents of Nazi doctrine.

ESTIMATE OF THE SITUATION

615. GENERAL. General Public Health and Welfare activities were formerly on a sound basis. The personnel were well trained, the equipment adequate, and standards high; but these have now deteriorated, owing to imposition of Nazi theories,

etc.) result in failure to maintain routine immunization and complete reports. Delay in the diagnosis and reporting of cases restricts the effectiveness of the treatment used to shorten the infectious period and restricts the scope of control measures, such as quarantine isolation, disinfection and instructions to householders.

(*i*) The scarcity of food causes disregard of the ordinary sanitary precautions normally used in preparation and distribution.

(*j*) The scarcity of soap, water, and disinfectants leads to a lower personal hygiene and resultant filth-borne diseases.

617. Diseases which by their prevalence during the past four years give an indication of becoming Military Government public health problems are: Typhus fever, Diphtheria, Scarlet fever, Tuberculosis, Cerebrospinal meningitis, Acute anterior poliomyelitis, Typhoid fever, Paratyphoid fever, Dysentery and the Venereal Diseases.

618. BASIC MEDICAL SUPPLIES and equipment are scarce for various reasons: shortage of raw materials, diversion to Army use, destruction of manufacturing plants, and increasing demand for supply by both Army and civilians. Critical shortages can be anticipated in these drugs and chemicals: iodine, barbiturates; opiates, and other alkaloids, glycerin, alcohol, anæsthetics (local and general), sulphonamides, mercurials, calcium salts, high-test hypochlorite and gaseous chlorine; biologicals; tetanus antitoxin, potent diphtheria antitoxin, insulin, adrenalin and other glandular products, anthrax serum, hog-cholera serum, rabies vaccine, and a good grade of typhus vaccine; and surgical supplies: rubber gloves, catheters, and surgical dressings, X-ray film and tubes.

OBJECTIVES

619. The functions of Public Health agencies normally extend into many fields of government, but in the Military Government of Germany, Public Health functions of the Supreme Commander will be limited to the following objectives:

620. The control of communicable disease among civilians in Germany. This necessitates:

(*a*) Health organizations, responsible for each locality, competent to recognize, evaluate, and take adequate measures to eliminate actual and potential communicable disease hazards.

(*b*) A system for rapid collection, analysis, publication and distribution of morbidity and mortality reports.

(*c*) A system for procuring and distributing medical and sanitary supplies needed for communicable disease control.

(*d*) A medical laboratory service to enhance early diagnosis of communicable disease.

(*e*) An organization with authority to enforce adequate measures to prevent the spread of dangerous diseases by refugees and displaced persons.

(*f*) An applicable local plan for procuring emergency hospital facilities, medical personnel and ambulances in the event of a serious epidemic.

621. The prevention of the spread of dangerous diseases across German boundaries. This necessitates :

(*a*) Enforcement of the provisions of the International Sanitary Convention signed at Paris June 21, 1926, and the International Sanitary Convention for Aerial Navigation, the Hague, April 12, 1933.

(*b*) The adoption of such additional quarantine procedures at seaports, airports and border stations as may be required in view of emergency conditions.

622. The provision of medical care necessary to protect the health of United Nations nationals in Germany. This necessitates :

(*a*) The establishment and maintenance of sanitary conditions in camps housing homeless United Nations nationals.

(*b*) The provision of hospital and emergency treatment facilities.

(*c*) The provision of medical personnel, equipment, supplies and transportation for treatment of patients.

623. The utilization of German medical and public health resources and productive capacity to the extent needed to supply urgent needs of the United Nations and to allow the balance to be used for maintenance of public health in Germany. This necessitates :

(*a*) Requiring German authorities to surrender such medical and sanitary supplies and equipment as may be prescribed by proper Allied authority.

(*b*) Requiring German authorities to provide for classification and earmarking of medical and sanitary personnel (including personnel of German Army, Navy and Air Force) to provide a pool from which civilian public health organizations may fill public health posts essential to Military Government.

(*c*) The use of personnel resources in excess of those mentioned in sub-paragraph (*b*) above for the benefit of the United Nations as needed.

(*d*) The economic use of local resources devoted exclusively to the mission of Military Government. If the German resources prove to be inadequate, provision of such limited medical supplies for the use of German nationals as may be necessary to prevent disease and such disorder as might endanger or impede military operations.

(*e*) A constant search for medical and public health resources and productive capacity.

(*f*) The maintenance of medical and surgical care of sick and wounded German military personnel and civilians to be continued by the medical and nursing services of the German nation in the normal manner currently existing. The maintenance of such care will be the direct responsibility individually and collectively of the German medical, nursing and related services until further directed.

(*g*) Requiring German authorities to reveal and make available all new advances by the Germans, particularly those developed since 1938 in the field of Public Health and medical science.

624. The removal of active Nazis and ardent Nazi sympathizers from German public health services and their replacement by acceptable personnel.

625. The provision of health and medical advice to other branches of the Military Government, within the fields of their responsibilities, to aid those branches in accomplishing their mission.

INSTRUCTIONS FOR MILITARY GOVERNMENT OFFICERS

626. Military Government Officers, assisted by Public Health Specialist Officers, are responsible for carrying out the above objectives. Different methods for accomplishing the objectives may be adopted in different areas and each area will have as much freedom as possible to develop its own methods. However, a certain degree of uniformity is necessary and the following instructions are, therefore, given for guidance. Reference should also be made to the Public Health Technical Manual for detailed guidance.

627. The *Gesundheitsamt*, purged of all active Nazis and ardent Nazi sympathizers and of Nazi agencies and ideologies, will be continued in full function as the official German health organization. Its activities and resources, augmented if necessary, will be directed towards protecting the health of Allied troops and nationals of the United Nations in Germany.

628. The German health organization will carry on any additional legitimate health activities it may desire provided health and medical resources have been directed toward carrying out the prescribed provisions herein in a manner satisfactory to Military Government.

629. The facilities, equipment, supplies and, subject to proper selection, personnel of abolished Nazi health organizations will be used as needed to carry out the public health objectives of Military Government.

630. High priority will be given to establish and maintain rapid collection, consolidation and widespread distribution of communicable disease reports. Reports will be collected by indigenous agencies on their normal forms in accordance with their usual programme and transmitted through Military Government channels to higher levels for consolidation and prompt subsequent distribution to all concerned. Reports to other indigenous levels by German offices will only be permitted on the authority of Military Government; military facilities should be used for the transmission of necessary and authorized information between indigenous offices if German communications fail or do not exist.

631. Medical and sanitary supplies needed for communicable disease control or other Military Government activities will be obtained from local or other German sources. Otherwise, captured enemy military stores will be used and only when these sources are found to be totally inadequate to carry out Public Health responsibility, will imported Allied stores be used. Only in emergencies may deviations from this policy be permitted. Allied supplies will not be imported or distributed beyond a minimum necessary to prevent disease and such disorder as might endanger or impede military operations.

632. Local medical laboratories will be given high priority for equipment and supplies if necessary to carry out the public health objectives of Military Government.

633. In preventing the spread of disease across German boundaries, it may be necessary to take emergency measures beyond those prescribed by the International Sanitary conventions. In the event that such measures are adopted the Supreme Commander is to be advised promptly of the measures taken and the necessity therefor.

634. The functions of Public Health in Military Government are closely interlaced with many other military functions. Close liaison will be maintained with these other functions to assure that public health objectives are attained, and policies fully carried out.

Chapter VII

PUBLIC WELFARE

GERMAN PUBLIC WELFARE SYSTEM

650. GENERAL STATEMENT. Military Government in Germany will have to deal with Public Welfare programs and organizations which have a long historical development, employ a large number of persons, expend a substantial portion of the National Budget, are considered by the Germans to be extremely important and touch intimately the lives of almost every German. Because of their importance, it is imperative that they be rigidly controlled and utilized to facilitate the orderly functioning of Military Government by preventing a breakdown of civil life and a breakdown of the working capacity of the civil population to an extent which might endanger or impede military operations.

651. BACKGROUND. The terms welfare (*Wohlfahrt*) and welfare work (*Wohlfahrtspflege*) are used in Germany to express much the same services as are implied in " social work " in Great Britain and U.S. Welfare work is assistance given to the needy for the relief of suffering and with a view to rehabilitation and self-support. The assistance may serve to maintain a minimum standard of living or to provide care in emergencies. Public Welfare (*Öffenliche Wohlfahrtspflege*) is assistance extended to individual groups by government agencies through the use of public funds.

652. The boundaries of public welfare work are not static. Certain needs are met through social insurance measures (unemployment, ill health, accident, old age) and welfare agencies have the residual responsibility of providing for the needs or emergencies not taken care of through social insurance or pension systems. Public Welfare includes institutional and non-institutional services and also such functions as recreation, probation and parole.

653. Social insurance programmes were instituted by Bismarck but the large-scale development of so-called public welfare programmes came with the Weimar Republic.

654. In Germany a distinction is made among three branches of welfare work: Public Assistance (*Allgemeine Wirtschaftsfürsorge*), Welfare for Children and Youth (*Jugendwohlfahrt*), and Health Welfare (*Gesundheitsfürsorge*).

655. Public Assistance (public relief) is assistance extended to adults or children who are in need. It uses the means test (a standard to determine individual need) as a basis for eligibility.

The assistance is given in cash payment or in kind. There are two types of public assistance:

(*a*) General public assistance (general relief);

(*b*) Special public assistance (categorical relief).

656. The latter is differentiated (*Gehobene*) public assistance provided for the needy within designated categories who have become handicapped through certain general developments, notably the inflation and the war.

657. Welfare for children and youth (*Öffentliche Jugendhilfe*) covers all public welfare services for the furtherance of the material and moral well-being of youth.

658. Health Welfare is concerned with help to those who are not covered by health insurance.

659. Under the Weimar Republic, welfare services were greatly extended and strengthened within the structure of the democratic system then being established. The amount of money spent became the largest single item in the total of public funds expended. Welfare activities under the Republic had as their basis the conception of human equality, the treatment of every individual on the basis of his own needs, and the rehabilitation of the individual in order that he may become self-supporting.

660. The following items characterized public welfare under the Weimar Republic:

(*a*) The government directed and attempted to co-ordinate all welfare activities both public and private.

(*b*) An attempt was made to simplify the administrative machinery by utilizing the public welfare bureau (*Wohlfahrtsamt*) as an over-all administrative unit for all branches of welfare work.

(*c*) Family Welfare work took precedence over all other welfare work.

(*d*) There was a tendency to accept standardized scales for public assistance.

(*e*) Preventive measures and differentiated treatment according to the individual need were accepted as general principles.

661. Private welfare work in Republican Germany was not as important as it had been in Imperial Germany or as it was during the corresponding period in Great Britain. However, there were several private agencies of national significance and many others of lesser importance. Among the more important private welfare agencies in Germany under the Weimar Republic were:

(*a*) The German Red Cross, which functioned in much the same

way as did the Red Cross societies in Great Britain and the U.S.

(*b*) *Innere Mission*, which was a Protestant welfare agency with an administrative organization corresponding to the political units of government, i.e., national, state, provincial, district, rural and urban counties.

(*c*) *Caritas Verband*, which was a national Catholic society organized in much the same way as the *Innere Mission*.

(*d*) Socialist Workers Welfare.

(*e*) Jewish Welfare organizations.

(*f*) Non-denominational welfare organizations which were usually local in scope and which carried on a great variety of programmes.

CURRENT SITUATION

662. ESTIMATE OF CURRENT SITUATION. In order to develop support for the Nazi Party, and also because of emergency situations arising out of the war (such as evacuation schemes and the difficult housing situation created by bombing), welfare programmes have expanded during the Hitler regime. Goebbels is quoted as having said that the NSV (Nazi Welfare Organization) was established " to enlist important circles of the German people who regarded National Socialism very reservedly or with strong mistrust. Hardly any other organization helped to such an extent in popularizing and creating confidence in the National Socialist movement as the NSV."

663. Under Hitler, the public welfare structure has been kept virtually in the same form as under the Weimar Republic, except that the establishment of authoritarian rule in place of self-government in the municipalities resulted in a similar change to authoritarian control in welfare services. Moreover, the number of private voluntary organizations was reduced. The major change came from the establishment of Party Welfare Agencies, which now dominate all public and private welfare work, particularly youth welfare.

664. The most important Nazi Welfare organizations are :

(*a*) *NS Volkswohlfahrt* (Nazi Welfare Organization) ;

(*b*) *Hitler Jugend* (Hitler Youth) ;

(*c*) *NS Frauenschaft* (Nazi Women's Organization) ;

(*d*) *Deutsches Frauenwerk* (German Women's Work Association) ;

(*e*) *NS Kriegsopferversorgung* (Nazi War Victims Organization) ;

(*f*) *Kraft Durch Freude* of the DAF (Strength Through Joy).

665. The principle of extending special welfare services to particular groups is now used by the Nazi regime to support its racial principle and as a method of maintaining control. In 1941, the recipients of " special welfare " constituted more than three-fifths of all welfare recipients and it is likely that the proportion is considerably higher to-day.

666. The following is a summary of welfare trends under the Nazi regime :

(*a*) Widespread discrimination on the basis of race and of the value of the individual to the state.

(*b*) Use of welfare services systematically for political ends to keep control over the masses and to finance party officials.

(*c*) Introduction of Nazi indoctrination in schools of social work.

(*d*) Increase in number of groups which receive special public assistance.

(*e*) Introduction of severity, including corporal punishment, in the treatment of juvenile delinquency.

(*f*) Limitation of the authority of the states and communities and centralization of public welfare in the Reich.

(*g*) Greater authority to direct and standardize given to the Reich Ministers of the Interior and Labour.

(*h*) Strong centralization, not under public welfare agencies but under the direction of Party welfare agencies.

667. Since 1933 there have been only three important private welfare agencies in Germany : *Innere Mission* of the Evangelical Church, the Catholic *Caritas Verband*, and the German Red Cross. The personnel and policies of the German Red Cross are almost completely Nazified.

668. Much of the effort of public, private and Party welfare agencies are now directed to war emergency measures.

669. It is highly probable that there will be a lack of suitable buildings to serve as institutions for welfare care, and much improvisation by German authorities will be necessary. There will also be a shortage of non-Nazi trained welfare personnel.

POLICIES

670. The policy of the Supreme Commander with respect to welfare and relief programmes for German civilians is to limit the activities of Military Government to those measures necessary

to prevent disease or such disorder as might endanger or impede military operations.

671. German authorities will be permitted to carry out their own welfare programmes in so far as such programmes are in accordance with Military Government policy. Military Government will designate and utilize German national and local welfare and relief agencies and will direct these agencies to institute such measures as may be necessary to put the policy set out in the above paragraph into effect. If German authorities fail to carry out the Military Government directives, Military Government will take such direct action and assume such direct control of German welfare agencies as may be necessary for the implementation of the policy set out in the above paragraph.

672. Military Government will remove active Nazis and ardent Nazi sympathizers holding positions in German welfare and relief agencies and will secure their replacement by acceptable personnel to the extent necessary. Nazi welfare and relief agencies will be dissolved, but the administrative machinery of such agencies may be used when necessary to provide essential relief functions, with non-Nazi personnel and facilities.

673. All Nazi laws, decrees and ordinances relating to welfare services and benefits, which discriminate on the basis of race, creed, colour or political opinions, will be abolished. All special relief, pensions and privileges, granted to members of Nazi, military or para-military organizations, will be terminated and such members will be entitled only to those benefits granted to all German nationals.

674. German welfare agencies will be required to assist Military Government in all possible ways in dealing with the United Nations displaced persons. To the full extent necessary German resources will be used to provide cash relief, food or services to United Nations displaced persons. The needs of United Nations displaced persons will be given priority over the needs of German nationals.

675. No relief supplies from imported military or civil sources will be made available for the civilian population of Germany, except to the extent necessary to prevent disease or such disorder as might endanger or impede military operations. All food, clothing, fuel and other relief will be issued, where possible, through approved local organizations. Such organizations will be charged for all items issued.

676. Under no circumstances will the scale of relief for German civilians be higher than that which existed prior to the occupation, unless specifically ordered by Military Government.

677. Local Welfare functions will be centralized in the *Stadt* and *Landkreis*, with such local sub-offices as may be necessary.

INSTRUCTIONS FOR MILITARY GOVERNMENT OFFICERS

678. Military Government officers will be responsible for carrying out the above policies of the Supreme Commander with respect to public welfare activities in Germany. They will be assisted by Public Welfare Specialists who will be designated for major key points in Germany. Consistent with this Handbook, and other instructions given by appropriate authority, the Public Welfare Technical Manual issued by Supreme Headquarters will be used as a guide by Military Government Officers and Public Welfare Specialists in the operation of public welfare programmes.

679. In particular, the following actions will be taken:

(*a*) De-Nazify the personnel of German welfare agencies and recommend both dismissals and appointments.

(*b*) Require German welfare agencies to revise their rules and regulations as regards eligibility and care in accordance with the general orders issued by Military Government prohibiting discrimination on account of race, religion, or political affiliation.

(*c*) Direct German authorities to make available all government welfare services which may be needed by United Nations displaced persons and refugees. Local authorities will be instructed to provide care for special groups, such as unaccompanied children, aged persons, and those who are ill, until arrangements can be made for their disposition.

(*d*) Direct the German welfare authorities to make cash grants to United Nations displaced persons for payment of room and board where they are billeted in private houses; for the purchase of food, clothing and other essential supplies where available, and for such incidental expenses of United Nations displaced persons as may be essential. Direct local health officials to furnish medical care without cost to such displaced persons.

(*e*) Permit approved voluntary welfare agencies to function subject to rules and regulations established by the responsible public welfare departments.

(*f*) Require all employees of approved welfare organizations who are not removed under the de-Nazification policy to remain at their posts and to carry on their functions.

(*g*) Refer the property and funds of all suspended welfare organizations to the Military Government Property Custodian. There shall be no release of any such property and funds except upon specific authorization.

(*h*) Require each welfare organization and institution to preserve its records and to make them available to the Military Government as ordered.

(*i*) Permit the scale of general public assistance to be paid at a level no higher than that which existed prior to occupation, unless specifically authorized to do otherwise.

(*j*) Require all able-bodied applicants for relief to register for work and require welfare agencies to terminate relief to all able-bodied persons who refuse work.

Chapter VIII

DISPLACED PERSONS AND REFUGEES IN GERMANY

Section I

POLICY

700. GENERAL.

(*a*) The liberation, care and repatriation of United Nations displaced persons in Germany is a major objective. Initially, all resources at the disposal of military commanders which can be made available will be employed to accomplish it. As soon as military conditions permit, UNRRA, the international agency of the 45 United and Associated nations authorized to deal with this problem, will be requested by the Supreme Commander to undertake this responsibility.

(*b*) The control and repatriation of enemy and ex-enemy displaced persons will be a responsibility of the German authorities, acting under the supervision and direction of Allied Military Government authorities. UNRRA may not, under its present charter, assume responsibility for these persons in Germany.

701. IT IS THE POLICY OF THE SUPREME COMMANDER:

(*a*) To prevent any hindrance to military operations or Military Government which might be occasioned by the massing or uncontrolled movement of displaced persons and refugees.

(*b*) To prevent and control outbreaks of disease among displaced persons and refugees.

(*c*) To relieve, as far as practicable, conditions of want among United Nations displaced persons, and to protect them against any interference or ill treatment on the part of German authorities or population; to require German authorities to make provision from German resources for the essential living requirements of United Nations displaced persons.

(*d*) To ensure that the German authorities make provision as necessary for the maintenance, care and disposition of enemy or ex-enemy displaced persons and refugees.

(*e*) To set up an organization to effect the rapid and orderly repatriation of United Nations displaced persons, which can be handed over in due course to appropriate United Nations international and other civilian agencies.

702. SUPPLY. The Supreme Commander's policy with respect to provision of supplies for displaced persons and refugees is set forth in the Supply Chapter (Chapter XII) of this Part III.

DEFINITIONS

703. (*a*) *Refugees.* Civilians not outside the national boundaries of their country who desire to return to their homes but require assistance to do so, who are:

(i) Temporarily homeless because of military operations; or

(ii) At some distance from their homes for reasons related to the war.

(*b*) *Displaced Persons.* Civilians outside the national boundaries of their country by reason of war, who are:

(i) Desirous but are unable to return home or find homes without assistance; or

(ii) To be returned to enemy or ex-enemy territory.

(*c*) *United Nations Displaced Persons.* Displaced nationals of any of the United and Associated Nations.

(*d*) *Stateless Persons.* Persons who have been denationalized or whose country of origin cannot be determined, or who cannot establish their right to the nationality claimed.

DISPLACED PERSONS EXECUTIVE (DPX)

704. (*a*) DPX will become operative as Military Government is imposed in whole or in part. It will consist of staff and executive personnel from the following sources:

(i) Headquarters staffs at Supreme Headquarters, AEF, and subordinate formations.

(ii) Military Government detachments assigned to DPX work.

(iii) Combat and service officers and OR/EM detailed by commanders to administer processing centres for United Nations displaced persons.

(iv) Displaced Persons staff officers of the Control Commission (British) and the U.S. Group Control Council (attached).

(v) UNRRA personnel (see paragraph 712).

(*b*) *Technical Channel for Intercommunication.* The technical channel may be used for communications between DPX, Supreme Headquarters, AEF, and DPX at subordinate formations.

705. TRANSFER TO UNRRA. The proportion of UNRRA personnel in the DPX at all levels will be increased as rapidly as military and other considerations permit, in order to facilitate the smooth transfer of full responsibility to UNRRA.

INTERNATIONAL ADMINISTRATIVE PROCEDURES

706. The Governments of France, Norway, The Netherlands, Belgium, Luxembourg, Yugoslavia and Poland, and Danish representatives in London, have formally expressed their readiness to co-operate with the Supreme Commander and with the governments of other Allied countries concerned, in the care and control of displaced persons and refugees after the termination of enemy rule over them, and in the return of displaced persons to Reception Centres in their own countries as expeditiously as

military necessity and political and economic considerations will permit. The Governments of Greece and Czechoslovakia have informally expressed a similar intention. Discussions are in progress with the USSR concerning the working arrangements to be put into effect to co-ordinate activities in the different military zones of occupation in Germany.

707. RESPONSIBILITY OF ALLIED GOVERNMENTS. In interior zones of liberated Allied territory, Allied governments will have full responsibility for displaced persons (including enemy nationals), and for their displaced nationals who have been returned to their countries of origin by Allied military authorities or other Allied governments. Where the return of displaced persons to their countries of origin necessitates the entering or crossing of a military zone, the prior consent of the military commander must be obtained.

708. RESPONSIBILITY OF SUPREME HEADQUARTERS MISSIONS.

(*a*) Arrangements, by DPX, for the repatriation of United Nations displaced persons from Assembly Centres in Germany to Reception Centres in their own countries, and of German displaced persons from Assembly Centres in Allied countries to Reception Centres in the areas under the Supreme Commander's control in Germany, will be made through the Supreme Headquarters Missions to the Allied governments concerned or, if there is no Mission, directly with the Allied governments.

(*b*) When repatriation of Allied nationals arranged for between two Allied governments necessitates the crossing of a military zone, Supreme Headquarters Missions will make the necessary arrangements with the military commanders concerned.

709. DISPLACED NATIONALS OF ENEMY, EX-ENEMY AND CO-BELLIGERENT STATES IN GERMANY. When it is in the interests of Military Government, these persons will be repatriated by DPX by arrangement with the Allied military authority and/or with the government concerned.

Section II

UNITED NATIONS AND NEUTRAL DISPLACED PERSONS AND STATELESS PERSONS RESPONSIBILITY

710. RESPONSIBILITIES OF MILITARY COMMANDERS.

(*a*) Locate, care for and control United Nations displaced persons within the areas for which they are responsible, moving them if necessary to Assembly Centres, i.e., either camps or accommodation areas under direct military control.

(*b*) Submit reports on the presence, number, location and condition of United Nations displaced persons for transmittal

through command channels to the appropriate United and Associated Nations military or national authorities.

(*c*) After review of their cases, free from confinement nationals of the United and Associated Nations and of neutral countries confined, interned or otherwise under restraint by German authorities on political, racial or religious grounds and place them under Allied military control or restriction as may be appropriate pending other disposition.

(*d*) So far as practicable and within the scope of agreements entered into between the governments concerned, after identification and examination, give opportunity to United Nations nationals to join the armed forces of their country if represented by units in the theatre, or to serve in labour battalions organized by the military, or to engage in approved civilian work, including work at Assembly Centres, while awaiting repatriation, provided their loyalties to the Allies have been determined and they qualify physically and otherwise.

(*e*) Ensure that all practicable measures are taken to safeguard the health and welfare of United Nations displaced persons. They should not be allowed to disperse until arrangements are made for their employment or other disposition.

(*f*) Ensure that United Nations displaced persons are housed in accommodation areas separate from enemy refugees and enemy displaced persons.

(*g*) Make provision for the registration of United Nations displaced persons.

(*h*) Make provision for security checks of all United Nations displaced persons with the assistance of Allied liaison officers where necessary.

(*i*) Give all practicable assistance to Allied liaison officers operating under their command.

(*j*) Supervise German authorities in making such provision for United Nations displaced persons as they may be directed to provide.

(*k*) Arrange through appropriate channels for the repatriation movement of United Nations displaced persons through or out of their areas.

(*l*) Give all assistance practicable for the protection of United Nations displaced persons and their property, rights and claims.

711. RESPONSIBILITY OF GERMAN AUTHORITIES FOR UNITED NATIONS DISPLACED PERSONS. German authorities will be required by military commanders to make all necessary provision for United Nations displaced persons:

(*a*) They will pay for all goods, facilities and services they may be directed to provide for United Nations displaced persons, and for persons of German or other enemy origin persecuted because of their race, creed or political affiliation.

(*b*) They will be responsible for providing the means, as directed, for the care, shelter, maintenance, and medical attention required for United Nations displaced persons, as a matter of priority over the needs of the German population.

(*c*) They will make similar or such special provision as may be directed, by military commanders for persons of German or other enemy origin persecuted because of their race, creed or political affiliation.

(*d*) They will be responsible for insuring that wages and benefits to United Nations displaced persons who were or are workers in Germany, and remittances to their families are paid when due, without distinction on account of race, religious belief, opposition to the NSDAP or acts in aid of the United Nations.

(*e*) They will produce, as directed, full information regarding the number, location, employment and conditions of United Nations nationals in Germany and in territory occupied by Germany.

(*f*) They will produce, on demand, lists of United Nations nationals in internment and concentration camps, and lists of places of confinement of political prisoners, their location, and the character and nature of accommodations.

(*g*) They will install loudspeaking/public address systems wherever there are concentrations of United Nations displaced persons.

UNRRA

712. RESPONSIBILITY OF UNRRA FOR ALLIED DISPLACED PERSONS.

(*a*) UNRRA has been authorized by the 45 United and Associated Nations to undertake the care, relief and repatriation of United Nations and neutral displaced persons and stateless persons. It must, however, be specifically invited by the governments concerned before it can operate in any one of the Allied countries.

(*b*) UNRRA may operate in Germany in providing care, relief and repatriation of United Nations and neutral displaced persons and stateless persons on invitation of the Supreme Commander.

(*c*) UNRRA is not authorized, under its present charter, to undertake the care or repatriation of enemy displaced persons or enemy refugees found in Germany.

713. SUPREME COMMANDER—UNRRA AGREEMENT. In order to facilitate the handing over of responsibility to UNRRA as soon as possible, and to ensure uniformity of policy, an agreement has been concluded between the Supreme Commander and UNRRA which provides that:

(*a*) UNRRA shall, at a time, to an extent and under conditions to be determined by the Supreme Commander, undertake

responsibility for the maintenance, health, welfare, registration, administration and repatriation of United Nations displaced persons in Germany.

(*b*) Prior to taking over full responsibility from the Supreme Commander, UNRRA shall make available such personnel as the Supreme Commander may request to assist the military authorities in these tasks.

(*c*) UNRRA will, when called upon by the Supreme Commander, co-ordinate and supervise the activities of non-governmental civil agencies (other than German) concerned with United Nations displaced persons.

714. METHOD OF OPERATION.

(*a*) UNRRA staff officers will be attached to and form part of all headquarters at which there are DPX staffs. The proportion of these officers on DPX staffs will be progressively increased as determined by military commanders.

(*b*) UNRRA will provide teams to take over in whole or in part the administration and management of Assembly Centres for United Nations displaced persons as and when desired by military commanders, who will call them forward through command channels.

(*c*) UNRRA will provide specialist personnel, including medical and welfare officers, as requested by military commanders.

(*d*) UNRRA may employ secretarial and other administrative personnel as agreed by military commanders.

(*e*) UNRRA personnel will wear a prescribed uniform and will be provided with identification as non-combatants accompanying the armed forces.

(*f*) This personnel will operate under military control, and the military chain of command will be used for the direction of this personnel and for the submission of any reports to UNRRA.

715. ALLIED ADMINISTRATIVE PERSONNEL FOR ASSEMBLY CENTRES. The Supreme Commander will, through the agency of the European Regional Office of UNRRA, make arrangements for the employment of personnel, other than liaison officers for repatriation, made available by Allied governments for the administration of Assembly Centres for United Nations displaced persons.

(*a*) This personnel will be enrolled by and form part of UNRRA, and as such will be under military control.

(*b*) The Supreme Commander will not make separate arrangements with Allied governments for the employment of such Allied administrative personnel.

(*c*) This personnel will be used where administratively feasible for the care and control of the corresponding national groups. It

will not, however, necessarily be used on an exclusively national basis.

716. INTER-GOVERNMENTAL COMMITTEE ON REFUGEES. The Inter-Governmental Committee on Refugees will continue its responsibility for the resettlement of persons who have been obliged to leave their homes for reasons of race, religion or political belief and cannot or do not desire to be returned to their homes. UNRRA has agreed to care for these persons and stateless persons for a period of time agreed upon between UNRRA and the Inter-Governmental Committee. After this period, the Inter-Governmental Committee will assume responsibility for those not repatriated or resettled.

ALLIED LIAISON OFFICERS FOR REPATRIATION

717. (a) AVAILABILITY.

European Allied national authorities have made available specialist officers empowered to issue repatriation visas. These officers will be familiar with the details of the Supreme Commander's plan and the plans of their own governments for the repatriation of displaced persons. They will assist in the care and repatriation of their displaced nationals. For the most part they will carry out this work in Assembly Centres, but their services may be required at all levels.

(b) COMMAND AND CONTROL.

(i) Military commanders desiring the assistance of Allied Liaison Officers for repatriation in dealing with displaced persons will make requests for them through command channels.

(ii) Supreme Headquarters will make requests for them from the Allied governments concerned.

(iii) They will be accredited to the Supreme Commander and attached to subordinate military formations under whose command they will operate.

(iv) Allied Liaison Officers may receive and, after consultation with the appropriate military authorities, act upon such instructions of their governments as are not inconsistent with the requirements of the military authorities. Communications between Liaison Officers or between Liaison Officers and their governments in matters concerning displaced persons will be through military channels.

(v) Assignment, reassignment or recall of Liaison Officers between military commands will be effected by DPX Supreme Headquarters.

(vi) The chief Allied Liaison Officers will form part of the staff at DPX Supreme Headquarters.

(c) FUNCTIONS.

(i) The specific duties required of Allied Liaison Officers for Repatriation are as follows:

(*a*) To assist in the identification and registration of their nationals.

(*b*) To recommend, in conformity with instructions from their governments, priorities for the repatriation of their nationals.

(*c*) To issue repatriation visas.

(*d*) To assist in the preparation of reports on the numbers, characteristics and condition of their nationals.

(ii) Allied Liaison Officers for Repatriation will also perform such other duties as may be required by the military authorities to facilitate the orderly repatriation of their nationals, such as:

(*a*) Assist in the welfare and health programmes as they pertain to their own nationals.

(*b*) Furnish information to their nationals.

(*c*) Assist in establishing and maintaining control over their nationals.

(*d*) Assist in the selection of suitable staff from among their nationals as may be required for the management and operation of Assembly Centres.

(*e*) Assist in the settlement or documentation of claims for wages, compensation and insurance due to their nationals.

(*f*) Assist in protecting, disposing of, liquidating or undertaking the custodianship of any property belonging to their nationals.

(*g*) Assist in making the necessary arrangements for the exchange or custodianship of currency in the possession of their nationals.

(*h*) Assist in co-ordination of transportation arrangements for repatriation of their nationals.

(*i*) With the approval of Assembly Centre Directors, select suitable nationals at Assembly Centres to assist Liaison Officers in their work.

(*j*) Assist military authorities in making security checks of their nationals.

PROCESSING CENTRES

718. A Processing Centre may be an Assembly Centre, a Reception Centre or a Border Control Station.

719. ASSEMBLY CENTRES. These will be established as a military responsibility for the temporary care of United Nations

displaced persons for whom food, clothing and medical facilities will have to be provided until they can be repatriated.

720. Accommodation for United Nations displaced persons may be in suitable existing camps or public buildings. It will not be desirable to billet United Nations displaced persons on the German civilian population.

721. BORDER CONTROL STATIONS.

(*a*) These will be established, as a military responsibility, on civilian traffic routes, at or near international boundaries, for the control of movement across these boundaries.

(*b*) All movement out of Germany will be strictly controlled by the Allied military authorities (see Law No. 161). However, United Nations displaced persons who are being repatriated under the authorization of DPX are not subject to the prohibitions of Law 161.

(*c*) United Nations displaced persons who arrive at frontiers without proper documentation will, after they have been examined by Counter Intelligence personnel, be processed at Border Control Stations or directed to the nearest Assembly Centre.

PROCEDURE FOR DEALING WITH SPECIAL CLASSES

722. PERSONS CLAIMING ALLIED PW OR CIVILIAN INTERNEE STATUS. Persons of Allied nationality found outside PW camps who claim to be PW, or members of Allied military forces who have escaped or evaded capture by the enemy and are uncovered in the course of military operations, and British/US civilians found outside civilian internment camps who claim to be civilian internees, will initially be cared for as United Nations displaced persons. They will be reported to G-1 Division, Supreme Headquarters, PWX Branch, or to the nearest PWX organization, which will investigate all such cases and determine whether or not the claimants are in fact entitled to that status. Those found not to be so entitled will be deemed United Nations displaced persons. In the case of British/US civilian internees, notification should be directed to one of these organizations or to the nearest appropriate consular official. It will be a command responsibility, through the appropriate Supreme Headquarters Mission or Allied Liaison Officer, to request the national authorities of the claimant's nationality for instructions as to his disposition. Those accepted by PW authorities as PWs, escapers, evaders or civilian internees will be the responsibility of the PW authorities for care and repatriation. Further instructions on the care and evacuation of British/US civilian internees will be issued by Supreme Headquarters.

723. UNITED NATIONS NATIONALS WHO ARE MEMBERS OF AN ENEMY PARA-MILITARY ORGANIZATION, CAPTURED WHILE NOT IN

UNIFORM. Suspects will be dealt with in accordance with instructions from Supreme Headquarters. Those not detained as suspects will be dealt with as United Nations displaced persons except Russians who, pending further instructions, will be treated as PWs.

724. UNITED NATIONS NATIONALS DEMOBILIZED FROM ENEMY MILITARY OR PARA-MILITARY ORGANIZATIONS. The return to their own countries of United Nations nationals demobilized from enemy military organizations or para-military organizations found in organized, uniformed groups will be a responsibility of the Allied control staff. Stragglers will be processed and repatriated as United Nations displaced persons.

725. EXPATRIATES. United Nations expatriates, i.e. United Nations nationals, permanently residing in, but not nationals of, Germany may, for reasons related to the war, require assistance or additional documentation in order to return to their countries of origin. They will be dealt with as United Nations displaced persons.

726. BRITISH AND US DISPLACED PERSONS AND EXPATRIATES REQUIRING ASSISTANCE OR DOCUMENTATION. The presence of these persons will be communicated through command channels to the appropriate consular authorities whose authorization will be required before they can be repatriated.

727. NEUTRAL DISPLACED PERSONS AND STATELESS PERSONS, INCLUDING STATELESS PERSONS OF GERMAN ORIGIN. Neutral displaced persons and stateless persons, including stateless persons of German origin, will be accorded the same assistance granted to United Nations displaced persons provided that their loyalty to the Allies has been determined.

LEGAL

728. (*a*) United Nations displaced persons arrested by German police will be handed over to Allied military or Military Government police as soon as their identity is established.

(*b*) United Nations displaced persons will not, without the approval of Military Government Officers, be tried in German courts. They may be tried in Military Government Courts in accordance with applicable German laws (which have not been invalidated by Military Government) or in accordance with the laws of Military Government.

(*c*) Military Government Officers will ensure that all cases heard in German courts in which the interests of United Nations displaced persons are involved, are adequately supervised.

REPORTS AND RETURNS

729. ASSEMBLY CENTRE WEEKLY REPORT FORM (CA/d4—REVISED).

(*a*) This report will be submitted weekly by Assembly Centre Directors to the C.O. of the Military Government detachment in whose area the Assembly Centre is situated, and to HQs of Corps or Military District, Army, Army Group and DPX SHAEF.

(*b*) It will also be used with the same distribution to give notification of the establishment and location of new Assembly Centres.

730. DISPLACED PERSONS REGISTRATION RECORD FORM (DP 2).

(*a*) The originals will be given to nationality group leaders when groups to be repatriated leave Assembly Centres. They will be handed over by them to Directors of Reception Centres on arrival.

(*b*) Duplicate copies for all United Nations displaced persons at Assembly Centres will be forwarded to Supreme Headquarters, when and as completed (i.e. when all items are filled in except numbers (22), (23), (28), (30) and (31)).

(*c*) Duplicate copies for all United Nations displaced persons at Assembly Centres who have been refused repatriation visas by National Liaison Officers for Repatriation, and duplicate copies for those considered to be stateless will be forwarded with relevant particulars to Supreme Headquarters as soon as such status is determined.

(*d*) Original and duplicate (when this has not already been forwarded) copies of this form for United Nations displaced persons who have disappeared after registration or who have died, will be sent by Assembly Centre Directors through channels to Supreme Headquarters.

731. AEF ASSEMBLY CENTRE REGISTRATION CARD (DP 3).

(*a*) Original copies of this form will be kept at Assembly Centres as part of their permanent records.

(*b*) Duplicate copies will be dispatched by Assembly Centre Directors as soon as completed through channels to Supreme Headquarters for onward transmittal to ACOS, G-2/Int. (Para. 4 (*a*) (3) of Registration Instructions, CA/d5, is modified to this extent.)

732. SUPPLEMENTARY SUMMARY MEDICAL RECORD (CA/d6).

(*a*) When hospitalization is required for any displaced persons resident at an Assembly Centre, this form will be completed by the hospital supervisor or medical officer when the patient is discharged.

(*b*) This record will be attached to the original copy of the AEF DP Registration Record (DR 2) of the individual in question.

733. ASSEMBLY CENTRE ADMINISTRATION REPORTS.

Assembly Centre Directors will submit monthly reports through

channels in accordance with paragraphs 24–27 of Guide to Assembly Centre Administration (CA/d9). Forms CA/d10–CA/d17 will be employed for this purpose.

734. INFORMATION TO BE FORWARDED TO ALLIED GOVERNMENTS.

Supreme Headquarters will forward consolidated returns by nationalities to governments and civilian agencies concerned showing:

(*a*) Location of Assembly Centres.

(*b*) Number, sex and age-group of their displaced nationals awaiting repatriation at each Centre.

(*c*) United Nations Governments will be given access to the records concerning their nationals, at Supreme Headquarters.

REPATRIATION MOVEMENT CONTROL

735. DPX, Supreme Headquarters, will administer and supervise repatriation movement.

(a) *Prior to activation of Inter-Allied Movement Control Authority.*

(i) When military commanders wish to initiate repatriation movement of displaced United Nations nationals, who can be returned to their countries of origin without interference with military operations, such movement will be co-ordinated by DPX, Supreme Headquarters, acting through the Supreme Headquarters Mission accredited to the country of reception of the displaced persons. Direct communication between Army Group or Military Districts, Communications Zone, and Supreme Headquarters Mission is authorized.

(ii) Arrangements have been made with the governments concerned to permit repatriation movement of their nationals to designated Reception Centres in France, Luxembourg, Belgium and the Netherlands at a specified daily rate to each Reception Centre without necessity of prior notification for each move. Supreme Headquarters Missions will notify military commanders concerned as soon as possible of the numbers which can be so received at designated Reception Centres, and of temporary bottlenecks as they arise.

(iii) When it is necessary to repatriate numbers in excess of these daily totals military commanders will request Missions to obtain prior specific authorization from the Allied government and from other military commanders concerned.

(iv) Displaced persons will not be moved across international frontiers to Allied countries other than their countries of origin except where operational necessity makes it mandatory or when they are in transit to their countries of origin.

(v) In emergencies, movement of United Nations displaced persons to their claimed countries of origin may be effected without registration or the issue of visas. In such cases adequate notice will be given to Reception Centre and Supreme Headquarters Mission concerned in order that arrangement may be made for initial processing at Reception Centres.

(b) *After activation of Inter-Allied Movement Control Authority.*

(i) DPX, Supreme Headquarters, will be notified by means of the Assembly Centre Weekly Report forms (CA/d4–revised) of United Nations displaced persons awaiting repatriation at Assembly Centres.

(ii) The Supreme Headquarters Mission or government concerned will keep DPX, Supreme Headquarters, informed as to Reception Centre locations in Allied countries and intake capacities.

(iii) DPX, Supreme Headquarters, will :

(*a*) Co-ordinate movements from Assembly Centres with Reception Centre capacities and, in consultation with Movement and Transportation/Transportation Corps, will arrange onward movement. United Nations displaced persons will normally be sent to the nearest Reception Centre in their own country able to receive them.

(*b*) After consultation with Transportation authorities, issue movement orders to DPX at Military District Headquarters for groups of nationals at specific Assembly Centres. In all cases, copies of these orders will be sent to the Supreme Headquarters Mission or government concerned, for necessary preparatory action at the Reception Centres indicated.

(iv) On receipt of a DPX, Supreme Headquarters, movement order, DPX Staff at Military District Headquarters will :

(*a*) Issue appropriate instructions to Assembly Centres concerned.

(*b*) Arrange for parties from the Assembly Centres to reach their respective transport assembly points.

(v) Assembly Centre Directors will make up groups on the basis of the movement orders transmitted by Military District Commanders.

(vi) On departure of a group, Assembly Centre Directors will :

(*a*) Submit a return to DPX, Supreme Headquarters, showing the names, registration numbers, nationality and destination of United Nations displaced persons who have been dispatched each day.

(*b*) Furnish group leaders nominal rolls by nationality, registration number and destination of members of the group, to ensure transit and frontier clearance during the journey.

(*c*) Furnish each nationality group leader original AEF DP Registration Record cards (DR 2) of all persons of the appropriate nationality making up the group, for delivery to Directors of the Reception Centres concerned.

Section III

ENEMY, EX-ENEMY AND CO-BELLIGERENT DISPLACED PERSONS AND REFUGEES

RESPONSIBILITY

736. RESPONSIBILITY OF MILITARY COMMANDERS. Military commanders are charged with the supervision and direction of German authorities in matters concerning enemy, ex-enemy and co-belligerent displaced persons and refugees. They will normally discharge this responsibili y through Military Government Officers and Detachments. They will :

(*a*) Identify and register enemy, ex-enemy and co-belligerent displaced persons and intern or otherwise curtail the activities of those whose freedom of movement would endanger the security of the armed forces or Military Government or be otherwise undesirable.

(*b*) Make provision for the registration of these persons.

(*c*) Supervise German authorities in making such provision for these persons as they may be directed to provide.

(*d*) Supervise German authorities in the control of refugees.

(*e*) When it is in the interests of Military Government, arrange through DPX channels for the repatriation movement of these persons into and out of their areas.

737. RESPONSIBILITY OF GERMAN AUTHORITIES. German authorities will be required by military commanders to make all necessary provision for enemy, ex-enemy and co-belligerent displaced persons and refugees. German authorities will :

(*a*) Provide and pay for all goods, facilities and services required for such displaced persons and refugees.

(*b*) Take all necessary measures as directed by military commanders for the control of such displaced persons and refugees.

(*c*) Make such special provision for persons of German or other enemy origin persecuted because of their race, creed or political affiliation, as may be directed by military commanders.

(*d*) Produce, on demand, lists of these persons in internment and concentration camps, and lists of places of confinement of political prisoners, and their location.

(*e*) Set up Assembly Centres, as directed, for these persons.

(*f*) Set up Reception Centres, as directed, for repatriated Germans.

(*g*) Disseminate standfast orders to these persons, as instructed by military commanders.

738. INTER-GOVERNMENTAL COMMITTEE ON REFUGEES. This Committee will have responsibility for the eventual resettlement of enemy, ex-enemy and co-belligerent displaced persons, refugees and stateless persons who have been forced to leave their homes on grounds of race, religion or political belief and cannot or do not desire to be returned to their homes.

739. REPATRIATION AUTHORIZATION. DPX, Supreme Headquarters, will make the necessary arrangements with other Allied occupying authorities and governments concerned for the identification and documentation of these persons prior to repatriation.

740. PROCESSING CENTRES.

(*a*) Wherever possible, accommodation for enemy displaced persons and refugees will be by billeting on the German population.

(*b*) Where necessary, German authorities will establish communal facilities for them as directed by military commanders, separate from Assembly Centres for United Nations displaced persons.

(*c*) The operation of Processing Centres as laid down for United Nations nationals will be modified as required. The military commander may establish these Centres as detention camps.

741. REPORTS AND RETURNS.

(*a*) Reports and returns on enemy displaced persons will be as given in the above section on reports and returns for United Nations displaced persons, except that repatriation authorization will be given by Liaison Officers assigned by Allied military occupation authorities in ex-enemy countries.

(*b*) Mil. Gov. Detachments at *Regierungsbezirke* will submit weekly returns to DPX at military formation headquarters for the area (Military District Headquarters, when established) showing numbers of refugees awaiting return home by military or public transport, and the areas to which they are to be returned.

742. REPATRIATION MOVEMENT CONTROL. This will be carried out in conformity with the above section on Repatriation Movement Control of United Nations displaced persons, except that Allied military occupation authorities will act for the governments of the occupied countries.

743. RETURN OF REFUGEES. Military commanders will arrange through command channels to notify and secure clearance from other military commanders concerned before returning refugees to their areas.

Section IV

DOCUMENTATION

744. GUIDE TO ASSEMBLY CENTRE ADMINISTRATION FOR REFUGEES AND DISPLACED PERSONS (CA/d9), July 1944. Contains suggestions which may be helpful to officers detailed to operate Assembly Centres, regarding methods of organization, provision of services, etc.

745. REGISTRATION INSTRUCTIONS (CA/d5). Contains directions in nineteen languages for the registration of displaced persons which should be made available to all officers detailed to operate Assembly Centres in sufficient quantity to permit distribution to registrars of each language group. These documents have been made available to Allied governments.

746. INSTRUCTIONS FOR THE USE OF SUPPLEMENTARY SUMMARY MEDICAL RECORD (CA/d7). These instructions should be made available to Assembly Centre Directors for distribution to Medical Officers.

747. The following forms will be employed in the registration and recording of displaced persons:

(*a*) AEF DP Index Card (DP 1).

(*b*) AEF DP Registration Record (DP 2).

(*c*) AEF Assembly Centre Registration Card (DP 3).

(*d*) AEF DP Assembly Centre Weekly Report on Numbers and Characteristics by Nationalities (CA/d4).

(*e*) Supplementary Medical Record (CA/d6).

(*f*) AEF DP Meal Record Card (CA/d8).

748. The above forms will be distributed through command channels to all officers detailed to operate Assembly Centres in quantities sufficient to meet their needs. They have been made available to Allied governments, all of whom have agreed to adopt the Supreme Headquarters Registration System.

749. GUIDE TO THE ESTABLISHMENT OF INFORMATION BUREAUX (SHAEF/G–5/DP/2724, 1 AUGUST, 1944). This Guide contains suggestions on the establishment of Information Bureaux which will assist displaced persons and refugees by informing them of the location of centres and the nature of facilities available for them. The Guide should be made available through command channels to all Mil. Gov. Detachments.

750. DUTIES OF ALLIED NATIONAL LIAISON OFFICERS FOR REPATRIATION (SHAEF, G–5, DISPLACED PERSONS BRANCH, 7 SEPTEMBER, 1944). This paper sets out the status and duties of Allied Liaison Officers for repatriation. It should be distributed through command channels to formation commanders and Mil. Gov. Detachments. It should be made available to all officers concerned in the operation of Assembly Centres.

751. COMMUNICATIONS TO, FROM AND ABOUT CIVILIANS IN LIBERATED AREAS (AG 311.1–2 GE–AGM, 14 SEPTEMBER, 1944). This memorandum contains information as to how displaced persons may communicate with their families and friends. It should be made available through command channels to all officers operating Assembly Centres and to all Mil. Gov. Detachments.

752. USE OF AMERICAN AND BRITISH RED CROSS PERSONNEL (AG 080–6 GE–AGM, 10 AUGUST, 1944). This memorandum contains the agreement as to the relationship between Allied Forces under command of the Supreme Commander and the American and British Red Cross Societies in connection with emergency welfare and relief programs in North-west Europe.

753. WELFARE GUIDE. This Guide will be helpful in connection with welfare, relief, and related problems of displaced persons and control of refugees. It should be made available through command channels to all officers operating Assembly Centres and to all Mil. Gov. Detachments.

754. CIVIL AFFAIRS/MILITARY GOVERNMENT SUPPLIES FOR THE OCCUPATION OF GERMANY (SUPREME HQ AEF ADMINISTRATIVE MEMORANDUM NO. 32, 10 SEPTEMBER, 1944). This memorandum indicates the means by which resources will be made available and the methods to be adopted to meet supply requirements for displaced persons in Germany. It should be made available to DPX Staff Officers at all levels.

755. OUTLINE FOR CIVIL AFFAIRS/MILITARY GOVERNMENT (CA/MIL/GOV PUBLIC HEALTH TECHNICAL OPERATIONS). This paper sets out procedures which should be followed by Military Government Public Health personnel responsible for Public Health activities in the Supreme Commander's area of control. It should be made available to DPX Staffs at all levels, and to Assembly Centre Directors.

756. GUIDE TO WAGE RATES FOR CIVILIAN LABOUR UTILIZED BY BRITISH/US FORCES IN GERMANY (SUPREME HQ AEF ADMINISTRATIVE MEMORANDUM NO. 7, 15 SEPTEMBER, 1944). This Guide should be made available to all Assembly Centre Directors.

Chapter IX

LABOUR

THE LABOUR SITUATION

770. THE REICH MINISTRY OF LABOUR (*Reichsarbeitsministerium*), the Commissioner General for the Employment of Labour (*Generalbevollmächtigter für den Arbeitseinsatz*), and the German Labour Front, DAF (*Deutsche Arbeitsfront*) are the three major authorities for the control of German Labour.

771. THE MINISTER OF LABOUR originally controlled all matters affecting labour. In 1942 the departments which controlled manpower and wages were placed at the disposal of Sauckel, and the minor department dealing with Dwellings, Buildings and Town Planning was assigned to Ley. This left the Ministry responsible for little except the social insurance programme, which it administers through a series of regional and local insurance offices.

772. THE COMMISSIONER FOR THE EMPLOYMENT AND DISTRIBUTION OF LABOUR (Sauckel) is responsible to Goering, head of the Four Year Plan, for the mobilization, procurement, registration and allocation of labour, in close co-ordination with the Ministry of Armaments and War Production (Speer). Sauckel also controls wages, hours, and working conditions. He exercises administrative control through the regional *Landesarbeitsämter*, local *Arbeitsämter* and branch labour offices of the Ministry of Labour. By a recent reorganization (1 Aug. 43) the 26 regional labour offices are being replaced by 42 Gau offices (*Gauarbeitsämter*).

773. THE GERMAN LABOUR FRONT (DAF) was established in 1933 and took over the assets and membership of the dissolved labour unions. Since then its scope and physical properties have been greatly expanded; and it now includes all employees, employers' associations, food producers, and numerous corporate members. Workers are members of the DAF only as individuals, without vote or voice in its control. Through it the Nazi Party collects intelligence on labour matters, terrorizes workers, and enforces certain parts of its labour policy.

774. UNEMPLOYMENT, especially in urban centres, may be expected upon occupation, due to general economic disorganization. It will become greater in volume as displaced Germans and demobilized soldiers return to their homes.

775. THE LABOUR OFFICES will afford records of individuals and full files of data on wages, hours, and conditions of employment which should be found relatively intact, though the records may not indicate the extent of working population displacement,

particularly in heavily bombed areas. The same is generally true of the Insurance Offices.

776. THE SOCIAL INSURANCE system may cease to function temporarily due to disorganization. Until it is restored by the Germans, pensioners and other beneficiaries will become the charge of the German relief agencies.

777. THE WORKING CLASSES, upon the dissolution of the DAF, will probably attempt to organize for the purposes of collective bargaining, the handling of grievances and disputes, and the possible exertion of political power.

LABOUR POLICY

778. LABOUR SUPPLY.

(*a*) In order to assist in the prevention of serious civil unrest and disorder which would endanger the occupying forces and the accomplishment of the objectives of Military Government and in order to make the fullest use of German labour resources for the requirements of the Allied Forces, it is the policy of the Supreme Commander to require German authorities to maintain existing economic controls, including those relating to labour.

(*b*) Mobilization, procurement, registration, allocation and supply of labour will be continued through the regional, local and branch Labour Offices.

(*c*) The civilian labour requirements of the Allied Military Forces will at all times constitute a *first* priority, but due recognition will be given to the retention of key civilians in positions in Public Services, utilities or industries essential to military operations.

(*d*) Local personnel of existing Public Services will not be taken on the pay-roll of the Military Forces in the event that such agencies are taken over by the Military Forces.

(*e*) Priorities for civilian employers engaged in essential industries as designated by the Supreme Commander will be established in the event of scarcity of labour.

(*f*) All active Nazis and ardent Nazi sympathizers in labour, social insurance and pension offices and control organizations will be removed.

(*g*) All discriminations in wages, working conditions, social insurance benefits and pensions against or in favour of groups or individuals on the grounds of race, creed, colour or political opinion will be eliminated.

779. CIVILIANS EMPLOYED BY THE ALLIED MILITARY FORCES. The policies of the Supreme Commander pertaining to civilian labour employed by the Military Forces are contained in Supreme Headquarters Allied Expeditionary Force Administrative Memorandum No. 7, 29 April, 1944, "Combined Military

Procurement Control," and Memorandum No. 33, 15 September, 1944, "Procurement of Supplies, Facilities, and Services (including civilian labour) by Br/US Forces in Enemy Territory." Pertinent paragraphs are quoted herewith:

(*a*) Whenever possible, enemy civilian labour will be procured by requisition on local German Labour Offices (*Arbeitsämter*). Where necessary, it may be requisitioned directly. Until the issuance of further orders, Br/US Forces will pay in cash the enemy civilian labour so requisitioned.

(*b*) Upon entry into Germany, it is the responsibility of labour procuring and using services to ascertain from the Labour Office (*Arbeitsamt*) in the locality the official wage rates paid by German employers immediately prior to our entry into the country, and to ensure that wage rates for civilian labour are in line with such official rates.

(*c*) Rations, clothing and accommodation will not be supplied to static labour (that which resides in the area) by the Military authorities except where it is deemed essential to ensure their effective use, and then not in excess of that issued to mobile units (organized units under military command moved from place to place).

(*d*) Procedures to implement the foregoing policies, setting forth the responsibility for the procurement, utilization, administration and pay of civilian labour in Occupied (Enemy) Territories have been drawn up by 21 Army Group/ETOUSA.

780. CIVILIANS EMPLOYED BY *OTHER THAN* ALLIED MILITARY FORCES.

(*a*) *Wages, Hours and Conditions of Employment.*

(i) Existing wage controls prevailing under the most recent German regulations will be maintained by German authorities in so far as they are consistent with other provisions of the Supreme Commander's labour policy.

(ii) The control of wages, hours and conditions of employment will be the responsibility of German authorities under the supervision of Military Government.

(*b*) *Social Insurance.* Social insurance and pension administration, offices, contributions and benefits will be continued under existing laws and regulations, in so far as German funds are available.

(*c*) *Labour Relations.*

(i) Strikes and lock-outs which threaten military security or other objectives of the Supreme Commander will be prohibited.

(ii) Individual and collective labour disputes will be adjusted in accordance with the procedures described in the Labour Technical Manual.

(iii) The formation of a democratic trade union movement and other forms of free economic association will be permitted provided they are not the agencies of Nazi groups.

(*d*) *Housing Activities.* The dwelling, building, and town planning functions of the Ministry of Labour and the housing functions of dissolved Nazi institutions will be under the jurisdiction of regional Labour Offices. Municipal housing problems will be the responsibility of the *Bürgermeister* or other German authorities.

TRAINED LABOUR FROM GERMAN ARMED FORCES

781. When demands for trained labour to meet the needs of the Allied Military Forces or of activities providing for civilian needs in Germany necessary for the attainment of the objectives of the Supreme Commander cannot be met by existing German labour or municipal agencies, Military Government will transmit such demands through channels to the Military District Commander with request for disbandment of a certain number of trained labourers from the German Armed Forces. Such disbandment will be in accordance with current G-1 directives.

LABOUR INSTRUCTIONS

782. LABOUR, INSURANCE AND PENSION OFFICES. The following provisions are for guidance of Mil. Gov. Officers in carrying out the above Labour policies. Additional guidance is provided in the Labour Technical Manual, which should be read in conjunction with these instructions.

(*a*) The following offices will be continued:

(i) Regional, Local and Branch *Labour* Offices (*Arbeitsämter*).

(ii) Regional and Local *Insurance* Offices (*Versicherungsämter*).

(iii) Regional and Local *Pension* Offices (*Versorgungsämter*).

(*b*) Steps will be taken to ensure that the above offices are kept open and functioning. Responsibility for this will be given to the senior official or employee retained, who will be held directly responsible for the execution of orders. If offices have been closed, they will be reopened, and where necessary new offices will be established. Full use of local administrative officials will be made in connection therewith.

(*c*) Nazi officials and employees who are active Nazis or ardent Nazi sympathizers will be discharged. See Chapter II of Part III, this Handbook, for specific guidance. Mil. Gov. Officers should also consult Mil. Gov. Public Safety Officers and G-2/Int Officers on these matters. Such personnel will be replaced by

promotion where feasible, and from outside sources, until a fully satisfactory and responsible complement of officials and employees is procured.

(*d*) All public funds paid by the above offices for relief, social insurance or pension benefits will be subject to Mil. Gov. instructions to German officials on revenues and expenditures which prohibit expenditures and disbursements to or for the NSDAP, all offices, departments, agencies and organizations forming part of, attached to or controlled by it ; its officials and such of its leading members or supporters whose names are published by Military Government ; all organizations, clubs or other associations prohibited or dissolved by Military Government ; and all other persons whose names are announced by Military Government, by publication of lists, or otherwise, as persons with respect to whom expenditures and disbursements are prohibited.

(*e*) All deductions of pay at the source or collections from workers for the benefit of NSDAP or any of its affiliated dissolved organizations, including the DAF, will cease. This does not include deductions of payments for social insurance or normal Reich taxes.

783. DISSOLUTION OF NAZI LABOUR ORGANIZATIONS.

(*a*) Military Government Law No. 5 orders the " Dissolution of the Nazi Party." Included in this order are the *Deutsche Arbeitsfront* (DAF), *Reicharbeitsdienst* (RAD) and the Organization Todt (OT).

(i) The offices, property and funds of the DAF will be blocked by Military Government Property Control. The transfer of certain functions, records, equipment and retained personnel to labour agencies is outlined in the Labour Technical Manual.

(ii) The dissolution of RAD will be handled through same machinery as the demobilization of the German Military Forces (G-1, G-2, G-3).

(iii) The dissolution of OT will be handled as follows :

(*a*) *Schutzkorps* and Front-Leaders Schools are a G-1, G-2, G-3 responsibility.

(*b*) Todt workers are initially treated as Prisoners of War for screening. Their ultimate disposition depends on arrangements made with their respective national authorities. In most cases they will be regarded as Displaced Persons.

(*b*) Military Government Law No. 77 orders the " Dissolution of Certain Organizations and Offices Concerned with Labour." The principal organization which concerns Allied Military Forces is the Office of the Reich Trustees of Labour (*Reichstreuhänder der Arbeit*). The Trustees of Labour at the Gau level have been responsible for the control over wages by the publishing of

Tariff Orders (*Tarifordnung*). The wage control functions of the Gau Trustees of Labour should be transferred by the Regional Military Government Officers to the Regional Labour Offices. The German authorities who are retained in such Regional Labour Offices will be responsible for the maintenance of existing wage controls, including Tariff Orders and supplementary Factory or Works Orders.

784. CIVILIANS EMPLOYED BY THE MILITARY FORCES.

(*a*) As set forth in the Labour Policy, the Military Forces will use the services of local Labour Offices to the greatest extent practicable. This calls for close co-operation between Corps of Engineers (US)/Dir. Lab. (Br) and Allied Military officers who are responsible for aiding in the procurement of civilian labour for the Military Forces.

(*b*) In the event of scarcity of labour, the civilian labour requirements of the Military Forces will at all times constitute a *first* priority.

(*c*) Civilian labour employed in public services, utilities or industries essential to military operations will be considered a high priority.

(*d*) United Nations displaced persons will be given preference in employment by the Allied Military Forces. Such displaced persons will be in camps for the most part. Displaced persons camp officials and labour procuring services of the Allied Military Forces will effect arrangements for the use of such civilian labour.

785. CIVILIANS EMPLOYED BY OTHER THAN THE ALLIED MILITARY FORCES.

(*a*) Wages, hours and conditions of employment are the responsibility of German authorities, who will exercise control under the most recent German regulations. They will invoke all penalties provided for the disobedience of rules relating to registration and established conditions of employment. All such actions will be under the supervision of Military Government, particularly in those services or industries which are essential to Military Government.

(*b*) Wage discrepancies between wage scales established by Military Government and those prevailing for other civilian labour are a matter which may lead to difficulties and should be reported to higher Military Government authority.

786. SOCIAL INSURANCE AND PENSIONS.

(*a*) Social insurance plans include : Workmen's Compensation ; Sickness Funds ; Workers' and Salaried Employees' Invalidity, Old Age and Survivors' Pensions ; Unemployment Relief. Social insurance will be continued under existing laws and regulations, in so far as German funds are available.

(*b*) Pensions plans include : Disabled Veterans ; Civilian War Casualties. Pensions will be continued under existing laws and regulations in so far as German funds are available.

(*c*) All discriminations against or in favour of groups or individuals on the grounds of race, creed, colour or political opinion will be eliminated from social insurance and pension plans.

787. LABOUR RELATIONS.

(*a*) Strikes and lock-outs which threaten military security or other objectives of the Supreme Commander will be prohibited.

(*b*) Individual and collective labour disputes, particularly those involving civilians in public services, utilities or industries essential to military operations, will be adjusted in accordance with the procedures described in the Labour Technical Manual.

(*c*) Workers will be given the right to form democratic trade unions and other forms of free economic association. In view of the years of Nazi indoctrination of workers and suppression of freedom of action and thought, it will be necessary to exercise close supervision over the development of trade unions and collective bargaining to assure that they will not be used as instruments for selection of Nazi officials as labour representatives and the continuance of Nazi organizations under new names.

788. MONTHLY REPORT. Military Government Detachment Commanders and Labour Specialist Officers will submit a monthly report in accordance with forms set forth in the Labour Technical Manual.

Chapter X

EDUCATION AND RELIGIOUS AFFAIRS

Section I—EDUCATION

RESUME OF THE GERMAN EDUCATIONAL SYSTEM

800. For generations, Germany has had an educational system of the first rank. Even since 1933, regardless of changed aims and curricula, the educative process in Germany has been highly effective.

801. Under the Empire the school organization was sharply divided: for the masses eight years at the elementary school (*Volksschule*) followed by the middle school (*Mittelschule*) or the vocational schools (*Fach- und Berufsschulen*); for the upper classes four years of pre-secondary education (*Vorschule*) or of private schooling, then nine years of secondary school (*höhere Schule*), followed by the university (*Universität*) or the technical higher school (*technische Hochschule*).

802. The Weimar Republic introduced the Foundation School (*Grundschule*) in which, for the first time in German history, all children were required to spend the first four years of their compulsory schooling. Further, the creation of the *Aufbauschule* bridged the gap between elementary and secondary education and opened the way for gifted children of the masses to higher education and thence to the professions.

803. The Nazis reduced the secondary school stage from nine to eight years, the full university course from four to three years and the practical training from two years to one. They introduced the Central School (*Hauptschule*) as the second four years of the elementary school. The curriculum of this new school type is a combination of the curricula of the upper four years of the elementary school and the lower four years of the middle school. The idea obviously came from the Austrian *Hauptschule*. The Nazis reduced enormously the number of classical secondary schools and made the *Deutsche Oberschule* the predominant secondary school type.

804. The Nazis have also introduced three new special secondary school types—all boarding schools—the National Political Educational Institutes (*Nationalpolitische Erziehungsanstalten—Napolas* or *NPEA*), the German Home Schools (*Deutsche Heimschulen*) and the Adolf Hitler Schools (*Adolf Hitler Schulen*). Although these schools are all nominally under the Reich Minister of Education, the *Napolas* and *Heimschulen* are administered by the *SS*, and the *AHS* by the Party.

(*a*) The *Napolas*, of which there are some 43 in Greater Germany, are run as special secondary schools to educate an élite, specially chosen for their leadership potentialities.

(*b*) The *Heimschulen* were set up specially for the children of parents living and serving abroad or who are war victims. In Greater Germany there are about 112 of these schools which may be not only secondary but elementary schools as well. In the main, they have been established in the plants of former private schools. The curricula of these schools apparently have been no more Nazified than those of the regular school system.

(*c*) The Adolf Hitler Schools have practically the same programme as the *Napolas* and are " schools for the chosen." The pupils are selected for leadership qualities, family background, physical fitness, hereditary fitness, and parents' active participation in Party activities. At present it is estimated that about a dozen such schools exist in Greater Germany.

805. The main Nazi influence in education has been one of spirit. They have caused the study of things German to be emphasized ; they have laid great stress upon physical education and have brought about the " politicalization " or " Nazification " of the curriculum. They have segregated the Jews into special schools and have practically closed the learned professions to them. They have introduced " political reliability " (*politische Zuverlässigkeit*) as a criterion of admission to certain school types, to school leaving and state examinations. In their own words, " the creation of the political, National Socialist human being " has been their goal.

806. Since the First Reich, education has been a matter for the *Länder* and consequently a national ministry of education never existed. Weimar failed to establish a *Reichsministerium*. However, in 1934, the Nazis founded the *Reichs- und Preussisches Ministerium für Wissenschaft, Erziehung und Volksbildung* which exercises legislative power over the whole of Germany and executive power in Prussia. The remaining 14 *Länder* have their own ministries of education in one form or other, while each of the 11 *Reichsgaue* has a department for education and culture.

807. From the *Reichsministerium*, administration of the elementary and intermediate schools passes to the Land Ministries (or *Reichsgau* Departments), thence to the *Regierungspräsident*, and thence to the *Landrat* (in the person of the *Kreisschulrat*) or to the *Oberbürgermeister* (in the person of the *Stadtschulrat*) ; the administrative chain for secondary schools passes from the Reich Ministry through either the *Oberpräsident* (in Prussia) or the Land Ministry (or *Reichsgau* Department) directly to the *Oberbürgermeister*, thus by-passing the *Regierungspräsident*. From the Reich Ministry, vocational school administration passes either through the Land Ministry or *Reichsgau* Department directly to the *Landrat* or *Oberbürgermeister*. Agricultural schools are

nominally under the control of the *Reichsministerium*, but are administered by the Reich Food Estate (*Reichsnährstand*). Teacher training and higher education in general are administered directly by the Reich Ministry. The fundamental difference between the former and the Nazi school administrative scheme is the absence of democratic methods. The only consultative body of any importance now existing is the Advisory School Council (*Schulbeirat*) which assists the mayor but has little real power. The " leadership principle " has been introduced into school administration even in the relationship between principal and staff.

808. Supervision of sport is carried out by the Reich, the Party and *National Sozialistischer Reichsbund für Leibesübungen* (*NSRL*). The Reich has for many years been responsible for physical education in schools and universities while, since 1933, various Party organizations (such as the *SA*, *SS*, *NSRL* and *HJ*) have supervised sport in their own formations. The *NSRL* administers physical training and sport outside the school, excluding Hitler Youth, through its regional and local offices.

809. From the free association of practically all youth organizations under the German republic, the Nazis established a Reich Youth by the law of 1 Dec., 1936, which stated that " the entire youth of Germany will, outside the home and the school, receive its training—physical, mental, and moral in the Hitler Youth—for national service and in the spirit of National Socialism." The law was strengthed by a decree in March, 1939 which made youth service (*Jugenddienstpflicht*) compulsory between the ages of ten and eighteen. As might be expected, the youth programme consists largely of physical training and political education with pre-military training for boys and domestic science for girls. The Reich Youth Leadership (*Reichsjugendführung*) administers the Hitler Youth organization through its complex system of regional and local offices. All German youth is organized into four groups : German Young People (*Deutsches Jungvolk*) 10 to 14 years ; Hitler Youth (*Hitler Jugend*) 14 to 18 years ; Young Girls (*Jungmädel*) 10 to 14 years ; and League of German Girls (*Bund Deutscher Mädel*) 14 to 21 years.

ESTIMATE OF THE SITUATION

810. Broad Picture. Probably many school buildings in the larger cities will have been severely damaged. Rural areas adjacent to devastated industrial centres will be found to be overcrowded and many school buildings will probably be found either to be occupied by refugees or in use as hospitals. The higher administrative personnel of the educational system (most of whom are Nazis) will in all probability have fled, and the same may be true of some of the teachers. There will in any case be a shortage of teachers, due to manpower difficulties if for no other reason. Many textbooks will be found to be thoroughly adulterated with Nazi ideology.

DETAILS OF PROBLEMS CONFRONTING MILITARY GOVERNMENT OFFICERS ON ARRIVAL IN GERMANY

811. (*a*) *Property.* School buildings, particularly in industrial cities, will have been heavily damaged due to bombing. For example, 30 to 40 per cent. of the schools in Essen were put out of action by the first major raid.

(*b*) *Personnel.* There will be a serious shortage of teachers of all kinds. For example, by the end of 1943 four out of every five male teachers under 45 years of age were absent on military service.

(*c*) *Books and Education Materials.* A very considerable shortage of textbooks, paper, pens, pencils exists now.

(*d*) *Mobilization of School Children for War Work.* In 1940 the Hitler Youth imposed a wide range of duties on all juveniles between 10 and 19, including A.R.P., Fire Service, Auxiliary Police, Red Cross and making house-to-house collections of all sorts as well as pre-military training. In 1942 all elementary school pupils from the age of 10 upwards were made available for three-day periods of compulsory farm work. Since 1943 girls in the seventh class of secondary schools have been called up for continuous spells of service in day nurseries, *Kinderlandverschickung* (evacuation) camps and the like. Very recently secondary school boys aged 15 to 18 have been called for half-time service as Air Force Auxiliaries (*Luftwaffenhelfer*). This means that for the last three years of secondary school classes are reduced to 18 hours per week, which in effect cuts the already reduced secondary school course from 8 to $6\frac{1}{2}$ years.

(*e*) *Decline in Educational Standards.* It was concluded by German school authorities in 1943 after a survey of elementary schools that little more than the teaching of reading, writing and arithmetic could be expected. Significant of the failure to maintain standards in secondary education is the practice of awarding the *Kriegsabitur* (wartime secondary school-leaving-certificate) without examinations to candidates who have taken part in war work. In 1941, almost 70 per cent. of the male graduates received the *Kriegsabitur* in this manner.

OBJECTIVE

812. The aim is to take control of the German educational system and thoroughly to de-Nazify and de-militarize it, avoiding as far as possible an increase of administrative difficulties in Germany and any complications of the tasks of Military Government as a result of measures taken for the control of education.

813. Military Government will assume control of German education by indirect means, employing personnel of the existing German educational system in so far as possible, as purged or

freed from Nazi and militaristic influence. Education and Religious Affairs Officers will be stationed at *Land/Provinz, Regierungsbezirk,* and large *Stadtkreis* levels. These specialist officers will be concerned primarily with the supervision of the execution of the policies of the Supreme Commander, the purge of Nazi personnel and new appointments.

MAJOR POLICY AND ACTIONS TO BE TAKEN

814. CLOSING OF EDUCATIONAL INSTITUTIONS. Initially all educational institutions will be closed except boarding schools, in which, however, all teaching will be prohibited. Schools will be re-opened only when the Supreme Commander is satisfied that they have been freed from Nazism and militarism, that all undesirable teachers have been eliminated and that an adequate supply of satisfactory teaching materials, including textbooks, is available.

815. CURRICULA OF SCHOOLS.

(*a*) German teachers will be directed to eliminate from their teaching anything which:

(i) Glorifies militarism, expounds the practice of war or of mobilization and preparation for war, whether in the scientific, economic or industrial fields, or the study of military geography;

(ii) Seeks to propagate, revive or justify the doctrines of Nazism or to exalt the achievements of Nazi leaders;

(iii) Favours a policy of discrimination on grounds of race or religion;

(iv) Is hostile to, or seeks to disturb the relations between any of the United Nations.

Teachers infringing any of these provisions will be immediately dismissed and punished.

(*b*) Physical training will not be expanded to, or retained at, a point where it becomes equivalent to para-military training.

(*c*) Apart from this, new ideas of educational theory or philosophy will not be imposed upon the German educational system.

816. REMOVAL, SUSPENSION, RE-INSTATEMENT, TRANSFER AND APPOINTMENT OF GERMAN EDUCATION OFFICIALS. All German educational administrative officials and teachers who are considered to be active Nazis, ardent Nazi sympathizers or militarists will be dismissed or suspended. The categories defined in the "Black" and "Grey" Lists will be of assistance in this connection.

817. THE BLACK LIST defines by categories those persons who should be dismissed without notice or compensation at the earliest date after the beginning of occupation.

818. THE BLACK LIST consists of the following categories (many of these are already included in lists given in Chapter II of this Handbook) :

(*a*) Persons listed as war criminals by the United Nations.

(*b*) Reich ministerial officials of the rank of *Ministerialdirektor* or higher.

(*c*) Present or past administrative officials of all grades in the *NS-Lehrerbund*, the *NS-Dozentenbund*, and the *NSD-Studentenbund*, together with persons who have at any time held the office of *Dozentenführer* or *Studentenführer* in a university.

(*d*) Present or past administrative officials in the NSDAP of the rank of *Ortsgruppenleiter* or higher.

(*e*) Present or past members of the SS, other than conscripts to the *Waffen-SS*.

(*f*) Present or past officers of the SA, the NSKK, and the NSFK of the rank of *Sturmbannführer* (in the NSKK *Staffelführer*) or higher.

(*g*) Present or past leaders of the HJ or BDM.

(*h*) Persons who act or have acted as agents of the *Gestapo* or the *Sicherheitsdienst*.

819. In addition, existing Rectors (*Führer*) of universities and Heads of Teachers' Training Colleges will be dismissed from their rectorships or headships if they were first appointed to those offices under the National Socialist regime. In respect of any other educational offices they may hold, they will be placed on the Grey List.

(*Note*. Persons employed as teachers or administrators in *Napolas*, *Adolf Hitler Schulen*, or other prohibited institutions, will automatically lose their present employment. They will not be re-employed in an educational capacity unless their suitability for employment is established after searching enquiry.)

820. THE GREY LIST covers the remaining categories of persons against whom there are reasonably positive grounds of suspicion. Such persons will not be dismissed without further investigation ; but the appointments of persons in categories (*a*) to (*c*) below, and of others against whom the prima facie grounds of suspicion appear to be strong, will be suspended pending investigation. Categories of persons on the " Grey List " should be required to complete the Mil. Gov. *Fragebogen*. The cases of persons in categories (*a*) to (*e*) below will as far as possible have priority.

821. THE GREY LIST consists of the following categories :

(*a*) *Schulräte* of all grades and educational administrative officials of the rank of *Regierungsrat* or higher, who entered

the educational administrative service under the National Socialist regime.

(*b*) Teachers in all types of school who held or have held the office of *Jugendwatter*, or after 1937, *Vertrauenslehrer*.

(*c*) Headmasters and headmistresses of secondary schools, and heads of institutions for adult education, who were appointed to their present offices under the National Socialist regime.

(*d*) Headmasters and headmistresses of schools of all other types, who were appointed to their present offices under the National Socialist regime.

(*e*) University professors, Directors of institutes, and curators (*Kuratoren*) of universities, who were appointed to their present offices under the National Socialist regime.

(*f*) Present or past administrative officials of all grades of the following National Socialist professional organizations: *NSD-Ärztebund, NS-Rechtswahrerbund, NS-Reichsbund für Leibesübungen, Reichsbund der deutschen beamten.*

(*g*) Members of the NSDAP.

(*h*) Present or past commissioned officers of the SA, the NSKK, and the NSFK, below the rank of *Sturmbannführer* (in the NSKK *Staffelführer*).

(*i*) Persons who in their public speeches or writings have actively and voluntarily propagated National Socialism, militarism or racialism.

(*j*) Other persons against whom there are positive grounds of suspicion.

822. THE WHITE LIST. This will contain the names of persons inside Germany whose character, professional standing, experience and political reliability render them especially suitable to be placed in positions of responsibility, and, in particular, to act:

(*a*) As temporary educational administrators and/or advisers, pending the establishment of a regular administrative system;

(*b*) As acting Rectors of Universities pending regular elections by the Senate;

(*c*) As acting Heads of Teachers' Training Colleges.

823. APPOINTMENT OF PERSONNEL.

(*a*) German educational authorities (i.e. *Schulräte*) appointed by Mil. Gov. Officers will be required to nominate professionally and politically acceptable teachers and administrators to fill all necessary vacant positions in the educational system. The list of nominees will be accompanied by a *Fragebogen* for each name submitted.

(*b*) No appointment or reinstatement made to any position in the German educational system will be considered permanent. All educational personnel not dismissed or suspended and all

candidates for temporary appointments will be investigated (see Chapter II of this Handbook for general Military Government procedure on appointment of public officials). In no circumstances will active Nazis, ardent Nazi sympathizers or militarists be employed as teachers.

824. SCHOOL BUILDINGS. Unless required by military necessity, the buildings and equipment of educational institutions will not be used for non-academic purposes. German authorities will be directed to make emergency repairs where necessary. German authorities will be required to provide facilities and school supplies from their own resources.

825. PREPARATIONS FOR RE-OPENING SCHOOLS. Preparations will be made at the earliest possible moment for the re-opening of elementary schools, priority being given to the first four years, and to schools for the handicapped. A report will be made when the preparations are complete in order that the consent of the Supreme Commander to the re-opening may be obtained. Thereafter work in preparation for the re-opening of other schools and institutions will be undertaken. Mil. Gov. Detachment Commanders will provide for periodic inspections of re-opened schools to ensure that Nazi or militaristic teachings or influences are not being revived.

826. ABOLITION OF NAZI EDUCATIONAL ORGANIZATIONS AND SPECIAL SCHOOLS. The closure of *Adolf Hitler Schulen, Napolas,* and *Ordensburgen* (Nazi Leaders' Colleges) will be permanent. Boarders in these institutions will be returned to their homes as soon as conditions allow. All Nazi Party organizations and affiliates in schools and universities will be abolished and their property sequestrated. Real property thus sequestrated may be placed at the disposal of approved educational authorities, in accordance with Military Government property control regulations (see Chapter III, Finance and Property Control, of this Part III). No new educational organizations will be founded without the consent of the Supreme Commander. (N.B.—*Deutsche Heimschulen* (State boarding schools) will not be closed, but the investigation of their teaching and administrative staffs will require special attention.)

827. CLOSURE OF LOCAL BRANCHES OF NAZI EDUCATIONAL ORGANIZATIONS. The following Nazi organizations will be abolished; their local branches will therefore be closed and their funds and property sequestrated:

(*a*) The German Student Association (*Deutsche Studentenschaft*).

(*b*) The National Socialist German Students' League (*NS Deutscher Studentenbund*).

(*c*) The National Socialist Old Members Association (*NS Altherrenbund*).

(*d*) The Student Leadership Office (*Studentenführung*).

(*e*) The Head Office for Teachers (*Hauptamt für Erzieher*).

(*f*) The National Socialist Teachers' League (*NS Lehrerbund*).

(*g*) The Reich University Lecturers' Association (*Reichsdozentenschaft*).

(*h*) The National Socialist University Lecturers' League (*NS Dozentenbund*).

No new students' or teachers' organizations will be permitted without the consent of the Supreme Commander.

828. RACIALISM. All racial and political qualifications for admission to schools, universities and professional examinations will be abolished. Special classes or schools initiated by the state for racial minorities will be discontinued forthwith.

829. TEXTBOOKS AND OTHER TEACHING AIDS. German authorities will be required to impound all school textbooks and other teaching aids reflecting a Nazi or militarist outlook. No school books will be used without the consent of the Supreme Commander, who will supply emergency textbooks to replace those withdrawn, where necessary. Mil. Gov. Officers should notify Supreme Headquarters of any existing German textbooks which they deem suitable for use. No films will be shown in German schools without the consent of the Supreme Commander.

830. LIBRARIES. Books in public libraries and the libraries of universities and reference books in the libraries of other institutions of higher education will not be removed, impounded or destroyed.

831. YOUTH ORGANIZATIONS. The Nazi youth organizations, *Hitler Jugend, Jungvolk, Jungmädel,* and the *Bund Deutscher Mädel,* will be abolished and their funds and property sequestrated. Real property thus sequestrated may be placed at the disposal of approved educational authorities, in accordance with Military Government property control regulations (see Chapter III, Finance and Property Control, of this Part III). No youth organizations will be founded or revived without the consent of the Supreme Commander.

832. ADULT EDUCATION. The Nazi adult education organization, *Das Deutsche Volksbildungswerk,* will be abolished. Proposals to re-introduce adult education will require the consent of the Supreme Commander.

833. RELIGIOUS INSTRUCTION AND DENOMINATIONAL SCHOOLS. The Supreme Commander does not intend to intervene in questions concerning denominational control of German schools or religious instruction in German schools, except in so far as may be necessary to ensure that religious instruction and administration of such schools conform to such regulations as are or may be established for all subjects and all schools.

Section II—RELIGIOUS AFFAIRS

RESUME OF THE GERMAN RELIGIOUS SITUATION

834. GERMAN DENOMINATIONS. In 1933, 32.5 per cent. of the population of Germany were Catholic (mostly concentrated in Bavaria and the Rhineland), 62.7 per cent. Protestant, 0.8 per cent. Jewish, and 4 per cent. without religious preference. Austria, the Sudetenland, Alsace-Lorraine and the portions of Poland annexed in 1939 are all predominantly Catholic. Consequently in the so-called "Greater Germany" the numbers of Protestants and Catholics are almost equal.

835. The Catholics are organized much as in the United States. There are six Church Provinces or archdioceses headed by Archbishops, each with a number of dioceses (*Bistümer*) headed by Bishops. The dioceses are further sub-divided into deaconries (*Dekanate*) and finally—about twelve thousand parishes (*Pfarreier*). Two of the Archbishops, Faulhaber of Munich and Bertram of Breslau, are Cardinals.

836. The Protestants are not so well organized as the Catholics and there is some variation of the pattern among the *Länder*. But in most sections at least a union for administrative purposes has been worked out between the two strongest churches—the Lutheran and the Reformed (virtually the same as the Presbyterian in English-speaking countries). The joint body is known as the German Evangelical Church and is the only major Protestant body in Germany. It has a central organization consisting of a Reich Bishop and National Synod (neither functioning at present), a Chancellery (whose president, Dr. Werner, is the real authority), and a Reich Church Finance Department. There is a Reich Ministry for Church Affairs, at present headed by an acting minister, Herman Muhs. Each Regional Church (*Landeskirche*) government is headed by a regional bishop (*Landesbischof*) assisted by two Councillors (*Landeskirchenräte*) elected by a regional synod. The regional synod is composed of nineteen members, twelve elected by the congregations, six appointed by the regional bishop and one representative of the local university divinity faculty. The Bishop can dissolve the synod if he does not approve of its decisions. Below the regional level the church is divided into deaconries (*Dekanate*), Prelatures (*Prälaturen*), district congregations (*Kirchenkreise*) and the separate parishes, numbering some eighteen thousand in all.

837. In addition to the Evangelical Church there are a number of small Protestant bodies which are called Free Churches. These include: certain Lutheran and Reformed sects, Methodists, Baptists, the Salvation Army, Mormons (Latter Day Saints), etc. The Christian Science Church and the group known as Jehovah's

Witnesses existed in Germany before Hitler's rise to power but have since been banned. Before 1933 German Jews, like those of other countries, maintained Orthodox, Conservative and Reformed Synagogues.

838. PRE-HITLER OBLIGATIONS OF THE GOVERNMENT TO THE CHURCHES. In spite of the long-standing differences between Catholic and Protestant, there has traditionally been close co-operation between church and state in Germany. In Prussia before 1914 the government had a very influential voice in the choice of clergymen in the separate parishes and actually appointed about one-quarter of them. After the First World War, the Protestant ministers were generally elected by a parish assembly, a committee of from six to sixty chosen by the entire congregation. The Weimar Republic and the different *Länder* composing it continued, however, to enforce the collection of church taxes for both Protestants and Catholics and to subsidize both bodies to the extent of some 150 million marks per year in all. Under this historic system everyone who did not specifically exempt himself by registering as having no religion or being an adherent of another sect was taxed for the support of either the Catholic or the Evangelical Church and was compelled to pay these assessments like any other tax. Jewish congregations were also recognized as public religious corporations entitled to this form of support.

839. RELATIONS BETWEEN THE CHURCHES AND THE NAZIS. In 1933 Hitler said: "We shall have no God but Germany." The Nazi aim is a Folk State with a Folk Religion—Blood, Race, and Soil. Although Hitler has been cautious and kept his policy in this field within the limits set by German public opinion, the extreme racial and national doctrines of the Nazis have resulted in bitter conflicts with both Catholic and Evangelical churches. By the terms of a Concordat concluded with the Vatican in 1933 Catholic priests were forced to cease political activities and the Catholic Centre Party was accordingly dissolved. By repeated violations of the terms of the Concordat and in spite of denunciations by Papal Bull and episcopal pastoral letters, Hitler has severely restricted the church activities in the field of charity, education, sports and youth work. Consequently most of the German Catholic Bishops have not actively supported the war as an offensive effort to gain more living space for the German people and have continued to denounce Nazi racial doctrines in their pastoral letters. Yet Hitler himself is nominally a Catholic and is considered by many in that church as a bulwark against Bolshevism. So the Roman Catholic Chaplain General to the German forces has declared that Germany is waging a just war; and in 1943 the Conference of Catholic Bishops, while protesting against Nazi restrictions on church activities, still asserted that the German army was waging a heroic struggle to protect the homeland (from Bolshevism) and preserve it from incalculable disaster.

840. On the Protestant side the struggle has been at least as complicated and bitter, but on the whole the Evangelical churchmen—not being part of an international organization—have lost rather more than their Catholic confréres. Nazi propaganda for a German religion, or at least a Germanized Christianity, has divided a weakened Protestantism which the effects of "Higher Criticism" of the biblical documents had already rendered somewhat uncertain about its beliefs. Some four million people, mostly former Protestants, registered themselves in 1940 only as "Believing in God" (*Gottgläubig*). Included in this number were the Neo pagans, Nazis frank enough to admit that Nazism and Christianity were irreconcilable, who, therefore, were trying to construct a new religion which might serve as a support to Nazism, a religion based on symbols drawn from the early Germanic worship of Wotan, and similar cults.

841. Furthermore, the so-called German Christians—Nazis who were still claiming to be Protestant Christians—with the support of the Nazi Party and its terroristic methods, have managed to get a majority control of the machinery of the Evangelical Church, in spite of the vigorous protests of the now imprisoned Pastor Niemöller and his minority, which took the name of the Confessional Church. The office of the Reich Bishop was created to "co-ordinate" Protestantism, and when the first incumbent (Ludwig Müller) proved incapable of suppressing the minority, the Reich Ministry for Church Affairs was created in 1935 for the "restoration of orderly conditions in the German Evangelical Church."

842. Under the dictatorship of Hans Kerrl, who was given this post, the Nazis took over the control of Protestant church appointments and finances. Now parish ministers are chosen by the bishops (in turn virtually appointed by the Reich Minister if chosen since 1935) after the congregation and the district deacon have been "heard." The youth movement of the Evangelical Church has been suppressed in favour of the *Hitler Jugend* and the clergy have been required to take an oath of loyalty and obedience to Hitler, as a prerequisite for holding their positions. Although the Niemöller minority at one time numbered more than six thousand, or over one-third of the Evangelical clergy, the tradition of Lutheran loyalty to the State dies hard, and with the coming of the war nearly all have taken the oath.

843. United Nations propaganda has been aimed at persuading both Catholic and Evangelical clergy that an Allied victory would mean real religious toleration, one of the "four freedoms." Instead of their being condemned to wage a losing fight against Nazi paganism, the religious leaders have been led to expect the very favourable status they enjoyed under the Weimar Republic, with a considerable measure of government support for their work.

ESTIMATE OF THE SITUATION

844. BROAD PICTURE. Allied Military forces entering Germany will get a mixed reception from the German clergy. Some will welcome the Allies as deliverers; others will detest them as enemy invaders, and often as foes of the true faith. There will be a great body of more of less neutral opinion which will go either for or against the Allies, depending on how the religious problem is handled. Catholics who disapprove of Nazi racial and nationalistic doctrines or whose educational or charitable activities have been restricted or forbidden, Protestants who object to the effort of the "German Christians" to tie the German Evangelical Church to the Nazi propaganda machine, leaders of minority religious groups such as the Jews, Christian Scientists and the free Protestant churches which have been persecuted by the Hitler regime—all these will give the Allies enthusiastic welcome. On the other hand, those Catholics who regard their co-religionist Hitler as a bulwark against Bolshevism, along with the German Christians and the Neo-pagans, will use all their influence behind the scenes to hinder the progress of the Allies.

845. The importance of religious forces in Germany may be seen from the fact that only the churches, Catholic and Evangelical, have withstood the prolonged Nazi effort to destroy or co-ordinate all pre-1933 institutions. The strength which they have shown in the struggle with the Nazis, the possibility of winning the support of the vast majority of their leaders for our point of view, and the danger that Nazi elements may attempt to use the Neo-pagan and German Christian organizations as fronts for an underground nationalist political movement make the problem of correctly handling their affairs particularly significant for Military Government Officers.

846. PROBLEMS CONFRONTING MIL. GOV. OFFICERS.

(*a*) Churches, particularly in cities, may have been damaged by bombardment and other military activities. Convents, monasteries, shrines and churches will also be in danger of further damage or molestation in the confusion during occupation.

(*b*) Most German clergymen will be at their posts, though German Christians and other Nazi sympathizers will remain in the background, deny past political activities and pose as politically neutral, pious churchmen.

(*c*) The Reich Ministry for Church Affairs and the office of Reich Bishop will not be functioning. There will probably be a movement by the Confessional clergy to take control of the ecclesiastical machinery of the German Evangelical Church at the national, provincial and local levels.

(*d*) There will also be pressure by Catholics and possibly by the

German Evangelical Church to take advantage of the confusion attendant upon an occupation to regain all of their former positions and possibly more—in the fields of education, welfare, youth organizations, labour and political parties. We may expect a prompt demand for restitution of ecclesiastical schools, monasteries, and other church property which have been taken over by the Nazis.

(*e*) There will be efforts by Jews, Jehovah's Witnesses, Christian Scientists, and other sects previously banned or restricted to resume services of worship and other religious activities.

(*f*) Ecclesiastical funds will be tied up in government finance offices. The clergy may be without pay until new arrangements are made.

(*g*) Parochial schools and theological seminaries will be closed and the publication of religious periodicals, pamphlets and books will have been discontinued. Pressure may be expected for the resumption of activity in these fields as soon as possible.

OBJECTIVE

847. It is the policy of the Supreme Commander to eliminate Nazi influence in official religious circles, to provide protection and fair treatment for all religious elements, and to permit freedom of religious worship for everyone.

MAJOR POLICIES AND ACTIONS TO BE TAKEN

848. RELIGIOUS TOLERATION. Freedom of religion and maintenance of respect for the churches in Germany will be fostered as far as possible. Subject to military necessity, all places of religious worship will be permitted to remain open or (in the case of sects banned by the Nazis—Jews, etc.) to re-open for religious services unless specific orders to the contrary are issued.

849. TREATMENT OF CLERGY AND ECCLESIASTICAL PROPERTY.

(*a*) Ecclesiastical leaders will be treated with deference and respect. Leading local clergy will be consulted (by invitation, not order) along with local officials on appropriate community problems. On matters of protocol all denominations shall be treated alike and no act of a religious nature, such as kissing a Bishop's ring, shall be an official act on an official occasion. Except in the case of Cardinals, who are barred from doing so by their position as Princes of the Church, ecclesiastical dignitaries shall call on the Mil. Gov. Officers first. Mil. Gov. Officers will keep in mind the special needs of clergymen, for example, the need of transportation as well as military passes to facilitate attendance at church assemblies, etc.

(*b*) Ecclesiastical property will be protected and as far as is consistent with military necessity used only for the religious purposes of the proprietary denomination. German authorities will be permitted to make emergency repairs to ecclesiastical property where necessary. Without the consent of the proper authorities Protestant services shall not be permitted in buildings consecrated for Catholic worship, or vice versa. Mil. Gov. Officers will ascertain what church property (convents, monasteries, shrines, etc.) needs protection and arrange for guards for that purpose. In the case of real property seized by the Nazis and diverted from church use it will be the policy to appoint former church owners as temporary custodians, pending decision as to its ultimate disposal.

850. ELIMINATION OF NAZI ELEMENTS.

(*a*) Military Government policy will be to remove from office—normally through consultation with the proper ecclesiastical authorities—all churchmen who are or have recently been active Nazis or ardent Nazi sympathizers. Due to the difficulty of clearly defining the beliefs of " German Christians " some connection with the German Christian movement will not of itself be considered an obstacle to office or a cause for dismissal. The first step will be the removal from office or suspension of Bishops, *Kirchenräte* and Presidents of Consistories and Chancelleries and similar bodies who are on FSS or CIC blacklists or are active Nazis or ardent Nazi sympathizers. The second step will be similar treatment of ordinary clergy. In no circumstances will new officials be appointed by Mil. Gov. Officers. Ecclesiastical authorities will fill their own vacancies subject to approval of Mil. Gov. Officers. Congregational elections of Protestant clergy are to be permitted. It will, however, be the policy to encourage the restoration to office of churchmen known to have been dismissed for racial or political reasons.

(*b*) Publication of all religious literature will be subject to the same censorship rules as secular material.

(*c*) Careful watch will be kept on German Christians and Neopagans for signs of political or semi-military activity.

851. GOVERNMENT SERVICE TO CHURCHES. In case of difficulty about maintaining traditional ecclesiastical payments, Mil. Gov. Officers will ascertain what ecclesiastical funds are in government treasuries and consult with Mil. Gov. Finance Officers with respect to putting these funds at the disposal of reliable and responsible churchmen. In case of difficulty about collection of church taxes and payment of ecclesiastical salaries and subsidies, Mil. Gov. Officers will also consult with Mil. Gov. Finance Officers.

852. ACTIVITIES OF RELIGIOUS BODIES. Subject to military necessity, normal religious activities will not be restricted. Steps

will, however, be taken to ensure that these activities, including sermons, are not used as a cloak for the spreading of political ideas or propaganda directed against any of the United Nations.

853. POLITICAL ACTIVITY OF CLERGY. Any member of the German clergy engaging in political activity should in principle be treated in the same manner as any other persons guilty of such activity. Normally, however, appropriate action will be taken through the offender's superior ecclesiastical authority.

Chapter XI

AGRICULTURE, FOOD AND FOOD DISTRIBUTION

GERMAN ADMINISTRATIVE SYSTEM

870. FOOD AND AGRICULTURE. The main instrument in Germany for controlling agricultural production, marketing, distribution, food rationing, price control and fisheries is the Reich Food Estate (*Reichsnährstand*), attached to the Ministry of Food and Agriculture. The Reich Food Estate, established in 1933 by the Nazi Party, is an organization of all interests connected with food. Its main aim is to increase the production of food in order to reduce Germany's dependence on imports which it has sought to achieve by planning the programme of agricultural production to the last detail, and by encouraging the use of scientific methods. Its head, the Reich Farm Leader (*Reichsbauernführer*), is actually, but not as a matter of constitutional necessity, also Minister of Food and Agriculture.

871. The Reich Food Estate has official representatives at all subordinate levels of administration throughout Germany. Every farmer, all individuals and organizations concerned in the production and distribution of agricultural commodities, including farming proper, market gardening and fisheries, and all members of federations of food processing industries, are compulsorily members of the organization.

872. MARKETING ASSOCIATIONS. The Food Estate operates through Reich, *Provinz/Land* and *Kreis* offices, and the Central Marketing Associations (*Hauptvereinigungen*, or *Marktverbände*) established for each of the major commodity groups as follows:

Cereals (grain and fodder)	Viticulture
Potatoes	Fish
Milk, fats and eggs	Brewing
Livestock and Livestock products	Sugar beets
Market gardening	Confectionery

The Reich Food Estate determines policy. The Marketing Associations determine what quantities of each product can be handled or are required. Through them the Reich Food Estate allocates to the regional offices (*Landesernährungsämter*) the production quotas, decides the crops to be sown, the prices to be charged, and through the 144 Market Unions (*Wirtschaftsverbände*) the quotas of produce to be surrendered by each farm.

873. REICHSSTELLEN. These were originally import and export boards whose function it was to adjust the importations of agricultural products to domestic needs. They have now

been absorbed into the *Hauptvereinigungen* concerned and act as " Business Offices " for overall policies such as long term shortages and the determination of the national food reserve. There were five *Reichsstellen,* and they were concerned with the following products:

(*a*) grain, fodder and other agricultural products;

(*b*) animals and animal produce;

(*c*) fats and eggs;

(*d*) products of market gardening and viticulture; and

(*e*) fish.

874. FOOD OFFICES. Germany is divided into 32 agricultural regions, the main planning for which is carried out by the *Landesernährungsämter,* established in 1939. Under them there are 710 county (*Kreise*) and about 60,000 local Food Offices. The regional food offices are attached to *Provinzen* and *Länder,* where they will come under the control of Military Government Food and Agricultural Officers. At regional, county (*Kreise*) and local levels, the agency of the Reich Food Estate is the Food Office divided into two departments: *Abteilung A,* concerned with agricultural production, food processing, farm inspections (under the Inspection Commissions) and the checking of the farm records which every farmer is required to keep; and *Abteilung B,* dealing with rationing cards, consumer groups, household lists, and the distribution of foods from wholesaler to consumer.

875. THE PEASANT OR FARMING ASSOCIATION (*Bauernschaft*). Like similar bodies of the Reich Food Estate, this association has been adapted to the Nazi system. The heads of the Regional, County or Local Farm Associations (*Landesbauernschaften, Kreisbauernschaften* and *Ortsbauernschaften*) are nearly always the Peasant or Farmers' Leaders (*Bauernführer*). They are Nazi officials who work at all administrative levels, supervising the peasantry and issuing orders to them. It should be noted that recalcitrant farmers may be denounced by them, and may be fined, dispossessed, imprisoned or even executed.

876. Through them the Peasant or Farm Association works closely with *Abteilung A* at all levels and keeps copies of Farm records (*Hofkarten*) and of the Delivery Cards, which should also be found in some form at the office of the *Landesbauernführer* at *Provinz* level. *Abteilung A* allots contracts to the farmer and informs him of his production quota. After each sale the farmer is given a sale certificate (*Schlussschein*) signed by the merchant. The merchant retains a copy himself and

forwards one copy to the food office through the Market Unions, which is thus able to check both the farmer's output and the merchant's stockpile. The *Schlussschein* is very important in the control of production, and its use must not be allowed to lapse.

877. INSPECTORATE. *Abteilung A* of the county Food Offices includes a Farm Inspection Commission (*Hofbegehungskommission*) which has in its possession a copy of an acreage and production record of each farm, a document which every agricultural producer is required to keep. This *Hofkarte* is the key to the whole system of control. The farmer himself provides the data, which is reviewed by the *Ortsbauernführer*, or by the Farm Inspectorate, representatives of which visit each farm from time to time. These agents check the correctness of the returns regarding the areas under cultivation, the observance of the ban on feeding bread grains to animals, and the fulfilment of the delivery obligations of all products and ensure that the official orders are complied with.

878. FOOD RATIONING. The Reich Minister of Food and Agriculture controls food rationing and issues all decrees. Under him operate Regional Food Offices, which in turn supervise the activities of the local Food Offices (*Ernährungsämter*). The Party as such plays little part in the intricate machinery of food control. The pillars of the system are the regional *Landesernährungsämter*, attached to the *Provinzen/Länder*, and under them the county and local *Ernährungsämter*, attached to the *Kreis* administrations. The party organization is, however, of some importance on the lower distribution level, for the *Blockleiter* is responsible for the distribution of ration cards, notification of changes, etc.

879. Practically every article of food is rationed, either on a national basis or by a system of local distribution. The foods nationally rationed are: bread, *Nährmittel* (cereal products, alimentary pastes, potato-flour, sage, etc.), meat, fats, cheese, sugar, jam, coffee substitutes, cocoa, artificial honey and whole milk. Cocoa and artificial honey are reserved for children, and whole milk for children, expectant, lying-in and nursing mothers, and workers in certain unhealthy occupations. On account of the great regional variation in transport conditions and other factors, certain commodities are locally rationed; these include potatoes, vegetables, fruit, fish, poultry, sweets and skimmed milk. There is no "points" system for rationing of food in Germany.

880. Ration cards cover periods of 28 days. They are variously coloured, and are obtained by consumers from their local food offices or from the card offices (*Kartenstellen*) set up in the villages and in the larger towns. Separate cards (actually sheets of paper) of distinctive colours are issued for certain commodities, and supplementary cards are issued for long-hour

and night workers, heavy and very heavy workers and others. There are also Leave Cards and Travel Stamps, which are issued in lieu of the normal ration cards, and control cards for distribution of locally rationed foods (vegetables, fish, etc.). No rationed foodstuffs can be obtained in shops, restaurants, factories or catering establishments without the surrender of coupons.

881. Retailers receive from their customers, order vouchers (*Bestellscheine*), food cards and leave card coupons, and any special vouchers or coupons issued for sick persons, etc. Restaurant keepers receive from their clients food and leave card coupons and travel stamps. In exchange for these they receive from the Food Office *Bezugsscheine,* or buying permits, which enable them to purchase from wholesalers. Hospitals and canteens also are given *Bezugsscheine.* The wholesaler in turn, in exchange for these *Bezugsscheine,* receives from the Food Office *Grossbezugesscheine,* which enable him to purchase from the manufacturer, distributor or producer.

882. CONSUMER GROUPS. Consumers are divided into the following groups, with separate scales of rations: normal consumers, long-hour and night workers, heavy workers, very heavy workers, children in various groups, adolescents, and self-suppliers.

883. RATION CARDS FOR FOREIGN WORKERS. Weekly ration cards are issued for foreign civilian workers gainfully employed, but not working on farms or fed in feeding centres, or accommodated in camps. The cards are issued through the establishments in which they are employed, and these hand into the appropriate Food Office complete lists of the names. Those accommodated in camps are placed in the basic scale for long hours and night workers. In addition to rations, the camp managers receive for each man 30 grammes of flour and 60 grammes of *Nährmittel.* The appropriate supplements for heavy and very heavy workers are added.

884. PRICE CONTROL. Prices of farm products are fixed on the scale of 18 October, 1936, but adjustments are made from time to time by the Market Associations with the concurrence of the Price Commissioner. Farm prices are usually fixed for the harvest year. They are frequently rigid in the sense that they are at the same time maximum and minimum prices. They vary regionally, seasonally, and by grade. Food prices during the war have not risen more than 10 per cent.

885. FISHERIES. As stated above, the *Hauptvereinigung* (National Association of Fisheries) is part of the *Reichsnährstand.* It has no regional organizations, but there are branch offices at the three principal fishing ports, Wesermünde, Cuxhaven, and Hamburg-Altona, and liaison officers at food offices in the coastal provinces. Germany's pre-war catch amounted to approximately

800,000 metric tons of fish, of which 10 per cent. were fresh-water varieties. Ninety per cent. of the marine production, mostly herring, comes from the North Sea. Some 540 steam trawlers, 170 cutters and 10,000 small craft were employed in the fishing industry, which employed some 50,000 persons. Whale oil was being developed into an important fat reserve. Fresh-water fisheries gained importance during the war.

886. FORESTRY. Forest and game administration, formerly under the *Länder,* were united by the Nazis into the Office of the Forest Master (Reichsforstamt) under Goering. There are 35 regional forest offices (*Landesforstämter*), attached to *Land/Provinz* and *Reichsgau* governments. The 1939 census listed 869,300 persons employed in forestry and the woodworking industry. Prior to the war there were 4,296 saw mills, mostly small to medium sized.

ESTIMATE OF THE SITUATION

887. AGRICULTURE. In the area of responsibility of the Supreme Commander it is estimated that sufficient food will be produced to support the entire German urban population at an average level of 1,745 calories per person per day during the consumption year beginning 1 September, 1944, even if the farm population be permitted to retain existing producer allowances, and after making provision for United Nations Displaced Persons at a ration scale of 2,000 calories per day. In addition to this, the estimated carry-over of cereals at the end of the 1943-44 crop season would provide an additional 400 calories per person per day to urban dwellers if distribution of stocks be assumed on the same basis as population. While no reports are available on the recent movement of foodstuffs into Western Germany from eastern parts of the country and from conquered territories, it is practically certain that some imports have been made in recent months, thus adding to the food resources in the area.

888. Against these credits must be set the losses incidental to such military operations as may occur, as well as failure of transportation facilities and shortages of labour. As these debits are unknown quantities, the situation which will obtain upon occupation cannot be predicted certainly, but it is clear that grounds exist for reasonable expectation that the area can be made self-supporting at a reduced level of diet, provided that Military Government can ensure an effective utilization of the resources that exist.

889. The estimated situation in respect to indigenous production in the area of responsibility of the Supreme Commander, and the quantities that may be available for German urban consumers in that area, are shown below. Deductions from total production have been made for seed, waste, and producer retentions at existing levels.

	Estimated Production (m. tons)	*Estimated for Urban Consumption* (Calories per person per week)
Bread grains	4,084	4,244
Meat	1,452	1,033
Fats	624	1,708
Sugar	468	700
Cheese	148·5	53
Potatoes	15,500	2,600
Total		10,338
Other foods, rationed and unrationed		1,875
Total weekly		12,213
Average daily		1,745

890. In general, German agriculture has maintained its position reasonably well since 1939. However, factors such as scarcity of fertilizers, wear and tear of farm machinery, shortage of labor, and such disruptions as may be brought about by military operation, may result in a decrease of production following occupation. Fertilizer distribution, for example, has been greatly restricted; reports indicate that during the 1944 season phosphate supplies were not more than 30%, nitrogen 42%, and potash 70% of the 1938–1939 levels. Measures will need to be taken, following occupation, to ensure that materials needed for essential food production are made available to farmers in accordance with the policy set forth in Chapter XIII.

891. FOOD. The population of Germany is estimated at about 70 million, of which approximately 40 million are estimated to be in the Supreme Commander's area of responsibility. War conditions have produced a fluid population situation and no estimate applicable to any small area can be considered reliable. The distribution of foreign workers is only generally known. Consequently, considerable local variation can be expected in any over-all estimates of food requirements based upon population figures.

892. It is probable that upon occupation the normal movement of grain from Eastern Germany into the area of the Supreme Commander's responsibility will not have been completed. Imports from occupied territories undoubtedly will have been reduced. Furthermore, it is likely that the level of diet in liberated countries will still be at minimum levels at that time. Consequently, the German ration scales probably will have to be reduced to conform to the principles set forth in para. 901, below.

893. As a result of war conditions, the German rationing system has already begun to show signs of disorganization. Mass evacuations from bombed areas and destruction of rationing records have been factors in this. Restoration of the system to full operating effectiveness will be a primary essential immediately following occupation.

894. FISHERIES. Adequate information as to the condition of fishery fleets is not available. In liberated countries a relatively small amount of repair and replacement of fishing gear has been necessary, and it may be that similar conditions will be encountered in Germany. It can be expected that a shortage of fuel, lubricants, and trained personnel will exist.

OBJECTIVES

895. The objectives of the Supreme Commander in respect to agriculture, food processing, fisheries and forestry are to obtain the full use of existing supplies and to ensure the fullest possible exploitation of these industries to provide for the needs of Allied Military Forces and United Nations Displaced Persons, for such exportable surpluses as may be required by Allied authorities, and for the minimum requirements of the German population. No imports of relief food will be made into Germany except in extreme emergencies, and then only to the extent necessary to prevent disease and such disorder as might endanger or impede military operations or occupation.

POLICY

896. It is the policy of the Supreme Commander in respect to agriculture, food processing, fisheries and forestries to require German authorities:

(*a*) To maintain or re-establish existing administrative and economic controls over these industries.

(*b*) To release any existing supplies which may be required for Allied military use and United Nations Displaced Persons, or for exports required by the Allied authorities.

(*c*) To maintain in force and effect all laws and regulations relating to prices, rents, distribution and black-markets, except such laws and regulations as are abrogated or amended by order or authority from the Supreme Commander.

(*d*) To remove immediately all active Nazis and all ardent Nazi sympathizers from all positions in agencies administering these industries and the allocation and distribution of supplies and equipment for these industries (Mil. Gov. Officers will consult Chapter II, Part III, this Handbook, and with G-2/Intelligence and Mil. Gov. Public Safety Officers for assistance in determining individuals who must be removed under this policy).

(*e*) To eliminate all features of these industries which discriminate against or in favor of groups or individuals on the grounds of race, creed, colour, or political opinion.

(*f*) To provide for the production of fertilizers and other essential items required in connection with these industries, and for such export as may be required by Allied authorities.

897. AGRICULTURE AND FOOD. In respect specifically to agriculture and food, including processing and distribution, German authorities will be required to maintain or re-establish:

(*a*) Administrative and production-control agencies and programs on the same basis as prior to occupation.

(*b*) Agricultural-collection and supply-allocation agencies and programs and farm-delivery quotas on the same basis as prior to occupation, except as dictated by necessity or upon instructions from Supreme Headquarters.

(*c*) Agencies having to do with the purchasing, processing, and physical movement of food and other agricultural products on the same basis as prior to occupation.

898. FISHERIES. In respect specifically to fisheries:

(*a*) German authorities will be required to maintain or re-establish existing governmental agencies responsible for the control of fishing activities and the enforcement of fishing regulations.

(*b*) Allied Naval Commanders in operational areas and ports will define the extent of fishing operations consistent with security provisions, and will have complete control over the movement of all vessels engaged in coast-wise and deep-sea fishing operations.

899. FORESTRY. In respect specifically to forestry, German authorities will be required to maintain or re-establish existing governmental agencies having to do with forestry operations and controls.

900. IMPORTED SUPPLIES. If it is necessary to import production supplies and foodstuffs (see policy in "Objectives" above) they will be handled and distributed, under Military Government supervision, by the agencies of the Ministry of Food and Agriculture and the normal channels of the rationing system except that imports for United Nations Displaced Persons will be handled through Military Government channels.

901. RATIONING. Existing food-ration scales will be lowered so as to ensure, insofar as consistent with the prevention of disease and such unrest as might endanger or impede military operations, that indigenous food supplies will suffice for the needs of United Nations Displaced Persons and the German population, and that ration allowances for the German population will not be higher than in liberated countries.

(*a*) UNITED NATIONS DISPLACED PERSONS. To the extent feasible, United Nations Displaced Persons in approved camps

and centers will be furnished food at a scale of approximately 2,000 calories per day. Other United Nations Displaced Persons not in approved camps and centers will receive ration allowances at the same scale and manner as the German population.

(*b*) GERMAN POPULATION. Ration scales for the German population will be prescribed in specific instructions issued by Supreme Headquarters to Army Group Commanders.

ACTION TO BE TAKEN

902. GENERAL. Military Government Detachment Commanders will place upon appropriate German authorities the responsibility for carrying out the food, agricultural, fishery and forestry programs required to attain the objectives of the Supreme Commander in respect to these industries. It is essential, therefore, that the German administrative system for these industries is continued, and that its operation is effective. Nazis and Nazi sympathizers who are removed from office will be replaced as quickly as possible with qualified German personnel. For example, *Bauernführer* at Regional and *Kreis* levels, who are also heads of their respective food offices, will be removed from office because of their political affiliations and sympathies. Suitable substitutes might be other qualified officials of the Food Offices who may be civil service officials and not necessarily identified with the Nazi Party. German authorities will be required by Military Government Detachment Commanders to see that officials, other than those removed from office, will continue or return to functions in their respective capacities in the local offices of the Ministry of Food and Agriculture until otherwise notified.

903. IMMEDIATE ACTION. Upon arrival in its area of responsibility, immediate measures will be taken by the Military Government Detachment to ensure that such foodstuffs and other supplies as are available are effectively utilized and equitably distributed in keeping with the objectives of the Supreme Commander. Orders for required action will be issued by the Detachment Commander to the highest level of German authority in the area. If the local administrative system of the Ministry of Food and Agriculture is impaired or inoperative, emergency appointments of qualified Germans will be made by the Detachment Commander. Immediate steps will then be taken on the following:

(*a*) Ascertain from local officials of the Ministry of Food and Agriculture, the location of storage points of food and of supplies for the agricultural industry, and require that reliable police guards be posted to protect all agricultural-supply and food warehouses, dumps, wholesale food concerns, and food-processing plants against looting, pilferage, and unauthorized distribution or disposal.

(*b*) Place all agricultural and food records (ration cards, *Hofkarten, Schlussscheine,* etc.) under safe custody.

(*c*) Institute such alterations in ration scales as may be prescribed in instructions from the Supreme Commander, and require that adequate measures be taken for their enforcement.

(*d*) Confirm existing price controls and levels, except those which are discriminatory.

(*e*) Determine whether communal feeding centers need to be set up and, if so, instruct the local Food Office to make the necessary arrangements.

(*f*) Ascertain the situation in respect to cooking facilities, including fuel, and take appropriate action where necessary by making local arrangements, for example, for the repair of public utilities and the procurement of fuel. If local facilities are unavailable, report the situation to the next higher Military Government echelon.

(*g*) Prohibit all unauthorized removal and disposal of foodstuffs and other agricultural products.

(*h*) Require that an accurate inventory be made of available food stocks and current food collection in relation to the consumption requirements of United Nations Displaced Persons and the German population at such ration scales as may be prescribed in instructions from the Supreme Commander.

(*i*) Report to the next higher Military Government echelon the food situation in the area as determined from the evaluation in (*h*) above, with recommendations regarding such surpluses or deficits as may be found.

(*j*) Ensure that the food distribution system functions properly in order to provide for the equitable distribution of available supplies.

(*k*) Ensure that effective collection of foodstuffs and other agricultural products is continued or restored.

(*l*) Ascertain and report upon the extent to which cereal crops have been threshed, and flour mills and other food-processing plants restored. All feasible measures should be taken to ensure that these operations are maintained to the extent necessary to meet essential consumption requirements. Operating deficiencies that cannot be remedied from local resources will be reported immediately to the next higher Military Government echelon.

(*m*) Ensure that adequate food supplies are provided for United Nations Displaced Persons in approved camps or centers in the area.

OTHER ACTION

904. AGRICULTURE

(*a*) Military Government Detachment Commanders will require the German authorities:

(i) to continue the existing system of agricultural controls including regulation of minimum areas to be sown to

crops and of livestock kept, delivery quotas and dates, and allocations of fodder, fertilizer, seed, machinery, and supplies.

(ii) to continue the regulation of price and farm-product utilization, and to determine
  (*a*) farm delivery prices,
  (*b*) bonuses for increased production,
  (*c*) prices for agricultural supplies.
  (*d*) classification of products (for human consumption, industrial use, fodder, etc.).

(iii) to maintain the inspection and enforcement of farm activities through the local food officials, including continuation of the use of farm record cards (*Hofkarten*), surrender certificates (*Schlussscheine*) and delivery cards.

(iv) to ensure that the Farm Inspection Commissions (*Hofbegehungskommissionen*) continue to lunction effectively in determining
  (*a*) correctness of farm records and returns,
  (*b*) distribution of farm labor,
  (*c*) assessment of delivery quotas,
  (*d*) fulfilment of delivery obligations,
  (*e*) storage facilities,
  (*f*) transportation requirements for food and other agricultural products.

(v) to maintain the existing reporting system on agricultural conditions and production forecasts.

(*b*) Farmer compliance with the regulations, and the accuracy of the records and reports of the Food Offices and Farm Inspection Commissions, will be checked by Military Government officials by means of "spot" surveys.

(*c*) Food Offices at the *Kreis* level will be required to submit periodic reports on surpluses or emergency shortages of essential agricultural supplies such as seed, fodder, fertilizers, fuel, workstock, and such other reports as may be required by directives.

905. FOOD

(*a*) In order to make the most efficient use of the food and agricultural resources throughout the area of responsibility of the Supreme Commander it is essential that the surpluses and deficiencies of the various parts of that area should be known. The officials of the Food Offices at the *Kreis* level will therefore be required by Military Government Detachment Commanders to carry out periodic surveys of local food resources and to formulate an estimate of requirements based on population and the authorized ration scale. In assessing supplies and requirements the following factors will be taken into consideration:

(i) any bulk stock of food in the area;

(ii) the stock position in the food shops;

(iii) provision of vegetables from rural areas;

(iv) agricultural reports and estimates of collections;

(v) numbers of United Nations Displaced Nationals to be fed;

(vi) numbers of German population in various ration-scale categories;

(vii) extent of wine or beer manufacture;

(viii) other industrial uses of agricultural products.

These reports will be forwarded to the next higher Military Government echelon as required.

(*b*) As indicated in paragraph 901 above, United Nations Displaced Persons in approved camps and centers will be furnished food supplies at a scale of approximately 2,000 calories per person per day. Ration scales for the German population will be prescribed in a specific instructional guide to Army Group Commanders. Where available supplies are insufficient to meet the minimum needs both of such United Nations Displaced Persons and the German population, such United Nations Displaced Persons will be given first priority. In any event German authorities will not be permitted to alter food rations prescribed except in accordance with instructions issued by higher authority. In the case of extra rationed food being allowed to heavy-worker categories, these extra amounts will be given, insofar as practicable, at places of work and strict check will be made to ensure that such rations are consumed and not taken away.

(*c*) A check of consumers will take place as early as possible after occupation. This will be carried out by the German administration at the end of one of the twenty-eight-day ration periods. Where the printing of new rations cards is undertaken locally, water-marked paper or other paper designed to prevent forgery must be used.

906. FISHERIES. Working relations will be established with the Allied Naval authorities at Headquarters, with a view to implementing the policy set out in para. 898 above. In addition a survey will be made of the German fishing fleets, shipyard facilities, fishing gear and equipment.

907. FORESTRY. All timber cutting will be strictly controlled to the extent necessary to ensure that the requirements therefor of the Supreme Commander are met.

908. PRICE CONTROL. German authorities will be required by Military Government Detachment Commanders to continue in full force and effect all existing regulations and ordinances relating to price control except those which are discriminatory or which are specifically amended or abrogated by Military Government.

Chapter XII

SUPPLY

930. OBJECTIVES. It is the policy not to import relief supplies into Germany. This policy will only be modified in extreme emergencies to the minimum extent necessary to prevent disease or such disorder as might endanger or impede military operations.

931. The German authorities will be required to make necessary provision from German resources for the food and other essential living requirements of United Nations Displaced Persons and to meet the minimum basic requirements of the German population in order to prevent disease or such disorder as might endanger or impede military operations.

932. GERMAN AGENCIES. See Chapters XI and XIII for a description of German regulations relating to the control, distribution and rationing of food and other essential civilian supplies and of the Agencies responsible for the administration and enforcement of such regulations.

933. DISPLACED PERSONS. Military Government Detachment Commanders will require the German authorities to make necessary provision from German resources for United Nations Displaced Persons who are being provided for at camps or other centers which they have approved or which have been approved by higher authority. The necessary supplies will be obtained from the German authorities in the manner prescribed by formation commanders.

934. Military Government Detachment Commanders will assure, to the extent that it is feasible, that food supplies are furnished to United Nations Displaced Persons, who are being provided for at approved camps or other centers, at a scale of approximately 2,000 calories a day and that the essential minimum of other living necessities are made available to them. Imported supplies are not to be furnished for such United Nations Displaced Persons, except to the extent that it is impossible to obtain adequate supplies from German sources. Where available supplies are inadequate to meet the minimum needs both of such United Nations Displaced Persons and the German population, such United Nations Displaced Persons will be given first priority.

935. It is considered that it will be administratively impossible, at least during the initial period, to make special provision for other United Nations Displaced Persons. They will, therefore, obtain food and other living requirements through the regular German Rationing System in the same manner and at the same rate as the German population. At a later date, if it

is considered necessary, arrangements will be made for furnishing supplementary food rations and other essential living requirements, and further instructions will be issued at that time.

936. GERMAN POPULATION. Where essential indigenous supplies are not available in sufficient quantities to prevent disease or such disorder as might endanger or impede military operations, Military Government Detachment Commanders, on the basis of strict military necessity, may, with the specific approval or authorization of the Corps or higher formation Commander under whom they operate, furnish imported items for the German population. (See Chapters XI and XIII for the maximum ration scales for food and other essential civilian supplies that the German authorities will be permitted to establish.)

937. PROCEDURE FOR IMPORTED SUPPLIES.

(*a*) *Supply Requisitions* will be prepared and submitted by the Military Government Detachment Commander in accordance with the instructions laid down by the formation concerned. Requirements for Displaced Persons Camps or other approved centers will be obtained by the Detachment Commander from the officer in charge of the Camp.

(*b*) *Issue Vouchers* will be prepared by the Issuing Depot or Point in accordance with the instructions laid down by the formation concerned. These instructions will require that two copies be forwarded to the Detachment Commander; one for retention by him; and one for transmission by him with the Official Receipt (see below) to the Controller of Finance and Accounts at Army Group Headquarters.

(*c*) *Handover.* In the case of Displaced Persons Camps supplies will be delivered to the officer in charge of the Camp and in other cases to the German Authorities for distribution by them in the same way as indigenous supplies. In both cases an Official Receipt (see below) will be obtained at the time of hand-over.

(*d*) *Official Receipt* (see Appendix " E "). The Detachment Commander will obtain an Official Receipt in sextuplicate from the officer in charge of the Displaced Persons Camp or from the highest German Authority available as the case may be. In either case the person signing the Official Receipt may designate another person to take actual physical receipt of the supplies by indorsement thereon. The copies will then be disposed of as follows: original and first copy forward by the Detachment Commander to the Controller of Finance and Accounts at Army Group Headquarters together with a copy of the Issue Voucher (see above); second copy retained by the Detachment Commander; remaining copies retained by the officer in charge of

the Displaced Persons Camp or the German Authorities as the case may be.

Separate Receipts will be prepared for each of the following categories of supplies:

(1) Foodstuffs.
(2) Soap.
(3) Clothing, footwear and textiles (including blankets).
(4) Medical and Sanitary Equipment.
(5) Coal.
(6) Petroleum Products.
(7) Other supplies.

(*e*) *Records.* Detachment Commanders will maintain a list by serial numbers of the Issue Vouchers and Official Receipts retained by them, and forward such a list to the Controller of Finance and Accounts if required.

938. CAPTURED SUPPLIES. Such supplies will be requisitioned from Military Supply Services/Provision Branches under the same conditions and in the same manner as imported supplies.

939. REPORTS. Formation Headquarters will require Military Government Detachment Commanders to render:

(*a*) *Weekly stock reports showing:*

(1) imported stocks received during the preceding week and on hand.

(2) imported supplies issued during the week with the reasons therefor.

(3) indigenous supplies received for Displaced Persons Camps or other Centers from the German Authorities during the preceding week and on hand.

(*b*) *Monthly Requirement Reports* by the 10th of each month showing the estimated requirements of imported supplies in the succeeding month for both Displaced Persons Camps or approved Centers and for the German population with the reasons therefor.

940. Military Government Detachment Commanders will obtain the information regarding Displaced Persons Camps or other Centers from the officer in charge of those Camps.

Chapter XIII

INDUSTRY, TRADE, PUBLIC UTILITIES AND RATIONING AND PRICE CONTROL (OTHER THAN FOOD)

GENERAL ECONOMIC SITUATION

960. TRADE AND INDUSTRY. During the 20th Century Germany has become the most productive manufacturing nation in continental Europe. Her heavy iron and steel industries, textile manufactures, chemical plants, and optical and precision instrument shops have all attained prominence. Having ample supplies of coal, excellent transportation facilities, well-developed sources of electric power, and adequate skilled labour, Germany has achieved this high degree of industrial development.

961. Industry has been government-regulated down to the most minute detail, and all productive energy is now geared to the military effort. Conversion of industry to the war programme has caused a drastic curtailment or even elimination of many enterprises and the mushroom expansion of others. The industrial shift from civilian to military production has been paralleled by industrial relocation and decentralization. Various new plants and industries have been shifted to eastern areas such as Saxony and Silesia, while many foreign plants have been removed bodily to German soil; alien workers have been imported in large numbers.

962. At the cessation of hostilities in any area German industries and trades will have been extensively disrupted.

963. FUELS AND MINERAL RESOURCES. Germany is self-sufficient only in coal and potash, of which it has export surpluses. Certain other raw materials, such as fluorspar, pyrite, barite, salt and cement rock, are supplied from German mines in economic quantities, but the list of imported ores and minerals is large in respect both of items and amounts. In 1943 a militarized Germany needed 42 million tons of iron ore containing 15 million tons of iron, but only half of this ore, representing 6.5 million tons of iron, was mined in the Reich. About 4.5 million tons of iron in ore were imported from Sweden, and a further 4 million tons from France. A few other metallic ores —for example, copper, lead, zinc and silver—are available in commercial volume, but tin and mercury ores are mined in only negligible quantities. There are no commercial deposits of bauxite for aluminium.

964. To make good her metal deficiencies, Germany drew heavily on the occupied and satellite countries: on France for iron ore and bauxite; on Norway for copper, molybdenum, nickel and pyrite; on Hungary for bauxite; on Italy for bauxite and mercury; on Jugoslavia for bauxite, copper, chrome, lead-

zinc and antimony; on Greece for bauxite, chrome and nickel; on Finland for nickel, copper and cobalt; and, before the war, on Russia for manganese. From the neutrals she obtained indispensable supplies: Sweden provided iron ore, Spain and Portugal wolfram and tin, and Turkey chrome and copper.

965. Germany produces large quantities of *Steinkohle* (hard coal) and *Braunkohle* (a low-grade unconsolidated brown coal). In 1943, the output of the former amounted to about 190 million tons and of the latter to about 250 million tons. Even now the country is self-sufficient in coal, and before the war Germany had a substantial export surplus. From her own coking coal, mined largely in the Rhineland and Westphalia, Germany produced in 1943 about 40 million tons of "hard" coke (as distinct from gas coke). Some 50 per cent. of this was used in blast furnaces and foundries.

966. Provision of an adequate supply of oil has been a prime German objective since 1933. Large stocks were imported and accumulated prior to the war; local production was accelerated; consumption was restricted; and manufacture of synthetic oil was greatly expanded. German total production capacity of natural and synthetic oil, including fuels, is estimated to exceed peace-time demands. Germany's oil capacity within her 1937 frontiers is about 5.6 million tons per year, made up to 0.9 million tons from natural sources and 4.7 million tons from synthetic production. As a result of bombing only approximately 40 per cent. of this capacity is now in operation.

967. Price Control and Rationing (other than Food). It may be expected that the administrative machinery for price control and rationing will be disorganized by elimination of Nazi elements and by the general disorder attending military collapse. This situation, together with the vast purchasing power accumulated by the German people, will tend toward rapidly rising prices and general inflation.

968. Export and Import Trade. Since the advent of the Nazi regime, foreign trade has played a relatively smaller part in present German economy than during the pre-Nazi period, and the percentage of the national income represented by exports has diminished. Nevertheless, Germany has remained a heavy importer of foodstuffs and raw materials, balancing those needed materials by exports of manufactured products and coal. The general trade policy prior to the war was to acquire for stockpiling any essentials needed for the war programme.

969. The Allied blockade and other methods of economic warfare against Germany greatly reduced her foreign trade. Imports from occupied and neutral countries from 1941 to 1944 somewhat compensated for this reduction; 1942/1943 figures show an excess of imports over exports of 700,000 tons annually.

GERMAN ADMINISTRATIVE CONTROLS

970. TRADE AND INDUSTRY. The economic administration of most countries operates through normal governmental functional controls, and business associations of numerous types. The Nazi Party, however, desiring more rigid control of the nation, introduced a third semi-public control, namely economic self-administration, in which all those engaged in economic activity must participate. These three spheres cover the entire German economic system, but there is no clear-cut delineation of authority among them. Early in the Nazi regime preparedness for war and the related war economy were clearly established as National policies. To make this Plan operative, an " Office of the Four Year Plan " was created for the adaptation of German economy to war; from this office most Nazi overall economic policies have been dictated.

971. The Ministry of Economics was used as the principal administrative unit of this complicated structure, though many other agencies were introduced that now exercise control over its functions. At National level the Ministry of Economics functions through five main Departments (*Hauptabteilungen*) and seven self-governing National Groups (*Reichsgruppen*); it functions at regional/provincial level through thirty regional Economic Offices (*Landeswirtschaftsämter*). It also functions at Regional level through the Group Branch Offices (*Zweiggeschäftstellen*) or district groups (*Bezirksgruppen*). At lower levels the Ministry operates through local Economic Offices (*Wirtschaftsämter*).

972. Paralleling politically the administrative structure of the Ministry of Economics and established for the purpose of coordination, the National Economic Chamber (*Reichswirtschaftskammer*) exists at National level. The Gau Economic Chambers (*Gauwirtschaftskammern*), together with what are virtually subbranches, the *Wirtschaftskammern,* operate at the Gau level.

973. In addition there are numerous cartels and similar Reich-directed organizations (*Reichsvereinigungen*), which are endowed with very wide powers. Although in some cases the older cartels have been partially stripped of their economic functions, the newer *Reichsvereinigungen,* of which there are five, have been designed to increase production, to control distribution of raw materials, to allocate orders and labour, and to take other measures of comparable character.

974. During the preparedness period, and in the early years of the war, many other partially overlapping agencies interested in war production and war economy were created, each headed by powerful officials. The latter include among others the Minister of Armaments and Munitions, the Commissioner General for Armament Tasks under the Four Year Plan, and the Commissioner General for Economy.

975. In the reorganization of 1942 and by the decree of 21st September, 1943, the Ministry of Armaments and Munitions under Speer was greatly strengthened and its name changed to the Ministry of Armaments and War Production. The functions of the new Ministry, concerned mainly with increased armament production, revolve around three points: co-ordination, production and liaison. The most important economic control functions were transferred to it from the Ministry of Economics, including the power to issue instructions to the branch offices. The Ministry of Economics still retains general supervision and administrative control of its offices and the responsibility for general economic policy and distribution of consumer goods. Although greatly narrowing the scope of its authority, the change has not radically altered the structure.

976. The reorganization of September, 1943, permitted the Ministry of Armaments and War Production to emerge as the all-powerful war agency. Another and no less important result was the government sponsored concentration of industries and services into large cartels and corporations, and the closing of small or inefficient factories and commercial enterprises. A high priority was given to war materials, heavy goods and chemical industries at the expense of all consumer goods. As this tendency has apparently gone too far, there have been subsequent attempts to re-establish some small industries and trades.

977. In May, 1943, " Directional Spheres " (*Lenkungsbereiche*) were established within the Ministry of Economics to extend the allocation and supervision of raw materials to a corresponding regulation of the finished product. Some of the *Lenkungsbereiche,* as in the case of liquid fuels, are controlled by National Commissioners (*Reichsbeauftragte*) and others by *Reichsvereinigungen.*

978. The semi-official *Reichsvereinigungen* partially supplant the older cartels and *Reichsstellen.* They are designed to embrace an entire National industry and represent the latter in its dealings with the government. They establish plans for production, regulate prices, supervise existing cartels and settle disputes of members. Typical are *Reichsvereinigung Kohle* and *Reichsvereinigung Eisen,* which cover their respective fields. Powers of the cartels have been greatly diminished in favour of the newer associations. In addition are various *Ausschüsse* and *Ringe,* agencies established in numerous fields to facilitate the proper distribution and execution of war orders. Thus the tangle of interlocking and overlapping fields of direction and supervision creates a veritable jungle.

979. FUELS AND MINERAL RESOURCES. The Ministry of Economics controls the Bureau of Mining, Metallurgy and Salt-Works (*Berg-, Hütten und Salinenwesen*) for both Prussia

and other *Länder* within the Reich. This Bureau includes several departments, notably the:

(*a*) *Preussische Geologische Landesanstalt:* The duties of this institute are to carry out scientific investigations, publish bulletins and assemble information.

(*b*) *Prüfungsausschuss für das Bergfach.* This board supervises safety conditions and engineering techniques of all mining operations. Its branch offices are scattered throughout the country.

(*c*) *Preussische Bergwerke und Hütten-Aktiengesellschaft.* This company (*Preussag*) is the agency through which the government participates in industries associated with the development of natural resources. Lately *Preussag* has been placed under the jurisdiction of the Ministry of Finance.

980. The Reich is divided into regional mining districts (*Oberbergamtsbezirke*) which are sub-divided into mining offices (*Bergämter*). The administration of these districts and offices deals chiefly with mine supervision from the point of view of safety, health, etc. Control of production lies with other bodies. Special war-time regulatory controls have been set up under the Ministry of Armaments and War Production and the Office of the Four Year Plan. Under the former is established a Raw Materials Division whose Inspector-General for Raw Materials collaborates with various *Reichsstellen* (Reich Boards) on increased production, transportation and allocation of raw materials. The *Reichsstellen* issue orders and directives relating to specific production, allocation for such fields as mineral oil, coal, potash and salt, stone and earth, iron and steel.

981. PRICE CONTROL AND RATIONING (OTHER THAN FOOD). Price control and rationing are not administered by the same agency in Germany. Prices are controlled by the Reich Commissioner Price Formation (*Reichskommissar für Preisbildung*) while rationing is administered by the Ministry of Economics.

982. PRICE CONTROL. The backbone of the present system of price control is the Price Stop Decree of November, 1936. There are, however, very voluminous special regulations which supplement and modify the original decree, providing particularly for changes in prices to meet changes in the quality of goods or terms of sale. The Reich Commissioner for Price Formation has authority over all prices, including rents and services, except wage rates, security prices, interest rates, and certain transportation rates that have been set by international agreement. He may, however, delegate power and has done so in a number of cases. For example, he has delegated control of food prices to the Minister of Food and Agriculture. In

1943, he delegated certain price-fixing powers to some of the semi-public, or "self-governing" agencies of economic administration.

983. On the regional level, the Price Commissioner has regional offices of Price Formation (*Preisbildungsstellen*) that are attached to the *Oberpräsidenten* and *Landesregierungen*. The offices have the power to set prices that are of only regional significance. All other prices are determined at the national level. District offices of Price Supervision (*Preisüberwachungsstellen*) are attached at the level of the *Regierungspräsidenten*. They have no price-fixing powers, and their authority is confined to the administration of the regulations made at higher levels.

984. Below the district level are local price offices which are attached to the *Oberbürgermeister* or *Landräte*. These local price offices are primarily concerned with enforcement. The *Kriminalpolizei* has been used particularly for enforcing price-control regulations. Individual members of the criminal police have been specifically trained with respect to price-control regulations and are attached to local price offices as investigators. There are other inspectors employed directly by the Price Offices who assist with enforcement.

985. RATIONING. The rationing of consumer goods is a function of the Ministry of Economics. Clothing, textiles and footwear are rationed by the point system; each consumer is given a clothing card with a value of a specified number of points. The value in points of each item of clothing is listed and the consumer may spend his points as he sees fit. The methods whereby other consumer goods are rationed vary considerably, and include combinations of points, special permits, absolute limitations, propaganda appeals, sliding scales and outright prohibitions. Furthermore, there are numerous differences based upon the type of work, age, and physical disability. Some of these special devices have been applied to clothing also.

986. Rationing controls are exercised at the regional level through the *Landeswirtschaftsämter* and locally through the *Wirtschaftsämter*. Enforcement of rationing regulations is vested in the local police and local courts in essentially the same manner as price regulation, and the penalties for violation are comparable.

987. EXPORT AND IMPORT TRADE. The policy of autarchy following the years of depression and advent of Nazi power was designed to provide the raw materials and foodstuffs necessary to carry out Party objectives. Many clearing agreements, exchange controls and export subsidies which had been introduced earlier were adapted to that purpose. The new plan of

1934 further controlled imports by placing them on a license basis controlled by 24 boards (*Reichsstellen*), each dealing with certain industries. Foreign trade was controlled from the Ministry of Economics in collaboration with the *Reichsbank* and the Ministry of Finance.

988. Under the Ministry of Economics, industry was divided into National Business Groups (*Reichsgruppen*) including Trade, Industry and Banking. Functions of export and import were included in the Trade Group. The more important of the *Reichsgruppen* were divided into Economic Groups (*Wirtschaftsgruppen*) which were sub-divided into Trade Groups (*Fachgruppen*) and Trade Sub-Groups (*Fachuntergruppen*). Closely interlocked are such Reich agencies as the *Reichstellen* controlling raw materials over which the Ministry of Economics retains administrative control and the Ministry of Armaments and War Production functional control.

989. Firms were allowed to submit applications for licenses to import and export within the trade agreements with foreign countries. These applications were approved or inspected by the supervisory officer responsible for the class of commodity concerned. Under the plan of 1934, foreign trade was regulated by the *Reichsstellen*. Each of them was responsible for a group of commodities, subject to guidance from the highest political and economic authorities.

990. The *Reichsbank* controlled all exchange and clearing payments, exchange rates and credits. The Board of Foreign Trade, established by the Ministry of Economics to replace the Central Office for Foreign Trade, is the supervising agency. It co-ordinates export-promotion activities. As all exports and imports are thus strictly supervised to conform with trade agreements, private firms are mere agents for distributing imports for manufacture or collecting goods for export. Quantities licensed and the method of payment are wholly dictated by the government agencies.

991. ELECTRIC POWER. The use of electricity is highly developed. Approximately 80 per cent. of the motive power for German industry is electrical. Installed generating capacity in Germany is estimated to be 21,000,000 KW, and consumption in 1943 was estimated at 80,000,000,000 KWH. Approximately 41.5 per cent. was used by the electro-chemical and metallurgical industries, 46 per cent. by general industry, 8 per cent. for agriculture. Approximately 33 per cent. of the power was generated from bituminous coal, 43 per cent. from brown coal, 14 per cent. from water power, 8 per cent. from manufactured gas, and 2 per cent. from wood and oil. There are approximately 6,735 generating plants in Germany, 5,500 of which are under 1,000 KW capacity, 900 are from 1,000 to

10,000 KW and 335 are over 10,000 KW. Approximately 88 per cent. of the total power was generated in plants with capacities in excess of 10,000 KW, 218 of which are in the Supreme Commander's area of control. Power is generated for general use at 3 phase 50 cycles, and at single phase 16 2/3 cycles for electrified railroads. The transmission system consists of well-integrated national grids of 220 KV, 150–100 KV and 80–30 KV. Approximately 35 per cent. of generating capacity is owned by *Länder* and municipalities, 17 per cent. by public corporations, 9 per cent. by private companies and 39 per cent. by mixed public and private corporations.

992. The supply may be disrupted locally, but generally the system is not particularly vulnerable because of the dispersal of generators and the well-integrated transmission system. The most vulnerable parts of the system are transformers. A shortage of replacement equipment is expected. After cessation of wartime industries, there will be a substantial reduction in German demands for power.

993. Prior to 1934 policies regarding electric utilities were determined by the Ministry of Economics through the *Reichsstelle für die Elektrizitätswirtschaft* (National Board for Electric Industry) and *Reichsgruppe Energie* (National Power Group). The detailed administration of the utilities was under the *Landeswirtschaftsämter*. Municipally owned utilities were practically independent of outside control.

994. Under the Nazi regime, the Ministry of Economics has retained little policy control, but is the main agency for translating and executing the orders of the *General Inspekteur für Wasser und Energie* (Inspector-General of Water and Power), an independent war agency subject to Hitler alone, and the *Amt für Energie* (Office of Power Planning), a division of the Ministry of Armaments and War Production. The Reich has been divided into thirteen power districts, eight of which are in the Supreme Commander's area of control. Each district is under the direction of the *Beauftragte für Energiebezirke* (Power District Deputies).

995. GAS. In 1939, there were 1,257 gas plants, the majority of which were municipally owned. These plants furnished coal-gas of various types with a gross calorific value of 500 BTU per cubic foot. Approximately 600 of these plants produce 90 per cent. of the output of the utility plants. In addition to the utility plants, there are numerous coke-oven plants in the industrial districts of the Ruhr, Saar and Aachen regions which supply the bulk of their gas output directly to industry. In these areas, long-distance transmission at moderate and high pressures is common. In 1943, the total gas distributed by utilities in the Supreme Commander's area of control amounted to 3,000 million cubic metres. Of this amount

MGAP-I (1)

MILITARY GOVERNMENT—FINANCE SECTION

Date.....

INSTRUCTIONS TO GERMAN OFFICIALS ON REVENUES AND EXPENDITURES, No. 1

1. GENERAL

Every official within the occupied territory responsible for the administration of Government Finance, including preparation of budgets, assessment and collection of taxes and other public revenues, and the disbursement of public funds, will (unless removed or suspended from office) continue in the performance of his duties, subject to the direction of Military Government.

2. REVENUE

The responsible officials will administer, assess and collect all taxes and other public revenues as nearly as possible in the form and manner and in accordance with the laws in force in Germany except insofar as any such laws may be suspended or abrogated by Military Government. German officials will especially familiarize themselves with and give effect to the suspension or abrogation of laws discriminating for or against any person because of race, color, creed or political opinion.

3. EXPENDITURES

The responsible officials will continue the existing system of expenditures as far as circumstances permit. Subject to the provisions of paragraph 4 below, officials responsible for disbursing public funds will function as follows:

(*a*) Where authority to incur expenditure is already vested in an official, he will effect disbursements in accordance with existing practices.

(*b*) Where authority to incur ordinary expenditures requires approval by a supervisory authority at a higher echelon, but, due to difficulty of communication or other substantial reason, contact with the appropriate supervisory authority is impracticable, responsible officials will make disbursements as if proper approval had been received.

(*c*) Where emergency conditions require extraordinary expenditures (such as for relief, public health, public safety, and transportation and communication facilities, including roads and bridges), responsible officials will request authority from appropriate echelons of Government; but if, due to difficulty of communication or other substantial reason, contact with the appropriate echelon is impracticable, the expenditures will be incurred on the responsibility of the highest available German Public Finance Official.

(*d*) Where expenditure is incurred under (*b*) or (*c*) above responsible officials will:

(1) Ensure that the expenditure is properly controlled in accordance with existing practices; and

(2) Report the expenditures to and procure the necessary approval of appropriate German authority as soon as possible.

(*e*) If an Officer of the Military Government directs that a specific expenditure be incurred, the responsible German officials will carry out such direction and account for the disbursement in accordance with existing practices.

4. PROHIBITED EXPENDITURES

The following expenditures and disbursements are prohibited, whether or not included in approved budgets, unless authorized by Military Government:

(*a*) Expenditures and disbursements to or for: the NSDAP, all offices, departments, agencies and organizations forming part of, attached to, or controlled by it, including those specified in General Order No. 1, under Military Government Law No. 52; their officials and such of their leading members or supporters whose names are published by Military Government; all organizations, clubs or other associations prohibited or dissolved by Military Government; and all other entities or persons whose names are announced by Military Government by publication of lists or otherwise, as persons with respect to whom expenditures and disbursements are prohibited or whose property is blocked.

(*b*) Expenditures and disbursements of any kind for propaganda or military purposes.

(*c*) All expenditures for military pensions arising out of service at any time, except

(1) pensions paid for physical disability reducing the pensioner's ability to work; and

(2) pensions or allowances to widows, orphans or other relatives of deceased military personnel;

who are without other means of support and are actually dependent on such payments for living expenses.

(*d*) No pensions or other emoluments shall be paid for membership in or services to the Nazi party or affiliated organizations or any organization specified in General Order No. 1 under Military Government Law No. 52.

(*e*) Other expenditures and disbursements which the Military Government may from time to time prohibit.

5. All correspondence and information furnished by you to Military Government should be in English; if given in German it should be accompanied by an English translation.

BY ORDER OF MILITARY GOVERNMENT.

65 per cent. was used by domestic and commercial consumers and the balance by industry.

996. Damage to a gas works will depend upon its size and importance as a military target, but the distribution and transmission system may be expected to have suffered in any bombed area.

997. The gas utilities are controlled by the *Wirtschaftsgruppe Gas und Wasserversorgung* in the Ministry of Economics. In matters pertaining to production, control is vested in the *Amt für Energie* in the Ministry for Armaments and War Production. At provincial level, administrative control is exercised through fourteen *Bezirksgruppen* whereas the control of Ministry for Armaments and War Production is effected by the *Beauftragte für Energiebezirke*.

998. WATER AND SEWAGE. Substantially all urban communities, comprising 70 per cent. of the total population, have central water supplies. Wells and infiltration galleries are the source of 77.2 per cent. of the requirements, springs of 8.6 per cent. and impounded streams, natural lakes and rivers of the balance. In the northern provinces of the Supreme Commander's area of control, ground water supplies are generally treated for the removal of iron and manganese. In the central, southern and western provinces the ground water does not generally require treatment. River supplies for large centres of population such as Hamburg and Bremen are coagulated, filtered and chlorinated. The impounded upland surface supplies, lake and ground waters are generally untreated.

999. Of considerable importance are regional water and sewage projects, such as the *Ruhrverband*, the *Emschergenossenschaft, Lippeverband* and *Niersverband* in which groups of municipalities and industries have combined for purpose of economy. These undertakings are managed by boards on which industries, municipalities and provincial governments are represented. Hannover and Württemberg have undertaken large-scale water projects which supply respectively 20 and 150 communities, mostly small.

1000. Most German cities have water-borne sewerage systems, but substantial areas may be dependent upon soil collections and home septic tanks. Approximately 25 per cent. of the population live in communities served by primary treatment works; five per cent. in areas served by complete treatment plants of the trickling filter and activated sludge types; and 10 per cent. in areas served by sewage farms. German disposal practice makes excessive use of the self-purification of streams, with the result that the major streams are so polluted as to be undesirable sources of public water supplies even after careful treatment. See Chapter VI, Public Health.

1001. Water and sewage surface structures such as dams, pumping stations and purification plants are relatively small targets. However, the loss of a principal element may result in long periods of shutdown. Sub-surface structures such as wells and infiltration galleries are not generally susceptible to severe damage, but the safety of the water drawn from them may be affected adversely by ground disturbances in the vicinity. In the early stages of restoration of the normal supply, it will be well to consider all water sources unsafe until tested. The principal damage to water and sewage utilities will be to the piping in the streets. Apart from this, utility services may suffer from lack of maintenance, failure to expand capacity to meet requirements, lack of proper chemicals, supplies and equipment, and depletion of operating staff.

1002. WATER AND SEWAGE. Prior to 1934, water and sewage utilities were under the control of individual *Länder/ Provinzen*, except for the public health aspects which were supervised at National level by the Public Health Department of the Ministry of the Interior. Substantially all these utilities were owned and operated by municipalities or groups of municipalities (Water Associations and Sanitary Districts) and were controlled by the *Bürgermeister* or by committees composed of representatives of the member municipalities in conjunction with the local medical officer (*Kreisarzt*).

1003. Under the Nazi regime, national control has been set up under the Inspector-General of Water and Power. This agency is concerned primarily with policy control and adjudication of disputes between municipalities. It utilizes *Länder/ Provinzen* for execution of orders, with further delegation of authority to *Regierungsbezirke* and local government. For regional planning and conservation of water resources, the Reich has been divided recently into fifteen districts, each comprising a major drainage area. Eight of these are in the Supreme Commander's area of control. The execution of plans remains with the provincial governments. There has been no substantial change in the control of the sewage utilities, although recent information indicates that the Inspector-General of Water and Power has assumed some measures of control.

1004. ROADS AND BRIDGES AND INLAND WATERWAYS. See Chapter XV, Transportation.

1005. BUILDINGS. Building construction and housing for civilian needs have lagged during the period of Nazi control. Prior to the war, there was an estimated shortage of 1,500,000 dwelling units in the Supreme Commander's area of control and this condition has since been aggravated.

1006. FLOOD CONTROL. Flood control and large-scale drainage problems are under the Inspector of Water and Power.

1007. BUILDING. In June, 1942, the Reich Commissioner for the Control of the Building Industry was made responsible under Speer for the regulation of all building construction, and for control of buildings, materials and labour. Executive orders of the Commissioner were administered through the regional economic offices. Since October, 1942, responsibility for housing policy has been vested in the Reich Commissioner of Housing, who utilized Main Department IV of the Ministry of Labour. As *Gau* Commissioners of Housing, the *Gauleiter* co-ordinate the work of local authorities in their *Gaue*.

OBJECTIVES AND ACTION TO BE TAKEN

1008. GENERAL. The objectives are:

(*a*) To assure, to the extent that it is feasible, the production and maintenance of goods and services essential:

(i) To meet the needs of the Allied military forces.

(ii) To prevent or alleviate epidemics of serious disease and serious civil unrest and disorder which would endanger the occupying forces and the accomplishment of the objectives of the occupation.

(*b*) To prevent the dissipation or sabotage of German resources and equipment.

(*c*) To secure such other objectives of the occupation and Military Government of Germany as may be required by the Supreme Commander.

1009. Responsibility for carrying out the programme required to obtain the above objectives will be imposed upon the German agencies which may be found in existence or may be created for the purpose in the area for which a Military Government Detachment is responsible. If essential German agencies have disappeared, steps will be immediately taken to have recreated, purged of all Nazi influence, such of these agencies as may be absolutely required for the above purposes. In the meantime, action will be limited to such measures as may be necessary to safeguard records and other property in accordance with para. 1012 below, and to meet emergency requirements of the Allied Military Forces.

1010. The German system for the control of industry, trade and allocation of materials and productive facilities at the regional and lower levels is extremely complex. Exact details are not known and changes are continually being made with increasing emphasis on the *Gau* and *Wehrkreis*. Various zones are used which in many instances overlap. These include Provinces; German Military Areas (*Wehrkreis*); *Gau* Areas; Economic Districts (*Wirtschaftsbezirk*) which in most instances coincide with *Gau* areas; and Electric Power Districts. Some of the agencies that are located in these zones are:

(*a*) Regional Economic Office (*Landeswirtschaftsämter*) (under the Ministry of Economics but utilized, and to a great extent directed, by the Ministry of Armaments and War Production).

(*b*) District Economic Office (*Wirtschaftsämter*) (Local Rationing).

(*c*) Armament Inspectors (Representatives of Ministry of Armaments and War Production and of Army).

(*d*) Regional organizations of National Groups for Industry (divided into 31 Economic Groups for various industries).

(*e*) Regional Organizations of National Peak Cartels.

(*f*) *Gau* Economic Chambers.

(*g*) Economic Chambers.

(*h*) Regional Offices of Price Formation (*Preisbildungsstellen*) and District Offices of Price Supervision (*Preisüberwachungsstellen*).

(*i*) Power District Deputies (*Beauftragte für Energiebezirke*).

The area for which a Military Government Detachment is responsible may include one or more of the above zones or part of one or more. The agencies that may exist in such area will be utilized by the Military Government Detachment Commander, but the zone of their authority will be restricted to the area for which the Detachment is responsible until further instructions are received from higher authority.

1011. Orders for required action will be issued by the Military Government Detachment Commander to the highest level of German authority in the area for which he is responsible. If there is a multiplicity of agencies in the area, a Regional Economic Office, if located there, is likely to be the most satisfactory office from which to start initial action. Except as altered by Military Government enactments, the German economic control system, in so far as possible, will be maintained in existing form and will not be changed or reorganized except pursuant to specific direction from higher authority. If the economic control system or essential parts thereof have ceased to exist in the particular area, the Germans designated by the Military Government Detachment Commander will be required to recreate such parts of the system as may be required. The local agencies for the self-administration of industry (such as Economic Chambers and local organizations of Economic Groups, *Reichsvereinigungen*, cartels or other industrial or trade associations) may still be in existence. Under these circumstances, the machinery of such agencies for the self-administration of industry should be extremely useful in carrying out initial action. Personnel of these agencies who are not listed for dismissal in Chapter II and who are not active Nazis or ardent Nazi sympathizers may

be utilized in re-establishing such parts of the control system as may be required.

1012. PROTECTION OF RECORDS, PLANTS, ETC. Military Government Detachment Commanders will take such steps as are necessary and will hold German authorities, officials and employees of agencies, officials and employees of industrial and other business associations and of individual companies and organizations strictly responsible for the protection from destruction and the preservation intact of all funds, property, equipment and records of agencies; all plants, mines, property, stocks of materials on hand, patents and equipment; and all books and records of companies and organizations and trade and research associations.

1013. REPORTS. German authorities and such agencies, organizations or individuals as may be designated by a Military Government Detachment Commander, will be required to submit initial reports, as soon as the Military Government Detachment Commander considers feasible, and current reports, thereafter, in accordance with instructions which will be issued, setting forth:

(*a*) FOR EACH ESTABLISHMENT:

(i) Name and location of establishment.

(ii) Substantial stocks on hand and surpluses.

(iii) Capacities and current production of major plants and mines.

(iv) Steps necessary to increase production in such plants and mines; bottlenecks, such as shortage of fuels, lubricants, raw materials, manpower, etc.

(v) Feasibility of converting war material plants to other production.

(vi) Patents and processes.

(vii) State of repair of major plants, mines and equipment.

(*b*) FOR EACH ECONOMIC ADMINISTRATIVE AREA FROM WHICH REPORTS ARE REQUESTED:

(i) Allocations of materials and other productive resources to industries, and for other purposes in the area.

(ii) Distribution for direct civilian consumption.

(iii) Prices of principal commodities.

1014. The above information, with such additional reports on the functioning of the control system and on such other matters as may be considered necessary to give a full and accurate account of the situation, will be submitted by the Military Government Detachment to the next higher echelon. It is to be noted that the scope of reports will depend on the ability of the German authorities to prepare them, and it is not

intended that Military Government Detachments should undertake such task directly except pursuant to specific instructions from higher authority.

1015. ECONOMIC CONTROLS. The German authorities will be ordered by Military Government Detachment Commanders to:

(*a*) Eliminate all features which discriminate against or in favour of groups or individuals on the grounds of race, creed, colour, or political opinion.

(*b*) To maintain in force and effect all other laws and regulations relating to the control of industry and the allocation of fuels, raw materials, semi-finished goods, and items for maintenance and repair, and to limits on prices and rents, price and rent controls, distribution, rationing and elimination of black market trade. However, when it appears that any laws and regulations are contrary to instructions received, or when they are abrogated or amended pursuant to subsequent order or authorization from higher authority, the German authorities will be directed by Military Government Detachment Commanders to make such changes as are necessary in their regulations or administrative procedures.

(*c*) To maintain or re-establish the local agencies responsible for the administration and enforcement of such laws and regulations as are maintained in force, and to require the officials and employees of such agencies, to continue with or return to their functions, except active Nazis or ardent Nazi sympathizers who must be removed.

1016. PRODUCTION. The German authorities will be ordered by Military Government Detachment Commanders to continue production at the highest feasible level with existing plant and mine capacity of:

FIRST PRIORITY: Items required by the Allied Military Forces.

SECOND PRIORITY: Items for the civilian population as follows:

Food Products.
Medical Supplies.
Sanitation Supplies.
Soap.
Liquid Fuels (synthetic and natural).
Solid Fuels.
Fertilizers.

Raw materials, semi-finished goods, repair parts and equipment required for production of the items in either of the above categories will be given the appropriate priorities.

1017. The German authorities will be ordered by Military Government Detachment Commanders to maintain the production of gas and electricity at the level necessary to meet requirements of the Allied Military Forces and those for essential public services and industries and minimum civilian needs and to produce such items for maintenance and repair as may be required to maintain production at this level. It is to be noted that there is likely to be a serious shortage of fuel and, under such circumstances, stringent conservation measures will have to be established, including drastic restriction and rationing of the use of electricity and gas.

1018. The German authorities will be instructed by Military Government Detachment Commanders to reactivate such plants as may be absolutely required for the production of supplies as may be immediately necessary in the support of military operations, including those indicated in paras. 1016 and 1017, above. Military Government Detachment Commanders will take no other steps toward the economic rehabilitation of Germany.

1019. A Military Government Detachment Commander is authorized in an emergency, in order to obtain the objectives of the Supreme Commander, to order the German authorities to produce items for the civilian population in addition to those listed in paras. 1016 and 1017, but specific authorization from higher authority must be obtained before the German authorities are *ordered* to produce additional items for the civilian population either in large quantities or for an extended period of time.

1020. A group of technical experts has been organized to deal with technical problems in connection with the mining and distribution of coal. Military Government Detachment Commanders will take all possible action to safeguard mines and stocks, and for resumption of production. Major technical problems, however, which cannot be handled by Detachment officers, will be immediately referred to higher authority.

1021. ALLOCATIONS. The German authorities will be ordered by Military Government Detachment Commanders to allocate fuels, raw materials, semi-finished and finished goods, and items for maintenance and repair, on the following priority basis:

(*a*) First Priority—Requirements of the Allied Armed Forces.

(*b*) Second Priority—Transportation for essential civilian needs; Agriculture; production and processing of food products, medical supplies, sanitation supplies, soap, and fertilizers.

(*c*) Third Priority—Production of clothing, textiles and footwear; farm equipment and implements.

Priorities for production of fuels, raw materials, semi-finished goods, and items for maintenance and repair will be determined on the basis of the use to be made thereof.

1022. The German authorities designated by Military Government Detachment Commanders will not be permitted to make allocations of fuels, materials and items for maintenance and repair to other industries until the requirements for the essential uses listed in paras. 1016, 1017, 1021 and for such special uses as may have been ordered by Military Government have been filled. These German authorities, however, may be authorized by Military Government Detachment Commanders to allocate to other industries producing items required for civilian use such fuels, materials and items for maintenance and repair as may be in excess of the above requirements and of a reasonable reserve stock for such requirements.

1023. A Military Government Detachment Commander is authorized in an emergency to change temporarily the allocation of priorities or to add items to the list set forth in para. 1021, but permanent changes and additions are not to be made without authorization from higher authority.

1024. PRODUCTION OF WAR MATERIAL. In accordance with the policy of the Supreme Commander, steps will be taken by appropriate military authorities to order the cessation of production of all war material and of research and experimental work being carried on in connection therewith. Mil. Gov. Detachment Commanders will take such action for ordering the discontinuance of such activities as may be directed by Army Group Commanders or by such other military authorities as may be designated by them or by higher authority. Any problems arising from the cessation of production of war materials, which are incapable of local solution, will be immediately referred by Military Government Detachments to higher authority. It is to be noted that certain items (such as synthetic rubber, tyres, trucks, bridging and construction materials, railway tracks, ammonia, nitrates and sulphuric acid) that were produced for war purposes are also required for civilian purposes.

1025. DISTRIBUTION FOR DIRECT CIVILIAN CONSUMPTION. Distribution for direct civilian consumption will be restricted by Military Government Detachment Commanders to the minimum essential level, and German authorities will not be permitted to increase distribution (rationing) rates above those existing at the time of occupation.

1026. The German authorities will be ordered by Military Government Detachment Commanders to distribute, if available, clothing, textiles, and footwear on the basis of need, and to provide items required by essential workers in order to carry on with their tasks. Distribution, however, will be held to the minimum.

1027. TRADE AND SURPLUSES. Surpluses above essential requirements of the area for which a Military Government

Detachment is responsible will be reported to the next higher echelon. Instructions will be issued from higher authority setting forth the requirements of other areas within and outside of Germany that are to be filled from the resources of the area for which a Military Government Detachment is responsible. Until instructions are received from higher authority, such surpluses will be required to be held in stock and movement to other areas will not be authorized.

1028. WATER. When emergency water supplies are required, German authorities will be ordered by Military Government Detachment Commanders:

(*a*) To provide a minimum ration of ½ gallon per head daily, increasing this to four gallons as soon as possible, and later to 12 gallons; to reactivate plants.

(*b*) To distribute water through tap sources, with water points at intervals of one mile, and with distribution by vehicles in daylight hours.

(*c*) To see that the public is notified of the state of potability of the emergency supply and of measures that they must take to render it safe. See Chapter VI, Public Health.

(*d*) To forbid the use of house plumbing systems until supply reaches 12 gallons per head.

1029. SEWAGE.

(*a*) If water is short, or if for any other reason the sewerage system is out of action, German authorities will be directed by Military Government Detachment Commanders to install pit latrines in open spaces, and in populated areas, to make arrangements for collection and disposal at points outside built-up areas.

(*b*) The German authorities will be ordered by Military Government Detachment Commanders to clean and repair the sewerage system on a temporary basis and, if necessary, to construct overflow sewers leading to natural drainage centres where temporary discharge will not endanger health.

(*c*) If sewage treatment plants are damaged, Military Government Detachment Commanders will direct that earth dykes be constructed to pond sewage.

1030. REMOVAL OF PERSONNEL. Personnel listed in Chapter II, and other active Nazis and ardent Nazi sympathizers, will be removed from official positions in governmental agencies and other organizations performing semi-governmental functions.

1031. COMPLIANCE. Spot checks will be made by Military Government Detachment Commanders to determine if orders and instructions are being complied with, and such further action will be taken as may be necessary to assure full and effective compliance.

Chapter XIV

POSTS, TELEPHONE, TELEGRAPH AND RADIO SERVICES

German Administration Machinery

1050. MINISTRY OF POSTS. Postal, telegraph and telephone services together with some aspects of the radio services are combined in an autonomous organization which functions under the designation "*Deutsche Reichspost.*" The head of the Ministry of Posts (*Reichspostministerium*) holds Cabinet rank, and is assisted by an Under-Secretary of State and an Administrative Council of six members chosen by the Cabinet. The *Beirat der Deutschen Reichspost* (Administrative Council) decides the principles governing the use of the services, the fixing of postal, telegraph and telephone rates and the scale of salary of employees. The Council is also responsible for the general principles relating to the introduction of new and the suspension of existing services.

1051. DEPARTMENTS OF MINISTRY. The Ministry is divided into seven departments located in Berlin. These have the following specific functions: (1) internal and international postal services including air mail; (2) telephone matters, telephone cables and telephone circuit networks; (3) telegraph matters and circuit construction; (4) personnel; (5) accounting and buildings; (6) general organization, advertising, purchasing, and transportation; (7) radio and television.

1052. CENTRAL OFFICE OF THE REICHSPOST. Greater Germany is divided into 38 areas, but the Headquarters of the Berlin area is also the Central Office of the Reichspost—*Reichspostzentralamt.* This functions under the direct orders of the Minister with the same status as the seven departments mentioned above. It is under the Direction of a President (*Präsident*) who controls greater Berlin and also advises the Ministry on technical questions arising from recommendations made by the research stations at Berlin and Dresden. Further, he is responsible for co-ordinating all general questions of administration, for the satisfactory working of the cash and accounts services given by the Post Office, and for the final negotiation of contracts.

1053. REGIONAL DIRECTORATES. The other 37 Regional Directorates (*Reichspostdirektionen*) are each headed by a president who is responsible for the execution and administration of all services in his area in conformity with the relative laws and instructions issued by the Ministry. A Chief Cashier's Office (*Oberpostkasse*) is attached to each Directorate and is responsible for the accountancy of receipts and expenditures within the area. In Bavaria, accounts offices (*Rechnungsbüro*)

perform the function carried out in other parts of Germany by the *Oberpostkassen*. For questions relating to certain services (*e.g.*, international communications, personnel, purchases of supplies, etc.) regions are grouped and the most important region of the group is responsible for conducting the relative enquiries with the Ministry of Posts or with the Central Office.

COMMUNICATIONS SERVICES

1054. Detailed description of the communications services of the *Deutsche Reichspost* is contained in the P.T.T. Technical Manual, to which reference should be made. In general, these services are as follows:

(*a*) WIRE SERVICES. Public telegraph, telephone, cable and teletype services are operated or controlled by the Reichspost. Telephone and teletype service have kept pace with modern developments and are extensively developed, somewhat at the expense of telegraph. Most large telephone exchanges have been converted to automatic working. The German police and railways have certain wire services. The OKW (Defence Ministry) has an elaborate intercommunications network and the OKH (War Ministry) and the *Wehrkreis* organization probably have their own communications systems.

(*b*) POSTAL SERVICES. The German postal service, operated by the Reichspost, embraces many features not covered by the British and US services. Among these are the Postal Cheque and Transfer system, the collection of commercial accounts, and a fairly extensive system of pneumatic tube delivery in Berlin and Munich. Since the war Germany has been divided into 32 numbered postal zones.

(i) Prior to 1938 there was no Post Office Savings Bank system in the country but, with the annexation of Austria, Germany took over the organization of the Austrian Post Office Savings Bank (*Österreichische Postsparkasse*) and extended its services throughout the Reich. The system was built up by using the existing Austrian machinery and making the Austrian Headquarters in Vienna the central office for the control of the whole German service.

(ii) The Postal Cheque and Transfer system is a limited banking service run by the postal authorities and designed to facilitate payments by cash or transfer from one account to another. It is much used by small traders and members of the various professions.

(iii) The Reichspost operates an extensive motor transport service which, though introduced primarily for the conveyance of mails, is also used for carrying passengers. This often provides the only means whereby passengers and mails can reach the rural districts not serviced by a railway. The Reichspost runs its own repair and maintenance services and provides the necessary POL requirements from its own depots.

(*c*) RADIO SERVICES.

(i) BROADCASTING. The Reichspost provides technical personnel and maintenance for the broadcasting system, but all matters of general management and the planning and performance of programmes are in the hands of the *Reichsrundfunkgesellschaft,* under the Propaganda Ministry. Many of the necessary records, etc., will be found in the offices of the latter.

(ii) RADIO TELEGRAPHY AND TELEPHONY WITH OTHER LAND STATIONS (COMMERCIAL RADIO). Except for certain minor military, police, railroad and amateur facilities, no radio telegraphy or telephony was carried on within Germany before the war. A number of important stations were operated by the Reichspost for communication with foreign stations. Except for the closely regulated amateur transmissions, there were no private operations.

(iii) RADIO COMMUNICATION WITH SHIPS. While the Reichspost provided technical personnel and maintenance, actual communication from coast stations was carried on by the Transport Ministry and the Navy.

(iv) RADIO COMMUNICATION WITH AIRCRAFT. The Reichspost collaborated with the Air Ministry, but to an increasing extent the latter has assumed control of this function and of research connected with it.

POLICIES

1055. GENERAL. It is the policy of Military Government to exercise control of the Reichspost for the following purposes:

(*a*) To promote military operations by assistance to the Signal Services in meeting military communication requirements through continuance or restoration of Reichspost telecommunications services.

(*b*) To make available telecommunications for Military Government purposes if the Signal Services are not present.

(*c*) To assist Signal Services and Psychological Warfare in the provision of broadcasting facilities by which instructions and requirements of the Allied military authorities and Military Government may be given to the public.

(*d*) To make available communications for essential civilian use to the extent considered necessary to achieve the objectives of Military Government.

1056. Civilian use of postal, telephone, telegraph, radio, cable and teletype services will initially be suspended except:

(*a*) Any customary use of Post Offices for the receipt of revenues, the payment of salaries, pensions and allowances, pending specific instructions from Supreme Headquarters.

(*b*) Wire Services serving the essential administrative needs of the community concerned as required to attain the objectives of Military Government. (All civilian communications over such lines must be approved by Military Government Officers.)

1057. All mail in course will be impounded and protected pending examination by G–2/Intelligence.

1058. Specific instructions for control and operation of radio broadcasting stations will be issued by Supreme Headquarters. Radio broadcasts originated in Germany will, in general, be confined to the dissemination of orders, instructions and requirements of the Allied military authorities and Military Government.

1059. When restoration of postal and telecommunications services for civilian use is authorized, repairs and maintenance will only be carried out to the extent possible by utilizing local resources not required for military purposes.

1060. All active Nazis and ardent Nazi sympathizers will be removed from the Reichspost. Other officials and employees will be required to remain at their positions until otherwise ordered by Military Government. They will be responsible for the preservation, maintenance and repair of all facilities of communication and for the preservation of all records, details, books of account and documents relating thereto.

1061. Policy as to the Reichspost Financial Services will be established in Military Government Financial Plans.

1062. The German authorities will be required to install loudspeaking/public address systems in all camps for displaced persons.

1063. WIRE SERVICES. There will be considerable destruction of equipment, due to military operations or deliberate demolitions, and wire services will suffer widespread dislocation. Demands of Signals Services for civil communication facilities necessary for military purposes will be made to Mil. Gov. Officers controlling the Reichspost, who will ensure that such demands are met. Mil. Gov. Officers will assist the Signals Services in meeting demands for such civil communication facilities as are required for military purposes.

1064. Wire Services facilities for civilian use, other than those which are required for the essential administrative needs of a community as required to attain the objectives of Military Government, will not be restored, nor will other civilian telecommunication services be opened for civilian use until agreement has been reached with G–2/Intelligence and Signal Services. Signal Services must agree that the facilities are not needed for military use. G–2/Intelligence must agree to the date and extent of commencement of any service so that the necessary censorship can be arranged.

1065. Maintenance and repair of the existing civil communications plant will normally be made from existing stocks or by improvisation and cannibalization. Materials for the rehabilitation of civil communications systems will only be provided from military resources in so far as is necessary to further military objectives.

1066. The communications requirements of the military forces and those of the Military Government must be closely co-ordinated at all times. It is, therefore, imperative that Mil. Gov. Officers maintain close contact with the local Signals representatives in all such matters.

1067. If communications facilities cannot be provided from circuits released to Military Government and it is essential that certain civilian organizations should have a service available, representations should be made to the Signals Services. Such requests must be kept to a minimum. In some instances, it may be sufficient to arrange a regular fixed time call over the circuit available to Military Government Officers and require civilians to attend the local Military Government Office at that hour to place their essential calls.

1068. Instructions will be issued to local officials specifying the use of facilities as they become available for civilian service after military requirements have been met. In general, the order of priority should be: (1) police, (2) fire, (3) civil defence, (4) hospitals, (5) transportation, (6) supplies. Obviously circumstances may be such that the need for (3) disappears whilst (5) and (6) may increase in urgency over (4).

1069. POSTAL SERVICES. All postal services will initially be suspended and mail in course will be impounded.

1070. Postal facilities for the civilian population will not be restored until agreement has been obtained from G–2/Intelligence and censorship arrangements made. Restoration of services will at first be confined to a local collection and delivery service within the larger towns. In order to facilitate transportation and censorship, correspondence may be restricted to postcards and letters of one page of a specified maximum dimension.

1071. The possibility of re-introducing services to and from enemy Prisoners of War should receive early attention, but as such services may depend at the outset on the Army postal services for their channels, they should not be established without the prior concurrence of Supreme Headquarters.

1072. Supreme Headquarters will determine the type of postage stamps to be used. Supplies of special Military Government stamps may be made available. Stocks of such stamps would be held by Finance Officers who would make them available to the Reichspost as directed. No local printing of stamps or overprinting of existing stocks will be undertaken

except on direct instructions from Supreme Headquarters and all possible steps will be taken to prevent creation of philatelic curiosities.

1073. Reichspost transport services, including special railway waggons, motor vehicles, POL and repair services, will be subject to the controls exercised over all transportation facilities in Germany. (See Chapter XV, "Transportation.") The importance of such vehicles and services for the restoration of Reichspost services must be considered.

1074. RADIO. Psychological Warfare Division has the primary responsibility for the control of broadcasting in Germany, including the operation of radio broadcast stations, subject to the general control of all communications exercised by the Supreme Commander through the Chief Signal Officer. Military Government will assist Psychological Warfare and Signals in the provision of civil broadcasting facilities. (Reference is made to Appendix "C" for discussion on relations between Psychological Warfare and Military Government.)

1075. The Signals Services are responsible for technical control of all radio frequencies, powers and locations of radio transmitters. Civilian use of radio facilities will not be authorized by Military Government until agreement has been obtained from Signals and G–2/Intelligence. The considerations which obtain are similar to those which exist with respect to opening of civilian use of wire services.

1076. Connecting wire facilities for radio transmitters will be allocated by the Signals Services when they are part of the facilities under their control. Similar connecting wire facilities which have been released for civil use and are operated and maintained by the Reichspost will be allocated by Military Government. Such facilities will be operated and maintained by the Reichspost.

1077. PTT REGULATIONS.

(*a*) MIL. GOV. LAW NO. 76 suspends public and private means of communication.

(*b*) INSTRUCTIONS TO THE REICH MINISTER OF POSTS, contains requirements of Mil. Gov., Signals Services, and G–2/Intelligence governing operations of the Reichspost. A copy of these instructions appears at Appendix "D."

(*c*) CENSORSHIP. Censorship of civilian mails and telecommunications is the responsibility of G–2/Intelligence. The Reichspost is responsible for compliance, by civilian users, with the censorship regulations governing the use of its services. Mil. Gov. Officers will assist in enforcing the observance of censorship regulations and will require the Reichspost to arrange for the presentation of material to censorship authorities and its subsequent return to normal circulation. Censorship regulations are entitled "Censorship Regulations for the

Civilian Population of Germany under the Jurisdiction of Military Government." Copies will be displayed in every Post Office.

ACTION TO BE TAKEN BY MILITARY GOVERNMENT OFFICERS

1078. In the Headquarters town of a Reichspost Regional Directorate, hand to the President of the Reichspost Directorate a copy of the Supreme Commander's Instructions to the Reich Minister of Posts (Appendix " D "), together with a copy of Law No. 76 and the related Notices (declaration of Radio equipment, etc.) and Censorship Regulations for the Public. Order the President to carry out such of the Instructions to the Minister as may be applicable to his Region and to take all administrative measures immediately required to implement them even before receiving instructions to that effect from the Ministry. Order the President to instruct his subordinates to comply with all regulations, instructions and directions of Military Government and to hold themselves in readiness to perform their normal duties as required.

1079. In other towns and localities advise the responsible German officials of the main provisions of the Instructions to the Reich Minister of Posts and say that they will have detailed instructions through Reichspost official channels. See that they have copies of Law No. 76 and the related Notices to the Public and Censorship Instructions. Order the responsible officials to instruct their subordinates to comply with all regulations, instructions and directions of Military Government and to hold themselves in readiness to perform their normal duties as required.

1080. Suspend Reichspost services in accordance with policy. G–2/Intelligence at appropriate level may raise no objection to continuing telephone services within a town, but if local telephone service is reopened, steps must be taken to ensure that other towns cannot be dialled by the public and that operators no longer have outlets available either by dialling or by manual operation, as it is of first importance that communications should not be available to anti-Allied elements. In case of difficulty, it would be best to suspend all services.

1081. With assistance of CIC and Mil. Gov. Public Safety Officers remove all active Nazis and ardent Nazi sympathizers from offices of the Reichspost in the area. All officials will be required to fill in *Fragebogen* and will be " vetted " accordingly.

1082. Arrange for mail in course to be impounded and take steps to ensure that none gets into circulation. Advise G–2/ Intelligence of the steps taken. This correspondence will be disposed of in accordance with the censorship plan.

1083. Post notices on doors of Post Office premises announcing the closing of all services.

1084. Arrange with Public Safety Officers to place guards over Post Offices, telephone exchanges, repeater stations and premises containing records and stores to the extent that may be necessary for their safety.

1085. Order the Reichspost officials to stop all privately owned telephone or telegraph circuits (PW's) and see that Signals and Mil. Gov. Police and Fire Officers and G–4 Railway Officers have full knowledge and control of the facilities which are normally available to these services and which may be working at the time.

1086. Inform Reichspost officials that they will be held responsible for taking all possible steps to prevent sabotage of communications and to stop unauthorized "listening in" on Allied transmissions.

1087. From questionnaires to the Reichspost, the Signal Services and surveys obtain a complete picture of the services available for civil needs and of the repairs necessary to increase such services if considered necessary.

1088. Assist Signals Services in providing military communications. The use of all available telecommunications facilities (including any normally utilized for civilian traffic) for military purposes at all times constitutes an over-riding priority.

1089. In co-ordination with Signals Services obtain release of the facilities immediately necessary to administer an area as required by Military Government.

1090. Build up the inter-town telephone and telegraph services needed by Military Government and the general administration.

1091. By repairs or by cannibalization increase all facilities necessary or considered desirable by Military Government.

1092. When practicable, in conjunction with G–2/Intelligence, arrange for introduction of local collection and delivery service for postcards and letters, within the town.

1093. No change in Reichspost rates or wages will be made by Mil. Gov. Officers without prior approval of higher Military Government authority. No additional services such as registration, insurance, etc., will be introduced without such authority.

1094. Routine monthly reports in narrative form will be submitted furnishing information on: (1) Progress in restoring physical damage; (2) Extension of service to military and civilian users. These reports will be prepared by Mil. Gov. Officers and forwarded through technical channels.

Chapter XV

TRANSPORTATION

SYSTEM OF GOVERNMENT CONTROL

1110. MINISTRY OF TRANSPORT. The principal forms of transportation in Germany are subject to control, either directly by management or indirectly by regulation, by the Reich Ministry of Transport (*Reichsverkehrsministerium*). Four main functional groups are included in the Ministry:

(*a*) Railways (*Eisenbahnen*).

(*b*) Docks, Ports and Sea Shipping (*Seeschiffahrt*).

(*c*) Inland Waterways (*Binnenschiffahrt*).

(*d*) Road Transport (*Kraftverkehr und Strassenwesen*).

1111. The Ministry of Transport embraces two divisions: Division "A" consisting of six major departments covering Railway Administration; Division "B" for the supervision and regulation of Sea Shipping, Inland Water Transport and Road Transport. The latter Division has been relieved of some of its administrative authority by the special wartime appointments of a Commissioner of Shipping and an Inspector General of Motor Transport and by the creation in 1933 of an Inspector General for the German Highway System.

1112. CENTRAL TRAFFIC OFFICE. Under the presidency of the Minister and composed of the Heads of Departments, a special organization called the Central Traffic Office (*Hauptverkehrsleitung*) has been formed as a war measure. This body co-ordinates all forms of transport to the end of maximum use and economy. It is represented locally by Regional Traffic Offices (*Gebietsverkehrsleitungen*) at the same three points as the Regional Operating Offices (*Generalbetriebsleitungen*) of the *Reichsbahn*, and at a lower level by Divisional Traffic Offices (*Bezirksverkehrsleitungen*) at the same points as *Reichsbahndirektionen*.

STATE RAILWAYS (Reichsbahn)

1113. The *Reichsbahn* is a nationally-owned undertaking having a considerable measure of financial, administrative and operating autonomy; it is a public service operated on a self-supporting financial basis under the *Reichsbahn* law of 1939.

1114. TRACK MILEAGE. In 1938 the system covered about 35,000 route miles of standard gauge track of which 1,500 miles were electrically operated. Well equipped with locomotives and rolling stock, its construction standards were high and its operating efficiency very good. The *Reichsbahn* was a first-class railway system comparable in every way with the major systems of Great Britain and the United States.

1115. Since 1937 the *Reichsbahn* has expanded with the conquests of the Reich. The inclusion of the railways systems of Czechoslovakia, Austria, Poland, Alsace-Lorraine, Memel and Luxembourg brought the total route length directly controlled and operated from 35,000 milles to about 50,000 miles. The number of locomotives and amount of rolling stock increased proportionately.

1116. DECENTRALIZATION. The salient feature of the administration of the *Reichsbahn* is decentralization. While the headquarters organization is combined with the Railway Division of the Ministry of Transport and together with the Railway Central Offices (*Reichsbahn Zentral Ämter*) is responsible for all policy and technical co-ordination, operation is vested in the various Managements of the Divisions (*Reichsbahndirektionen* or *RBDs*). There were in Germany proper 26 RBDs at the outbreak of the war to which have since been made five additions for the extended system ; certain of the existing RBDs have undertaken further commitments in the operation of the acquired systems of Austria, Alsace-Lorraine and Luxemburg.

1117. The presidents of RBDs have a remarkably free hand in the control and operation of traffic within their divisions, though a certain co-ordination and control by the Ministry is exercised through three Regional Operating Offices (*Generalbetriebsleitungen*) at Essen, Berlin and Munich. The latter have, however, no administrative control. Co-ordination with other forms of transport is effected by the Regional Traffic Offices (*Gebietsverkehrsleitungen*) which have complete power to direct the form of transport to be used for each consignment.

1118. Workshop and repair shop responsibilities are entrusted to 14 of the RBD presidents. The repair shops (*Ausbesserungswerke*) and larger running sheds (*Betriebswerke*) undertake repairs to locomotives and rolling stock, and, in some cases, heavy repairs. In technical policy and methods they come within the control of the Central Offices at Berlin and Munich, but for administration they are under the jurisdiction of the RBDs.

1119. EMPLOYEES. Technical and skilled employees of the *Reichsbahn* are compulsory members of the National Railway Civil Servants Group (*Fachschaft Reichsbahnbeamte*). The total number of employees rose from 800,000 in 1937 to 1,400,000 in 1942 with the expansion of the *Reichsbahn*.

DOCKS

1120. The major North Sea ports are concentrated on the short Frisian coast between the Dutch frontier and the Danish peninsula. These are : Emden, at the mouth of the Ems, Bremen on the Weser, and Hamburg on the Elbe. The last was, at the outbreak of the war, the greatest continental port with accom-

modation for upwards of 450 seagoing vessels and still more numerous coast and river craft.

1121. These ports have excellent commercial docking facilities and cargo-handling equipment. A notable feature is that although rail connections are adequate clearance is principally by waterways, except at Bremen which is predominantly a rail-clearance port.

1122. On the Baltic there are Lübeck, Rostock, Sassnitz (terminus of the Swedish train ferry), Danzig and Königsberg.

INLAND WATER TRANSPORT

1123. INLAND WATERWAY SYSTEM. Inland water transport is based primarily on the great south-north river systems of the Rhine (with its all-German extension through the canalized Ems), the shallow Weser, the Elbe and the Oder. In the region of the Lower Rhine and the Ems and Weser there is a complete network of canals and canalized rivers. The only west-east connection is the Mittelland Canal which crosses the North German plain and connects the north-western canal-river network with the Brandenburg network centering on Berlin.

1124. To the Balkans and the Black Sea an outlet is provided by the Danube. This great river system considerably eased the German problem of movement from the Reich to Rumania by relieving the strain on the overburdened railway links.

1125. The total length of the German inland waterways is approximately 8,125 miles, of which about 4,687 miles are of first importance. Of these major waterways, 1,562 miles are canals.

1126. ADMINISTRATIVE ORGANIZATION. Inland water transport in Germany is well organized. In 1935 the Transport Group for Inland Shipping (*Reichsverkehrsgruppe-Binnenschiffahrt—RVB*) was formed to take over the responsibilities of the former National Committee for Inland Shipping. The RVB is the sole representative of the enterprises which are active in the field of inland shipping. Together with other groups in the transportation industry, it advises the Ministry of Transport on the formation of policy. It supervises the internal administration of the industry through regional and district offices, the appointment of key personnel being made directly, or controlled by, the Ministry. Owners of any type of watercraft automatically belong to the trade groups of shipowners and small vessel owners.

1127. The district organization of the RVB is determined by the regional extent of the several waterways. In the area of the Supreme Commander's control, district offices are located at: Duisburg—Rhine System (excluding northwestern area);

Dortmund—Ems and Weser Systems, and north-western network (may have been moved to Münster); Hamburg—the Elbe System, including the Elbe-Lübeck Canal; and Regensburg—Danube and Ludwig Canal to Nürnberg.

1128. In 1941, the Reich Waterways Administration was reorganized by the transfer of technical responsibility for construction, maintenance, operation and administration from the Ministry of Transport to a department of the Inspector-General for Water and Power (*Generalinspekteur für Wasser und Energie*). Full control of traffic organization is, however, retained by the Ministry of Transport.

1129. Employees of the waterways, including Austrian, number about 130,000, of whom 50,000 are shipboard workers. To ensure a constant supply of skilled labor trained on Nazi political lines, a three-year compulsory apprenticeship scheme was introduced in 1938, called the "Reich Working Combine for Training in Inland Shipping."

GERMAN ROADS AND ROAD TRANSPORT

1130. ROADS. German rural roads are divided into four classes as follows:

Class	*Miles**	*Administrative Authority*
Superhighways (*Reichsautobahnen*).	1,864	Reichsautobahnen Corporation under the Reich.
National roads (*Reichsstrassen*).	25,675	Reich.
State roads (*Landstrassen*) (First Class).	52,354	States and Prussian provinces.
State roads (Second Class)	54,548	Counties (*Kreise*) and districts (*Bezirke*).

* *Reichsautobahnen* figures, 1938; other roads, 1937.

1131. These roads are under the general supervision of the Inspector-General of Roads and the first two classes are his direct responsibility.

(*a*) *The Reichsautobahnen*, which are financed by the Reich, are modern superhighways and are the responsibility of the *Reichsautobahnen* Corporation under the Inspector-General. In 1941 there were 15 *Reichsautobahnen* main construction offices and about 75 supplementary field offices inside Germany proper, but with the suspension of maintenance in May, 1943, a large number of field offices have probably been abandoned and remaining staffs greatly reduced.

(*b*) National roads are financed by the Reich. Reconstruction, maintenance and sometimes even inspection, are handled by the State and provincial road authorities under the direction of,

and as agents of, the Inspector-General. These authorities are also responsible for first-class state roads. There is no standard form for state and province administrative agencies, but most of them, under a head office, have special construction offices (*Landesbauämter*) responsible within a given area for national and first-class state roads.

(*c*) Counties and districts are responsible for second-class state roads and usually have their own road administration, responsible to the state office, and their own construction office. Municipalities are responsible for city streets and for certain minor unclassified rural roads.

(*d*) Germany was well supplied with road machinery and all construction materials, except asphalt. A great deal of this machinery is now outside the country, but certain reserves are still at the disposal of special maintenance corps which consist mostly of prisoners-of-war under direction of a few Todt experts.

1132. MOTOR TRANSPORT. A large number of trucks have been requisitioned by the Wehrmacht, especially those of three-ton capacity and over. Of the 440,000 trucks registered at the outbreak of the war, it is estimated that less than half are now available for civil use. In order to obtain maximum service with limited facilities, every detail of motor transport is regulated under the supervision and direction of the Ministry of Transport. However, owing to the loss of vehicles, to cessation of production for civilian use, to increased needs, and to the acute shortage of equipment, labor, motor fuel and lubricants, Germany is approaching a serious crisis in motor transportation.

1133. Commercial trucking is divided into two classes according to distances hauled, and trucking companies must belong to one class or the other: short distance trucking (*Güternahverkehr*), limited to a radius of 50 kilometers, extended under certain circumstances to 150 kilometers; and long-distance trucking (*Guterfernverkehr*), whose rates correspond to those of the *Reichsbahn*. Both classes of trucking are for the most part under private ownership. All long distance truckers must belong to the National Trucking Association (*Reichskraftwagenbetriebsverband*, abbreviated RKB) which also serves as the Long-Distance Trucking Trade Group of Motor Transportation under the Ministry of Transport. It is organized into districts, and in 1943 had 22 offices, each with several freight allotment offices. The objectives of RKB are:

(*a*) Development and organization of long-distance trucking;
(*b*) Establishment of freight offices for distributing cargoes among members;
(*c*) Collection of freight charges;
(*d*) Insurance of freight against damage in transit;
(*e*) Settlement of differences over contracts;
(*f*) Supply of quarterly statistics to fiscal authorities;

(*g*) Performance of additional duties as determined by the Reich Minister of Transport.

RKB also supervises the transfer of trucks to the Army, allocates fuels and equipment to its members and, through its power to impose fines, it is in a strong position to enforce co-operation.

1134. The Commissioners for short-distance traffic (*Bevollmachtigte für den Nahverkehr*), appointed by the Minister of Transportation, and attached to provincial or State governments, also play an important part in the control of road transport. They encourage the formation of transport pools (*Transportgemeinschaften*) and apply other measures to minimize the shortage of transport facilities and to expedite high priority movements. Expediters of traffic (*Fahrbereitschaftsleiter*) attached to *Landräte* and *Oberbürgermeister* and assistant expediters (*Stutzpunktleiter*) operate at lower levels. They determine whether it is in the public interest for any car to circulate, receive applications for conversion of vehicles to use of generator gas, maintain registries of trucks available for emergency transport, ensure that trucks have adequate return trip loads and consolidate truck shipments within their zones. By agreement with the Minister of Economics, nine group transport pools (*Gruppentransportgemeinschaften*) have been formed for industry, wholesale trade, retail trade, craftsmen, coal, scrap, etc. They are sub-divided according to need into trade groups and these in turn into regional groups. Group Transport Pools are usually under the direction of Economic Chambers, while regional groups are headed by an official of one of the member companies in the pool.

1135. Short distance trucking is controlled by the Minister of Transport through the Central Co-operative for Short-Distance Trucking (*Zentralgenossenschaft des Güternahverkehrs*). Under its central direction, 21 regional work-co-operatives, (*Bezirksarbeitsgemeinschaften*) have been established. The central co-operative is apparently in the process of being incorporated into RKB and office space and personnel are being pooled.

1136. The development and conversion from liquid to solid fuels is in charge of the Central Board (*Zentralstelle*) for gas generators. The Board develops new types of generators, controls manufacture and installation, and is responsible for the preparation of fuels. Supply and distribution of solid fuels for producer gas generators are controlled by *Generatorkraft A.G. für Tankholz und andere Generatorkraftstoffe,* which maintains a network of supply stations all over the country. Consumption is limited largely through regulations concerning the use of generator vehicles. Solid fuels are delivered only against solid fuel cards (*Festkraftstoffkarte*), and, in general, the validity of a card is limited to fuel stations within a certain radius

(50 kilometers) of the place where the vehicle is usually garaged, with special permits being required for long-distance trips. Distribution and consumption of liquid fuels are controlled through ration cards for each type of product. Ration cards and oil quotas are allocated by the appropriate Reich Office to the Regional Economic Bureaux, which subdivide the quotas among the subordinate local Bureaux which usually issue the ration cards to individual consumers. Some products used in agriculture are apparently allocated through the Farmers' Association (*Bauernschaften*).

1137. The Office for the Organization of Transport (*Dienststelle für Transportordnung*) under the Ministry of Armaments and War Production regulates the distribution of goods (all means of transport, including road transport), among other ways, by establishing maximum transport distances, in order to relieve the burden on transportation facilities. The office operates through 32 Main Transport Commissions, which include representatives from government and business.

1138. The chief of Motor Transport of the Armed Forces (*Wehrmachtkraftfahrwesen*, abbr. WKF), a department of the Supreme Command of the German Armed Forces, controls the production, distribution and requisitioning of all motor vehicles and maintains a record of all vehicles. Distribution of new vehicles follows a fixed pattern in which the Army has first priority. The department undertakes to deliver to industry vehicles unfit for further military use.

1139. The National Socialist Motor Transport Corps (*National Sozialistisches Kraftfahr Korps*, abbr. NSKK), a branch of the Nazi Party, in addition to service with the Armed Forces, has played a considerable role in the field of civilian motor transport. NSKK transports freight in emergencies, trains drivers, transports workers, and operates in conjunction with the police in checking truck traffic.

1140. Most towns of 10,000 population or over are serviced by trams and buses which are almost entirely owned in whole or in part by Municipal Corporations. In addition to this municipal transport, there are three groups of passenger services: private enterprise, the German Post Office (not controlled by the Ministry of Transport) and the National Railways (whose buses have been requisitioned by the Army).

1141. See Chapter XIII for production and allocation of liquid fuels, equipment and supplies.

OBJECTIVES AND ACTION TO BE TAKEN

1142. GENERAL. The objectives are to provide for the maintenance and re-establishment of such German governmental

transportation agencies as may be necessary, and for the restoration and control of transportation facilities and services, including ports, railways, inland waterways and road transportation to the extent that may be required:

(*a*) To meet all military operational requirements, including the evacuation of Allied Prisoners af War, repatriation of displaced persons, etc.

(*b*) To provide transportation for minimum civilian needs essential for the prevention or alleviation of epidemics or serious diseases, serious civil unrest or disorder such as would endanger the occupying forces or hinder the accomplishment of the objectives of the occupation.

(*c*) To secure such other objectives of the occupation and Military Government of Germany as may be required by the Supreme Commander.

1143. PROTECTION OF EQUIPMENT, RECORDS, ETC. Military Government Detachment Commanders will take such steps in conjunction with Movement and Transportation/Transportation Corps as are necessary in holding the German authorities, officials and employees responsible for the safeguarding of structures, installations, equipment, stores, fuels and facilities and for the preservation of documentation, information and important records.

1144. PORTS, RAILWAYS AND INLAND WATERWAYS. Movement and Transportation/Transportation Corps will be responsible for exercising the necessary control at ports, railways and inland waterways and will be represented at Supreme Headquarters, Army Group, Communications Zone, Army and Corps Headquarters, and at ports, railway system headquarters and divisional offices and inland waterway headquarters. Military Government Detachments will submit all questions concerning ports, railways and inland waterways (including movement of essential civilian supplies) to Movement and Transportation/Transportation Corps through Military Government channels and will take no action with respect thereto, except in accordance with the above paragraph, without specific instructions from higher authority.

1145. GERMAN ROAD TRANSPORTATION. A Special Road Transportation Section will be established at Supreme Headquarters, and at Army Group, Communications Zone, Army and Corps Headquarters. This Section will supervise all German civil road transportation services and facilities (including distribution of motor fuels, loading, warehousing, forwarding, repair facilities and all structures, installations, equipment and stores connected therewith). The Section will be directly concerned with long-distance road transportation services and facilities. Military Government Detachment Commanders will be responsible for

controlling as necessary, under the supervision of the Special Road Transportation Section, short haul and local road transportation services and facilities as defined in existing German regulations (50-kilometer radius), road transportation services and facilities used for the collection of agricultural products and in connection with agricultural production, municipal transportation services and facilities, and all animal-drawn transport.

1146. Requests for allocation of passenger and load carrying vehicles for long-distance road transportation will be submitted to the Special Road Transportation Section through Military Government channels. Requests will be submitted in two parts: the first part setting forth the requirements for movement within the area for which the Military Government Detachment is responsible, and the second part setting forth the requirements for movement to other areas. Further instructions will be issued on the form of such requests, information to be included, and the periods for which they are to be submitted. To the extent possible, in response to such requests, a definite number of motor vehicles will be allocated for long-distance road transportation during the period covered. (See Chapter XIII, for authorization to be obtained for movement of goods beyond the area for which a Military Government Detachment is responsible.)

1147. Military Government Detachment Commanders will act as the local representatives of the Special Road Transportation Sections with respect to long-distance road transportation services and facilities. In addition, until the Special Road Transportation Section has assumed the necessary control in an area, the Military Government Detachment Commander will be responsible for such control as is necessary of civilian road transportation services and facilities within the area and will utilize through the appropriate German agencies (in accordance with the following para.) available motor transportation services and facilities to the extent required to provide transportation for minimum essential civilian needs.

1148. Responsibility for the provision, operation, control, maintenance and repair of road transportation services and facilities, and for the control of distribution and provision of motor fuels required for Allied Military and essential German civilian purposes, will be imposed upon the German agencies which may be found in existence or may be reconstituted for such purposes. Military Government Detachment Commanders, to the extent feasible, will carry out all required action through such agencies and will restrict direct action to such spot checking as may be necessary to determine if orders and instructions are being complied with. Military Government Detachment Commanders will utilize these agencies to the extent necessary in accordance with paras. 1145 and 1147. If the German control system or essential parts thereof have ceased to exist in a particular area, the Germans designated by the Road Transportation

Section or the Military Government Detachment Commander will be required to reconstitute such part of the system as may be needed. The control system, in so far as possible, will be maintained in existing form and will not be changed or reorganized except pursuant to specific direction from higher authority.

1149. The German authorities will be required to restrict civilian road transportation to the minimum necessary for essential civilian requirements and strictly to control distribution of motor fuels. The appropriate German agency will be authorized by Military Government Detachment Commanders to issue, under their general supervision, authorizations to circulate within a radius of 50 kilometers. The specific approval of the Special Road Transportation Section or of a Military Government Detachment Commander (within the area for which he is responsible), will be required for the issue of permits to circulate beyond a radius of 50 kilometers. The agencies responsible for the control of road transportation and traffic squads of the German police will be required by Military Government Detachment Commanders to maintain close check on unauthorized civil traffic.

1150. REPORTS. German authorities and such agencies, organizations or individuals as may be designated by a Military Government Detachment Commander will be required to submit initial reports, as soon as the Military Government Detachment Commander considers feasible, and current reports for periods that will be designated by the Special Road Transportation Section, setting forth for the area for which the Detachment is responsible:

(*a*) Number, capacity, state of repair, type of motive power and use to which allocated, of all passenger and load-carrying vehicles (including tramways/street cars) in operating condition.

(*b*) Number, capacity, and type of motive power of all passenger and load-carrying vehicles (including tramways/street cars) not in operating condition; spare parts, tyres, etc., and repairs required to place in operating condition.

(*c*) Location and general description of large garages and other major repair facilities.

(*d*) Stocks of spare parts and tires.

(*e*) Stocks of liquid and solid motor fuels.

(*f*) Minimum number and capacity of passenger and load-carrying vehicles (including tramways/street cars) required:

(i) For essential civilian short-distance road transportation, including transportation for collection of agricultural products and for agricultural production and municipal transportation.

(ii) For all other essential civilian road transportation within the area for which the Detachment is responsible.

(*g*) Availability and use being made of animal-drawn transport.

(*h*) German control agencies functioning in the area, and adequacy of personnel.

1151. The above information with such additional reports on the functioning of the control system and on such other matters as may be considered necessary to provide a full and accurate account of the situation, will be submitted by Military Government Detachment Commanders to the Special Road Transportation Section through Military Government channels.

1152. Military Government Detachment Commanders, with respect to functions coming under their command, will order German authorities:

(*a*) To eliminate discrimination against or in favor of groups or individuals on the grounds of race, creed, color or political opinion.

(*b*) To maintain in force and effect all regulations relating to the provision, operation, control, maintenance and repair of road transportation services and facilities (including distribution of motor fuels, loading, warehousing, forwarding, repair facilities and all structures, installations, equipment and stores connected therewith) except such regulations as are contrary to orders or instructions received.

(*c*) To require officials and employees of the agencies responsible for the administration and enforcement of such regulations and those responsible for the operation, maintenance and repair of transportation services and facilities, except those removed in accordance with the following paragraph, to remain at or return to their posts.

1153. Active Nazis and ardent Nazi sympathizers will be removed from official posts in governmental agencies and in other organizations performing semi-governmental functions. Reference is made to Chapter II of Part III, this Handbook, for more specific guidance.

1154. ROADS. The German authorities will be ordered to place at the disposal of the Allied Military Commanders all personnel, plant and material they possess for the repair and maintenance of roads. The Military Commanders will designate the German roads which are to be repaired, whether for military or other purposes, and the manner of employment of German resources available for this purpose. The supervision of the execution of such work will be carried out through normal military engineer channels. Military Government Detachment Commanders will work in close conjunction with Military Engineers and, in any area where they are not available, will require the appropriate German agencies to undertake maintenance and repair of roads and highways to the extent necessary for the minimum of essential civilian transportation.

Chapter XVI

MONUMENTS, FINE ARTS AND ARCHIVES

Section I

MONUMENTS AND FINE ARTS

BACKGROUND

1175. GENERAL. Germany is rich in monuments of world-wide significance and possesses, in addition, an accumulated wealth of public and private picture galleries, museums and similar institutions, which are to be found as often in her smaller towns as in her cities. In recent years these collections have been much augmented by property stolen from occupied territory.

1176. OWNERSHIP. Monuments or other buildings of cultural importance are variously owned, maintained and staffed by the Reich, by *Länder, Provinzen* or *Reichsgaue*, by cities and towns, by ecclesiastical bodies, by the Nazi Party, by corporate bodies or by private individuals.

1177. ADMINISTRATION. The bureaux responsible for monuments and cultural institutions at Reich and *Land* level belong to different ministries according to the nature of the buildings or their use. The bureaux at Reich level are supposedly more concerned with policy than with direct administration.

1178. The actual supervision and protection of monuments are the responsibility of a *Land, Provinz* or *Reichsgau* bureau (*Denkmalspflege*), usually under the Ministry or Department of Education, which is also generally in charge of cultural institutions. The *Landes-* or *Provinzialkonservator* co-operates with ecclesiastical, municipal or other local authorities. No alteration or repair of any monument, public or private, may be undertaken without the approval of the superintendent, who has on his staff archæologists, architects, art historians and skilled workmen. In his office are the archives relating to monuments and works of art (*Denkmalarchive*) in his area, containing catalogues, photographs, tracings and similar materials. A list of offices, so far as known, of the *Denkmalspflege* in the *Länder* and *Provinzen* within the Supreme Commander's area of control is to be found in the Military Government List of Monuments (see paragraph 1181).

1179. Construction and repairs are the responsibility also of the Building Authorities (*Hochbauverwaltung, Bauamt*) at the *Land, Regierungsbezirk* and municipal levels, with whom the superintendents and other officials must co-operate.

1180. LEGISLATION. The Reich and *Land* legislation regulating ownership and sale of monuments, upkeep and repair,

action in case of damage, and such matters as the preservation of natural beauty-spots, undertaking excavations, ownership of archæological discoveries, sale, transfer, or export of works of art will remain in force unless specifically repealed.

1181. SOURCES OF INFORMATION. A Military Government List of Monuments of Western Germany (exempt from military use except by permission of the Army Group Commander or subordinate Commanders delegated such responsibility) will be made available. Appropriate extracts from this List may be published in Special Orders/General Routine Orders to the troops to ensure respect for the buildings.

1182. Supplementary Lists of additional monuments and cultural institutions and city plans showing the locations of such buildings will be made available by Monuments and Fine Arts Specialist Officers as needed to assist Military Government Detachments in reporting on the condition of the buildings listed and in protecting them from military use or damage so far as military necessity permits. Standard and local guide-books may be obtainable, and local inhabitants may be able to give valuable information and help.

1183. CONDITION OF MONUMENTS AND OBJECTS. Reliable information is not available about the condition of German monuments, cultural institutions, and works of art or about the amount and disposition of works of art and other cultural materials which the Nazis have plundered from occupied territory, though a conservative official estimate places the value of such plunder at over $1,500,000,000/£375,000,000. It should be noted in this connection that the Germans learned from the inflation period after the last war the value of movable works of art as realizable assets in a period of unstable monetary conditions.

1184. The German authorities have undoubtedly maintained air raid and other precautions to protect monuments and works of art. Valuable collections have been evacuated to depots remote from danger, and therefore remote also from the cities, with the result that extremely valuable caches of works of art may be found in relatively remote parts of Germany. In the event of a breakdown of administrative control such isolated depots will be exposed to theft and damage by fire and weather.

1185. A proportion of the German superintendents, directors, custodians and other specialist personnel at the local administrative level will probably remain at their posts and be available, after the elimination of undesirable personnel, to protect and preserve their charges.

POLICY

1186. (*a*) It is the policy of the Supreme Commander to take measures to facilitate the eventual restitution of works of art and objects of scientific or historical importance which may

have been looted from United Nations Governments or nationals. Military Government legislation forbids sale, movement, concealment, or destruction of any work of art or object of scientific or historical importance.

(*b*) It is the policy of the Supreme Commander to avoid, as far as military necessity will permit, damage to all structures, objects or documents of cultural, artistic, archeological or historical value ; and to assist wherever practicable in securing them from deterioration consequent upon the process of war. No building listed in the official Military Government List of Monuments of Western Germany will be used for military purposes without the permission of Army Group Commanders or subordinate commanders delegated such responsibility. Commanders, at their discretion, may close any of these buildings and put them out-of-bounds/off limits to troops.

(*c*) It is the policy of the Supreme Commander to maintain or re-activate the civilian agencies charged with the care of monuments and fine arts in Germany and to eliminate active Nazis and ardent Nazi sympathizers therefrom.

INSTRUCTIONS TO MILITARY GOVERNMENT OFFICERS

1187. Military Government Officers will be provided with the official Military Government List of Monuments of Western Germany. They will determine the location and condition of all monuments on the Official List in their areas.

1188. Military Government Officers at all levels will initiate appropriate action to avoid the use for military purposes of all churches and buildings on the Official List within their areas. If use is required by military necessity, the Military Government Officer will make arrangements to :

(*a*) Secure a report from the responsible officer, stating the condition of the building and its contents.

(*b*) See that contents not of military use are stored and sealed in a place inaccessible to troops.

(*c*) See that contents in use are properly inventoried.

(*d*) Make periodic checks of the condition of the building and its contents.

(*e*) Arrange with the Military Commander in the area that military occupants move out at the earliest possible moment.

1189. Military Government Officers will take steps to prohibit the sale, transfer or movement of all movable works of art and where necessary will require a declaration of all such property to be submitted forthwith. They will further require the local agents to submit copies of all records of the insurance of movable works of art.

1190. Military Government Officers will take appropriate measures, as military necessity permits, to ensure that no portion of damaged churches, monuments on the Official List or such monuments as the Military Government Fine Arts and Monuments Specialist Officers may designate, are demolished, or the debris thereof removed, except under the supervision of Military Government Fine Arts and Monuments Specialists. Debris which must be cleared for military traffic should be collected together within the walls of the building.

1191. Military Government Officers will report forthwith in writing to the Provost/Provost Marshal any cases which may come to their notice of looting, wanton damage and negligence on the part of Allied troops. Similar action by civilians will also be reported to the appropriate Military Government authority for action by the local police.

1192. The condition of all Monuments on the Official List will be reported (when applicable) in Field Reports.

1193. Military Government Officers will close all Museums, Galleries, and repositories of works of art unless their contents have previously been evacuated. They will immediately take steps to secure by guards all larger accumulations of art objects from clandestine removal and will require regular inspections to insure the material security of such accumulation from deterioration by exposure to weather, dampness, fire, etc.

1194. Where the preservation of movable works of art from deterioration necessitates their removal, a list shall be made of all such works and a note made of the location of the new storage place. Such removal should whenever possible be carried out with the advice of a Monuments and Fine Arts Specialist Officer. No works of art are to be removed unless absolutely necessary to prevent damage or looting.

1195. Military Government Officers should report as soon as possible any information about caches of works of art to the appropriate higher echelon or the nearest Monuments and Fine Arts Specialist Officer.

Section II

ARCHIVES

GENERAL

1196. Every Military Government activity in Germany will entail the use of German public documents, business papers, files and records of every kind, official and unofficial. Military, political, administrative, business, and historical interests will be equally concerned in them. The preservation of such records

and files is of the utmost importance in connection with disarmament, the eradication of Nazi institutions, the control of property, and generally for the imposition of control. The Military Government Officer will assist the accomplishment of these objectives of military operations in Germany by securing, sealing and preserving records and files and by co-operation with Military Intelligence and other Allied agencies in making such records available.

1197. The European word " archives " is used in this Handbook as it embraces all accumulations of documents, both active and historical, and whether public or private. Ancient and modern are frequently preserved together, even forming continuous series. This Section applies, therefore, to German archives of all sorts, whether central, regional or local ; whether of the Reich or the Nazi Party or belonging to any corporation, association, firm, person or ecclesiastical body ; whether ancient or modern ; whether housed separately in a special repository or preserved in the Office in which they are compiled.

POLICY

1198. It is the policy of the Supreme Commander to ensure the preservation from destruction, alteration or concealment of all German records, documents, plans or archives of value to the attainment of the objectives of Military Government. (This policy is also set forth in Chapter III, Part I, of this Handbook).

1199. Army Group Commanders will take such steps as are necessary to carry out the above policy. Supreme Headquarters will issue a List of Archives of Western Germany, containing classifications of records and archives of interest to Military Government and specific instructions for the guidance of military personnel in taking steps for their preservation.

1200. Army Group Commanders will seize and hold records and archives of interest to Military Government in cases where they deem such action is necessary for their preservation or as they may be instructed by subsequent directives of Supreme Headquarters.

1201. With respect to such of these records and archives as are not seized and held by them, Army Group Commanders will, in so far as the military situation permits, supervise their custody and preservation and will make provision for their availability to authorized persons where necessary for the continued functioning of organizations and agencies permitted to operate by Military Government.

1202. Records and archives may be of greatest value in the location in which they were created. Therefore, unless required for military purposes or safe preservation no attempt should be made to remove them. When possible duplicates should be made for sending elsewhere.

1203. Care should be used in handling of records and archives in order to avoid disorganizing them and possibly rendering them useless. Inventories, catalogues, indices, etc., should be preserved with the records to which they relate.

1204. Army Group Commanders will take such steps as are consistent with military necessity to ensure that no unnecessary or wanton damage is done to German records and archives by troops under their command. They will, at their discretion, place public buildings or other places containing records and archives of value to Military Government out-of-bounds/off limits to troops.

1205. Army Group Commanders will require German authorities to give them any assistance they may need in connection with the discovery, seizure, custody, preservation, disposal or study of German records and archives. Full responsibility for the preservation of records and archives not seized and held by Army Group Commanders will be placed on German authorities.

1206. Army Group Commanders will ensure that responsibility for the preservation of records and archives is placed on all Military Commanders. Military Government and Intelligence Officers will extend full co-operation and assistance to each other with respect to preservation of records and archives in which each is primarily interested.

INSTRUCTIONS TO MILITARY GOVERNMENT OFFICERS

1207. Military Government Officers are responsible for carrying out the above policy.

1208. The attainment of the policy of the Supreme Commander with respect to German records and archives will require the attention of every Military Government officer. Although a few Military Government specialist officers may be available, the magnitude of the task and the fact that the records and archives are essential to Military Government operations in almost every field make it a subject of general interest.

1209. The preservation of records and archives is made the responsibility of every Military Commander. The particular interest of G-2/Int. is apparent, particularly in military and Nazi Party records. Other staff divisions will have an interest in records of German agencies with which they are concerned. Military Government Detachment Commanders must co-ordinate records and archives activities with other interested elements of the staff, in particular to ensure that all elements have access to records and archives, but that they are not removed from their location except when necessary.

1210. Supreme Headquarters will issue a List of Archives of Western Germany containing classifications and locations of records and archives and guidance for all Military Government officers and military personnel in taking steps for their preservation.

1211. The Military Government Officer will facilitate in every possible way the use of records and archives under his control (particularly " live " records) by authorized users. He will, as far as practicable, ensure that the users are impressed with the necessity of handling the contents of the archives with care and that they are replaced after examination in the order in which they were found. Instances in which archives seem to have been removed, in whole or in part, or tampered with, will be reported.

1212. The problem of securing business or administrative archives in current use presents great practical difficulty. The type and importance of the business or administration and its archives and the likelihood of destruction, alteration or dispersal will have to serve as the guide for determining the manner and extent to which the German employees will be allowed to use them.

Chapter XVII

REPORTS, INFORMATION AND HISTORICAL

Section I

REPORTS

1225. FIELD REPORTS. A Field Report, in such form as may be prescribed, will be completed by Military Government Detachments at bi-weekly intervals. These reports are intended to give a quick, overall picture of conditions.

1226. MONTHLY REPORTS. In addition, on the 16th of each month, Military Government Detachments will forward a report summarizing factual conditions and containing comments and evaluations.

1227. Special attention will be given in all reports to the attitude of civilian officials and to the behaviour of the civilian population. It is most important to know what the population is thinking and what is its actual and potential reaction to Military Government.

1228. Field and Monthly Reports will be made out in quadruplicate, three copies being forwarded by quickest possible means to the Military Government Headquarters at Corps, or equivalent formation (Military District Headquarters, when established) and one copy being retained by the Military Government Officer for record purposes. Unless instructions to the contrary are issued this copy will normally be handed over to the Military Government Detachment next assigned to this same area. The Military Government Officer at Corps, or equivalent formation (Military District Headquarters, when established), will retain one copy of each report, forwarding the two remaining copies to the appropriate HQ/Formation HQ, through technical channels. The G-5/Military Government Staff at any HQ/Formation HQ will be responsible for ensuring that adequate and rapid circulation of the information contained in such reports is made to all Staffs and Services concerned and interested and will especially note the necessity for transmitting, to such Detachments as may be concerned, all or part of reports. As reports go back they will be consolidated at each level with such Military Government Intelligence as may be secured from any source.

1229. FUNCTIONAL REPORTS. Military Government Detachments will be required to furnish detailed functional reports, in the form and at the intervals specified by Supreme Headquarters or in accordance with instructions laid down by lower HQ/Formation HQ. Generally speaking, such reports will be prepared by technical specialist officers.

Section II

INFORMATION

1230. INFORMATION REQUIRED BY STAFFS AND DETACHMENTS. Military Government Detachments, G-5/Military Government Staffs and other Military Government organizations may request, through technical channels, any intelligence and information which is obtainable from Supreme Headquarters or from any rear area.

1231. INFORMATION FROM GERMAN POPULATION. Military Government Officers will obtain, from officials and other Germans, such information as is necessary for the development and functioning of their missions. Should such information be considered of value to G-2 Intelligence it should be promptly transmitted, together with any pertinent documents, through command channels. Any important intelligence obtained from German sources, whether relevant to Military Government or not, should be made the subject of a special report and forwarded to the next higher Military Government HQ/Formation.

1232. The quick transmission of accurate and timely intelligence will greatly assist Military Government operations and each HQ/Formation HQ is responsible for the distribution of full reports or relevant extracts from the reports which it receives to the Detachments operating under its command.

Section III

HISTORICAL

1233. PURPOSE AND IMPORTANCE OF THE HISTORICAL PROJECT. Narrative histories must be kept as current as possible at each level for every unit. This immediate information will provide a basis for testing plans in terms of operations and for comparing and evaluating methods and procedures. By keeping accurate records of the problems which arise and of the actions which are taken to solve them, objective analyses can be made of the factors which constitute successful performance. By a prompt pooling of the experiences of the various Detachments, each may contribute to the better performance of the others. From the viewpoint of the individual Military Government Officer, the accurate recording and the publishing of significant events constitute an official recognition of achievement and an authoritative account.

1234. ORGANIZATION. The History of Military Government in Germany will be prepared by Historical Specialist Officers. A directive requires the appointment of officers to record the activities of each unit in the armed forces. From the lowest to the highest echelon, some officer must be designated as the person

responsible for conserving and forwarding records, for submitting promptly the accounts of the various stages of planning, and for reporting the different phases of operations in the field.

1235. MILITARY GOVERNMENT HISTORICAL OFFICERS AT MILITARY GOVERNMENT REGION LEVEL. The duties of such officers are :

(*a*) to collect, collate, preserve, and report all data of historical interest within the area of their responsibilities ;

(*b*) with the co-operation of the Regional Military Government Officers, to ensure that in each Detachment an officer is responsible for keeping the War Diary and for reporting matters of historical importance ;

(*c*) to supplement the effort of the Detachments whenever necessary.

(*d*) to attend meetings, conferences and events that have a bearing on major Military Government activities ; and

(*e*) to check the reports submitted by Military Government Detachments.

1236. MILITARY GOVERNMENT DETACHMENTS. The whole value of the historical record will depend on the energetic co-operation of those most closely in touch with events. Military Government Officers in Detachments charged with maintenance of histories will :

(*a*) observe and make notes on matters of historical interest ;

(*b*) secure from witnesses detailed first-hand accounts of incidents and meetings ;

(*c*) encourage other officers to report suitable material and documents ;

(*d*) collect, preserve, and forward documents of historical interest or abstracts of those documents ;

(*e*) keep the War Diary ;

(*f*) make required reports.

1237. WAR DIARIES

(*a*) *US.* A War Diary will be kept by each Military Government Detachment. This Diary should include :

(i) brief accounts of operations, including changes of location ;

(ii) brief accounts of important conferences and meetings ;

(iii) details of important occurrences ;

(iv) record of changes in personnel, casualties, promotions, etc. ;

(v) account of major decisions, problems and policies adopted ; and

(vi) steps taken to control local inhabitants, repatriates and prisoners of war.

To the Diary should be appended copies or analyses of :

(vii) important orders, instructions, reports, messages, or dispatches received and issued and decisions taken ;

(viii) records of liaison with Allied Armies, and with civil authorities ;

(ix) special ordinances, regulations, and instructions published locally ;

(x) reports of incidents submitted by Military Government Officers or other routine subjects ; and

(xi) pictures depicting important phases of Military Government work.

(*b*) *British.* War Diaries will be kept in accordance with Field Service Regulations, Vol. 1, 1930, Sec. 174, as amended by relevant Army Council Instructions. Detailed instructions will be added when necessary information is available.

Chapter XVIII

CHECK LIST FOR MILITARY GOVERNMENT OFFICERS

1250. This Handbook for Military Government in Germany contains general instructions to Military Government Officers as well as instructions upon various functional subjects contained in the foregoing chapters of this Part of the Handbook. Military Government Officers will make use of the Handbook as a guide and reference book. Supplementing the Handbook are several Technical Manuals containing considerable detail upon functional subjects which, while primarily intended for the use of specialist officers in connection with their particular subjects, will be of interest to Military Government Officers charged with duties of general administration. See Appendix A for list of Technical Manuals.

1251. The check list given in this Chapter is designed to assist the Military Government Officer in carrying out his duties, but should not be considered comprehensive.

1252. The items of the check list are not presented in order of their relative importance, or in a chronological sequence to be followed in acting upon them. The judgment of the officer based upon the situation he encounters must determine how and when he will act upon the items indicated. In any event Military Government Officers should remember that there is no substitute for the use of common sense, that they are to utilize German personnel for carrying out the functions of government, and that such personnel should be made to carry out orders which will be given them by Military Government Officers. Military Government Officers should not substitute themselves for German personnel.

CHECK LIST

1253. Make your contacts with:

(*a*) The Commanding Officers of tactical units or formations in your area.

(*b*) The Military Police.

(*c*) The CIC sections of tactical units or formations. The CIC or the G-2 of the tactical unit to which you are attached will be able to provide you with " Black Lists " of persons to be arrested or suspended from office in your area. Aid is to be given CIC sections in apprehending those on the list.

1254. If the *Bürgermeister* or the Head of the local governmental unit is on the " Black List " or on the list to be suspended, take appropriate action. If not, and you think he may be reliable, send for him. If he is not available or will not serve,

send for the next senior official against whom nothing unfavourable is known.

(*a*) Order this official to remain at his post until further orders, and inform him that you will hold him responsible for running the government and for the proper character and performance of all officials under his jurisdiction. Outline Military Government policy to him in so far as it affects his task.

(*b*) Require him to provide as quickly as possible a list of governmental employees showing duty, title, monthly salary and an indication of whether they are on the job or not. When it arrives, check the names of the officials with your lists. Take appropriate action. If you come to the conclusion that any not on the " Black List " are unreliable, suspend them.

(*c*) Fill the vacancies of those suspended by appointing substitutes. Usually, these will be the next senior officials who seem reliable and against whom nothing is known. Get the *Bürgermeister* or the official selected by you to help. Advise all appointees that their appointments are purely temporary and are on the basis of satisfactory performance or behaviour.

(*d*) Require the *Bürgermeister* or the official selected by you to provide without delay :

(i) a list of all persons and officials who require passes for purposes which will contribute to the accomplishment of the objects of Military Government.

(ii) information required by you for your report upon local conditions.

1255. (*a*) Raise the appropriate Allied flags and post first set of Military Government Enactments. If possible make a ceremony out of it.

(*b*) Arrange with *Bürgermeister* for posting of other proclamations, notices, etc., as you may direct.

(*c*) Summon the local Chief of Police if he is in the area and is reliable and instruct him to :

(i) Ensure that no actions are taken threatening the allied troops or the objectives of Military Government.

(ii) Collect, store and list all civilian arms and explosives.

(iii) Seize and safeguard all police, governmental and party records.

(*d*) Summon the Health Officer ; carry out a survey with him and take necessary steps with regard to :

(i) Burial of civilian dead.

(ii) General health and sanitary conditions.

(iii) Epidemic control and the presentation of reports on the extent to which infectious diseases exist in the area.

(iv) Clearing streets.

(v) Sewage.

(*e*) Establish Military Government offices, which should be in a good position and easily recognizable.

(*f*) Arrange billets for yourself and party.

(*g*) Arrange for arrest and internment of those on "Black List" not yet dealt with. Co-ordinate with CIC.

(*h*) Start survey of food stocks, supplies and transport.

(*i*) Notify all military and civil authorities of your location. Post directional signs.

(*j*) Locate and freeze all government cars, drivers, parts, gasoline/petrol. If needed secure civilian transport for yourself and staff.

(*k*) Close schools, courts, museums, post offices. Guard public buildings if necessary.

(*l*) Secure written assurance from all officials that they will carry on in accordance with your orders.

(*m*) Arrange for curfew and air-raid precautions.

(*n*) Visit prisons. Seize records for study.

(*o*) Shut down newspapers, theatres, cinemas, and radio stations.

(*p*) Promulgate and arrange to enforce orders of the Military Commander in your area, with regard to liquor shops, saloons, brothels, etc.

(*q*) Survey space available for billeting troops.

1256. Report to the Military Commander in your area, and give notice of your :

(*a*) Location, office and billet.

(*b*) Address for signals.

Arrange with the Military Commander to :

(*a*) guard (where necessary) :
- (i) banks,
- (ii) arms and explosives stores,
- (iii) food stocks and warehouses,
- (iv) utilities, waterworks, supplies, etc.,
- (v) important records,
- (vi) museums, works of art, antiquities.

(*b*) issue orders to troops on following matters :
- (i) conduct towards civilians (*e.g.* no fraternization),
- (ii) caution against damaging fine arts and monuments, etc.,
- (iii) prohibition of traffic in foreign currencies, including dollars and pounds sterling.

(*c*) Arrange with Military Commanders that the following types of buildings shall not be occupied by troops :

(i) government buildings essential for continuing the civil administration ;

(ii) religious buildings ;

(iii) museums, libraries and scientific buildings ;

(iv) buildings of historic or artistic importance on the Official List of Monuments unless the permission of the Commanding General has been previously obtained ;

(v) political party buildings until records they may contain have been secured.

1257. (*a*) Require the *Bürgermeister*, or head of local government, to confer with you as frequently as necessary and in his presence or through him make frequent or daily contacts with :

(i) Head of Police (a Public Safety Officer, if available, should attend to this) ;

(ii) Health Officials ;

(iii) Officials responsible for

(*a*) water supply ;

(*b*) electric light and power ;

(*c*) food rationing and distribution.

(*b*) Report to Regional or Senior Military Government Officer.

(*c*) Report to the Military Commander in your area.

(*d*) Maintain constant liaison with CIC, Military Police.

(*e*) Keep War Diary.

1258. (*a*) Gather data for surveys and reports required by all functions.

N.B.—Do not do this yourself. Arrange that material for all of these shall be gathered, collated and edited simultaneously. Make a separate official or group of officials responsible for each subject. Require all German officials to report in English. Require them to provide their own translators and interpreters.

(*b*) Forward these reports, when complete, marked for the attention of the appropriate specialist officer.

1259. Always remember that all documents and reports must be written in English ; the signature must be at the end of the English text. Let the Germans understand clearly that the English version of any document is the ruling one, and that your interpretation of it is final.

1260. If it will save time and inconvenience, you may add after the signature, the German translation. The German translation must not be signed.

1261. Remember that you belong to a victorious army and to a military staff ; and that you are among a people who have been taught to judge men by their discipline, correctness of bearing, behaviour and dress. Ensure that yourself and your men have the highest standards in all these matters, for on them may well rest the difference between respect, and the obedience which respect brings, and attempts to undermine or evade your authority.

APPENDICES

APPENDIX "A."—*Military Government Technical Manuals—Germany.*

APPENDIX "B."—*Finance and Property Control Documents.*

1. Currency now in Circulation in Germany.
2. Allied Military Marks.
3. General Order, No. 1 (Law No. 52—Blocking Property).
4. Instructions to Financial Institutions, No. 1 (Compliance and Reports).
5. Instructions to Financial Institutions, No. 2 (Blocking Property).
6. Instructions on Revenues and Expenditures, No. 1.
7. Instructions to Stock and Commodity Exchanges, No. 1.
8. Instructions to Reichsbank, No. 1 (Law No. 53).
9. Instructions to Reichsbank, No. 2 (Law No. 52).
10. General License, No. 1 (Living Expenses).
11. General License, No. 2 (Payments into Blocked Accounts).
12. General License, No. 3 (Municipal Property).
13. General License, No. 4 (Inter-bank Transfers).
14. General License, No. 5 (Religious Property).
15. Instructions to Financial Institutions, No. 3 (Personnel).

APPENDIX "C."—*Psychological Warfare and the Control of the German Information Services.*

APPENDIX "D."—*Instructions to Reich Minister of Posts.*

APPENDIX "E."—*Receipt for Supplies to be Furnished by the Supreme Commander.*

MILITARY GOVERNMENT TECHNICAL MANUALS—GERMANY

Military Government Technical Manuals covering the following subjects will be issued by Supreme Headquarters:—

Administration and Local Government.

Finance and Property Control.

Labour.

Legal.

Posts, Telephone and Telegraph.

Public Health.

Public Safety.

Public Welfare.

Technical Manuals on other subjects will be issued as required.

The Technical Manuals contain background material, forms and specific procedures for the guidance of Military Government specialist officers, but should be consulted by all Military Government officers who are called upon to deal with the subjects covered.

FINANCE AND PROPERTY CONTROL DOCUMENTS

1. Currency now in Circulation in Germany.
2. Allied Military Marks.
3. General Order, No. 1 (Law No. 52—Blocking Property).
4. Instructions to Financial Institutions, No. 1 (Compliance and Reports).
5. Instructions to Financial Institutions, No. 2 (Blocking Property).
6. Instructions on Revenues and Expenditures, No. 1.
7. Instructions to Stock and Commodity Exchanges, No. 1.
8. Instructions to Reichsbank, No. 1 (Law No. 53).
9. Instructions to Reichsbank, No. 2 (Law No. 52).
10. General License, No. 1 (Living Expenses).
11. General License, No. 2 (Payments into Blocked Accounts).
12. General License, No. 3 (Municipal Property).
13. General License, No. 4 (Inter-bank Transfers).
14. General License, No. 5 (Religious Property).
15. Instructions to Financial Institutions, No. 3 (Personnel).

CURRENCY NOW IN CIRCULATION IN GERMANY

Abbreviations: RM—Reichsmark RPf—Reichspfennig
Rt M—Rentenmark Rt Pf—Rentenpfennig

1. *Reichsbank Notes*—(Unlimited Legal Tender)

RM. 5
10
20
50
100
1,000

2. *Rentenbank Notes*—(Not legal tender, but "legally admitted" and pass freely; are acceptable in payment of taxes, etc.)

Now outstanding and valid:—

Rt M 1
2
5

Formerly issued but withdrawn and invalid:—

Rt M 10
20
50
100
500
1,000

Marks, as distinguished from *Reichs*marks, *Renten*marks or Allied Military Marks, are worthless. Any paper currency over 1,000 RM, Rt M or AMM is worthless also.

3. *Coin*—

Made of	*Denominations*	*Legal Tender up to*	*Whether still in circulation*
Silver	RM 5 ..	RM 20 ..	Yes
	RM 3 ..	RM 20 ..	No
	RM 2 ..	RM 20 ..	No
	RM 1 ..	RM 20 ..	No
Nickel	RM 1 ..	RM 20 ..	No
	RPf 50 ..	RM 5 ..	No
Aluminium ..	RPf 50 ..	RM 5 ..	Yes
Aluminium-Bronze ..	RPf 10 ..	RM 5 ..	Yes
	RPf 5 ..	RM 5 ..	Yes
Copper	RPf 2 ..	RM 5 ..	No
	RPf 1 ..	RM 5 ..	No
Zinc	RPf 10 ..	RM 5 ..	Yes
	RPf 5 ..	RM 5 ..	Yes
	RPf 1 ..	RM 5 ..	Yes

NOTES.—(1) All coins are accepted without limit by the Reich, Länder and Reichspost.

(2) Certain coins expressed in "Rentenpfennige" are in practice treated indistinguishably from the Reichspfennig coins of the same denominations.

ALLIED MILITARY MARKS

1. Allied Military Marks have been printed in the following denominations :—

Denomination (Marks)	*Number of Notes in each box*	*Code Sign on box*	*Value of each box* (Marks)
0·50	64,000	PA64	32,000
1	64,000	PB64	64,000
5	64,000	PC64	320,000
10	40,000	PE40	400,000
20	32,000	PF32	640,000
50	32,000	PG32	1,600,000
100	32,000	PH32	3,200,000
1,000	32,000	PJ32	32,000,000
Mixed (*see* para 2.)	52,000	PM52	580,000

2. Each " Mixed Box " contains the following :—

Denomination (Marks)	*Number of Notes*	*Value* (Marks)
0·50	8,000	4,000
1	16,000	16,000
5	16,000	80,000
20	4,000	80,000
50	8,000	400,000
	52,000	580,000

3. The notes are packed in wooden boxes of approximately the following dimensions :—

27 in. × 15 in. × 10½ in.

Weight : 90 lbs. approx.

25 boxes weighing 1 ton (br) approx.

It should be possible to pack about 80 boxes on one U.S. Army 3-ton truck/lorry (6×6).

MGAF—GO(1)

GENERAL ORDER No. 1

(Pursuant to Military Government Law No. 52; Blocking and Control of Property)

I. It is hereby ordered that, commencing from the date of announcement of dissolution, abrogation or suspension of any organization or business enterprise by Military Government, the provisions of Article IV of Military Government Law No. 52 shall no longer apply to any such organization or business enterprise or its property.

II. All property of all persons described below is hereby specified by Military Government in accordance with Article I, paragraph 1, sub-paragraphs (*c*) and (*g*) of Military Government Law No. 52, to be subject to all of the provisions of Military Government Law No. 52, and may not be dealt with except as licensed or otherwise authorized or directed by Military Government or Military Government Law No. 52 :—

1. All persons who have been members at any time of any of the General Staffs including those of the Oberkommando des Heeres, the Oberkommando der Kriegsmarine or the Oberkommando der Luftwaffe.

2. Ministers, State Secretaries and Ministerial Directors in all Reich Ministries.

3. All officials at any time since 30th January, 1933, other than clerks, of the Reichskanzlei, Präsidialkanzlei or Pressechef der Reichsregierung.

4. Minister, Chief Adjutant, State Secretary, Ministerial Directors, heads and deputy heads of departments, subdepartments and agencies of the Ministry of Armament and War Production, including the heads of all Hauptausschüsse and Ringe.

5. All Reich Commissioners, General Commissioners and Inspectors-General.

6. Land Ministers, State Secretaries and Ministerial Directors at Land Levels.

7. Provincial Presidents, Reich Governors and their Department Heads.

8. Regierungspräsidenten.

9. Landräte.

10. Oberbürgermeister.

11. Reich Youth Leaders (Reichsjugendführer) at any time.

12. The President, members of the managing board (Reichsbankdirektorium), members of the Beirat, and all Reichsbankdirektoren of the head office (Berlin) of the Reichsbank (Deutsche Reichsbank); all members of the local Advisory Boards (Bezirksbeiräte) of the regional Reichsbank Branches (Hauptstellen, Stellen).

13. The Boards of Directors and Vorstände of the:

(*a*) The Gold Discount Bank (Deutsche Golddiskontbank), Conversion Office for German Debts (Konversionskasse für Deutsche Auslandsschulden), Reichskreditkasse and German Clearing Office (Deutsche Verrechnungskasse).

(*b*) German Central Savings Bank (Deutsche Girozentrale-Deutsche Kommunalbank).

(*c*) Bank der Deutschen Luftfahrt, Heeres-Rüstungs A.G., Rüstungskontor G.m.b.H., Deutsche Bau-und-Boden Bank, Deutsche Industriebank, Deutsche Gesellschaft für öffentliche Arbeiten ("Oeffa"), Deutsche Siedlungsbank, Deutsche Verkehrs-Kredit-bank.

(*d*) The following Berlin Commercial Banks: The "Big Six"—Deutsche Bank, Dresdner Bank, Commerzbank, Reichs-Kredit-Gesellschaft A.G., Berliner Handels-Gesellschaft, and Bank der Deutschen Arbeit A.G. Also all members of the local advisory boards of such banks.

(*e*) Preussiche Staatsbank (Seehandlung), Berlin. Also the Chairman and Vice-Chairman of the Board of Dircctors and the entire Vorstand of all other State Commercial banks.

14. Reich Commissioners, Vorstand, and the Boards of Directors of the:

(*a*) German Central Credit Co-operative Bank (Deutsche Zentralgenossenschaftskasse).

(*b*) Deutsche Rentenbank-Kreditanstalt and Deutsche Rentenbank.

15. All partners of the following private banks:

Merck, Finck and Co., Munich and Berlin.

Brinckmann, Wirtz and Co., Hamburg.

Pferdmenges and Co., Cologne.

J. H. Stein, Cologne.

Delbrück, von der Heydt and Co., Cologne.

Delbrück, Schickler and Co., Berlin.

Burkhardt and Co., Essen.

Eichborn and Co., Breslau and Berlin.

Münchmeyer and Co., Hamburg.

16. All Geschäftsführer of Hardy & Co., G.m.b.H., Berlin.

17. Chairmen and Vice-Chairmen of the Boards of Directors and all members of the Vorstände of all commercial banks not otherwise specified herein, having total assets in excess of RM.50,000,000.

18. Heads of Reichsausschuss zum Schutze des Deutschen Blutes, Reichsstelle für Umsiedlung, Reichsversicherungsamt, Reichsarchiv.

19. All officials of the following Reich agencies :

(*a*) Office of the Plenipotentiary for the Four Year Plan (Beauftragter für den Vierjahresplan) and all subdivisions thereof.

(*b*) Supreme Command of the Armed Forces (Oberkommando der Wehrmacht—OKW).

(*c*) Reich Ministry for Public Enlightenment and Propaganda (Reichsministerium für Volksaufklärung und Propaganda) and national, regional and subsidiary offices.

(*d*) Reich Air Ministry (Reichsluftfahrtministerium).

(*e*) Reich Ministry for Occupied Eastern Territories (Reichsministerium für die besetzten Ostgebiete).

(*f*) Reich Ministry for Ecclesiastical Affairs (Reichsministerium für Kirchliche Angelegenheiten).

(*g*) European Office for Labour Supply.

(*h*) Reich Office for Spatial Planning (Reichsstelle für Raumordnung).

(*i*) Reich Office for Resettlement (Reichsstelle für Umsiedlung).

(*j*) Academy of German Law (Akademie für das deutsche Recht).

(*k*) German Academy (Deutsche Akademie, Munich).

(*l*) Reich Chambers for Doctors, Veterinaries, Dentists and Apothecaries (Reichsärzte-, Tierärzte-, Zahnärzte- und Apotheker-kammern).

(*m*) Office of Forestry (Amt für Forstwirtschaft).
Reich Patent Office (Reichspatentat).

20. All members of every German Reichstag since 1st January, 1934.

21. Reich Labour Trustees (Reichstreuhänder der Arbeit).

22. The following officials of the Reich Food Estate: All Bauernführer—from and including the Kreis level up; Chairmen of the Central Market Associations (Hauptvereinigungen), Regional Market Associations (Wirtschaftsverbände) and County or local marketing associations (Unterverbände), Presidents of Regional Food Offices (Landesernährungsämter) and County Food Offices (Ernährungsämter); and their deputies.

23. All university rectors and curators appointed since 30th January, 1933, including heads of all institutions of university rank (Hochschulen).

24. Members of the Supreme Court (Reichsgericht); People's Court (Volksgericht); Reichsverwaltungsgericht; Reichskriegsgericht; Reichserbhofgericht; Reichsarbeitsgericht; Reichsehrengerichtshof; Oberstes Fideikommissgericht; Oberprisenhof.

25. Members of the Courts of Appeal (Oberlandesgerichte).

26. Chief Public Prosecutors (Oberreichsanwälte, Generalstaatsanwälte and Oberstaatsanwälte).

27. All members of the SS; all officers and non-commissioned officers of the Waffen SS and SA from Unterscharführer up.

28. Hitler Youth officials and officers (male and female) from Stammführer or Mädelringführerin up.

29. Officials and officers of the NSDAP, down to Ortsgruppenleiter; directors, officials and officers of any organization, institution, department, agency, office or other entity forming part of, attached to, affiliated with, or in any way controlled or supervised by any organization listed in Military Government Law No. 5 and of any of the following NSDAP agencies:

(*a*) Reich Committee for People's Health Service (Reichsausschuss für Volksgesundheitsdienst).

(*b*) Reich Sport Office (Reichssportamt).

(*c*) Reich Genealogical Office (Reichssippenamt).

(*d*) State Academy for Race and Health (Staatsakademie für Rassen und Gesundheitspflege, Dresden).

(*e*) All publishing houses and printing works owned or controlled by the NSDAP, such as Phœnix G.m.b.H., the Eher Verlag and all enterprises owned or controlled by any of them.

(*f*) Association of German Organizations Abroad (Verband Deutscher Vereine im Ausland, i.e., VDVA).

(*g*) Fraternity USA (Kameradschaft USA).

(*h*) Ibero-American Institute (Ibero-Amerikanisches Institut).

(*i*) World Service (Weltdienst).

(*j*) Main Office for the Security of the Reich (Reichssicherheitshauptamt).

(*k*) Main Office for Budgets and Buildings (Hauptamt für Haushalt und Bauten).

(*l*) Main Office for Administration and Economy (Hauptamt für Verwaltung und Wirtschaft).

(*m*) The Hanns Kerrl Community Camp (Gemeinschaftslager Hanns Kerrl).

(*n*) German Fichte Association (Deutscher Fichte Bund).

(*o*) SA (Sturmabteilungen), and all formations, subdivisions and affiliated organizations thereof, including the SA—Wehrmannschaften or pre-military training centres.

(*p*) NSKK (NS-Kraftfahrer-Korps, or Motor Corps).

(*q*) NSFK (NS-Fliegerkorps, or Flying Corps).

(*r*) Hitler Youth (Hitler Jugend—HJ) and subsidiary organizations.

(*s*) German Christian Movement (Deutsche Christen Bewegung).

(*t*) Neo-Pagan Movement (Deutsche Glaubensbewegung).

(*u*) Technische Nothilfe (TN).

(*v*) Volksdeutsche Bewegung.

30. Every person who, at any time since 1 April, 1933, has served the Deutsche Lufthansa A.G. outside Germany and every official or officer who has served it within Germany at any time since 1 April, 1933.

31. Police Presidents and Directors and all Police officers above the rank of Lt.-Col.

32. All members of Security Police (Sicherheitspolizei) ; of Secret Police (Gestapo), Security Service (Sicherheitsdienst), and Frontier Police (Grenzpolizei).

33. German Labour Front officials of the rank of Arbeitsführer and higher, including Kraft durch Freude officials at Reich and Gau levels.

34. Civilian officials and military officials of the rank of Captain or equivalent or above, in German administration of occupied countries, and all persons who have acted as representatives of the NSDAP in occupied countries not otherwise covered herein.

35. Leaders, Chairmen, Presidents and their Deputies of National Economic Chambers, Reichsgruppen, National Transportation Groups (Reichsverkehrsgruppen), Wirtschaftsgruppen, Gau Economic Chambers and Affiliated Economic Chambers.

36. Responsible Officers of the Organization Todt.

37. All Wehrwirtschaftsführer.

38. President and all other officials of the Werberat der Deutschen Wirtschaft and its component organizations.

39. All Directors and high offi cialsof the Reichsrundfunk G.m.b.H. and the Deutsches Nachrichtenbüro.

40. All Managers, Directors and officials of the Deutsche Umsiedlungs Treuhand G.m.b.H.

41. Presidents, Vice-Presidents and Secretaries of the Reichskulturkammer, of each subordinate Kammer and heads of sections of each subordinate Kammer.

42. Editors, Assistant Editors, Directors and all other Executives of all newspapers, magazines and other news-disseminating agencies owned or controlled by the NSDAP or any organization, department, agency, institution, office or other entity forming part of, attached to, affiliated with, or controlled by the NSDAP.

43. All Amtsleiter and higher officials of the Reichspropagandaleitung.

44. Persons other than those listed above who have accepted the Nazi honours of Blutorden, Ehrensold, Ehrendolch.

45. All persons removed from office or position, public or private, or arrested and held by the Military Forces or Military Government and all persons suspended from office or position, public or private, by Military Government for the time such persons are suspended, regardless of whether or not they are listed above.

III. 1. The specification of the foregoing persons shall be deemed to include all persons who are now holding or who at any time since 31st December, 1937, have held such positions, and the nominees of any of them.

2. The specification of the foregoing agencies, organizations and other entities shall be deemed to include their successors, substitutes or nominees.

IV. As used herein with respect to any stock company (Aktiengesellschaft, A.G.), any registered association (eingetragener Verein, e.V.), and any limited liability company (Gesellschaft mit beschränkter Haftung, G.m.b.H.), the term "official" shall mean any individual, whether an officer or not, who is empowered, either alone or with others, to bind or sign for or on behalf of any of the foregoing (*e.g.* Aufsichtsratsmitglieder, Geschäftsführer, Vorstandsmitglieder, or Prokuristen) with respect to Government Departments or agencies the term "officials" shall mean all heads of departments, sub-departments, sections or other similar organizational units.

V. All custodians, curators, officials or other persons having possession, custody or control of any of the property of the foregoing are required to comply with Military Government Law No. 52.

BY ORDER OF MILITARY GOVERNMENT.

MGAB—(I)1

MILITARY GOVERNMENT—FINANCE SECTION

Date.....

INSTRUCTIONS TO FINANCIAL INSTITUTIONS, No. 1

1. Financial Institutions, as used in Military Government Laws, Instructions, Orders, etc., include any public or private agency, enterprise or person engaged in the business of any of the following: receiving deposits, making any type of loan, underwriting or dealing in securities or in commercial paper or in foreign exchange, acting as guarantor of financial obligations, exchanging money, maintaining safe deposit facilities, insuring against losses other than those covered by social insurance, or performing the functions of a stock or commodity exchange.

2. Your operations will be conducted to conform with all applicable German laws and all Military Government Laws, Orders and Instructions, including: (*a*) Military Government Law No. 51 (Currency); (*b*) Military Government Law No. 52 (Blocking and Control of Property); (*c*) Military Government Law No. 53 (Foreign Exchange Control).

3. Access to safe deposit vaults and boxes will be prohibited except as authorized by Military Government. No property held by you in safe custody may be delivered to anyone except as authorized by Military Government. Employees in the ordinary performance of their duties may, however, have access to the vaults containing the institution's assets or records.

4. All property, including accounts and other financial assets of persons, institutions, organizations or other entities subject to Military Government Law No. 52 or named or described in any lists, orders, or instructions which may be issued thereunder from time to time, will be blocked. The current ledger sheets or equivalent records will be plainly marked with the words "blocked by MG", to distinguish them from other accounts, such as those blocked under existing German blocking procedure. Applications for special licenses with respect to property subject to Military Government Law No. 52 will be filed with the nearest branch of the Reichsbank, *i.e.* that branch of the Reichsbank from which it formerly received its instructions, if available, or the nearest branch of the Reichsbank within the same area.

5. You will not effect any payment, transfer or withdrawal made pursuant to Article IV of Military Government Law No. 52, if you have any knowledge or reason to believe that such payment, transfer, or withdrawal does not comply with the terms and conditions of such article, or if the transaction is prohibited by General Order No. 1 under Military Government Law No. 52 or any other Military Government Law. In questions arising

as to the interpretation of such article you will consult with the nearest branch of the Reichsbank.

6. All financial institutions will submit in triplicate to the nearest branch of the Reichsbank :

(*a*) Within seven days, a detailed balance sheet on your regular report forms as of the date you receive these instructions.

(*b*) Within fifteen days, a list of accounts of all natural persons with balances aggregating RM.100,000 or more ; and of accounts of all others with balances aggregating RM.500,000 or more (Form MGAF (3)).

(*c*) Within 30 days, a report on Form MGAX (1) of all assets and liabilities covered by Military Government Law No. 53 (Foreign Exchange Control).

7. Within 15 days you will deliver to the nearest branch of the Reichsbank the foreign exchange assets specified in Article III of Military Government Law No. 53 (Foreign Exchange Control), together with Form MGAX (2) in triplicate.

8. The official language of Military Government is English. All information furnished by you and all correspondence should be in English ; if given in German, it should be accompanied by an English translation. Where German is used by Military Government it is simply as a convenience, and in case of any conflict or doubt, the English version shall always prevail.

9. Until otherwise instructed, the Reichsbank will be used as the medium for conveying requests, information and reports desired by or of concern to Military Government.

10. All personnel not removed or suspended by Military Government will remain at work.

11. The individual or individuals constituting the management of your institution as well as all officials and employees of your institution involved, are personally responsible for compliance with all proclamations, laws and instructions issued by Military Government as well as for the preservation of all your archives, records, ledgers, registers and the prompt preparation of all data required by Military Government.

BY ORDER OF MILITARY GOVERNMENT.

MGAF—I(2)

MILITARY GOVERNMENT—FINANCE SECTION

Date.....

INSTRUCTIONS TO FINANCIAL INSTITUTIONS, No. 2

(For Preparation of Report Form MGAF (2) Series A)

1. The instructions given below are for use in preparation of Form MGAF (2) Series A and are issued to implement the provisions of Military Government Law No. 52 (Blocking and Control of Property). They are in addition to the instructions contained in Instructions to Financial Institutions No. 1. Copies of Law No. 52, General Order No. 1 issued pursuant thereto, Instructions to Financial Institutions No. 1 and all other documents pertaining to the blocking of property, may be secured from the nearest branch of the Reichsbank, *e.g.* the nearest office within the same area, or from its Head Office in Berlin.

A. Who Must Report

2. Every financial institution as defined in Instructions to Financial Institutions, No. 1 in Germany as defined in Article VII of Military Government Law No. 52 except insurers, shall file reports on Form MGAF (2) Series A, for all blocked accounts, credits, securities and other property held by it.

3. Insurers need not file Form MGAF (2) Series A, but will report blocked property on Form MGAF (2) Series B.

B. Property to be Reported

4. Your attention is directed to Articles I and II of Military Government Law No. 52 and General Order No. 1 issued thereunder. General Order No. 1 gives lists of organizations, agencies and persons whose property must be blocked under Law No. 52.

5. A separate form shall be completed for each person whose property is blocked.

C. Time and Place for Filing Reports

6. Reports should be executed in triplicate, and all three copies shall be filed with the nearest branch of the Reichsbank within 30 days of the first promulgation of Military Government Law No. 52 in the area. Whenever the property of a person, institution or organization is blocked subsequent to the date of the first promulgation of Military Government Law No. 52, the financial institution required to report shall file said report within 15 days after the date of blocking.

D. ADDITIONAL SPACE

7. If Form MGAF (2) Series A has insufficient space for all items, the financial institution will attach extra sheets as necessary. The extra sheets should be numbered and should show the number of the property item being reported. There should be a notation on the form itself at the proper space that additional information is being reported on "Extra page —".

E. AFFIDAVIT

8 (*a*). The form and affidavit may be executed on behalf of a partnership by any one of the partners, or more if available, and all partners shall be bound thereby. The form and affidavit may be executed on behalf of any other organization by any one official, or more if available, and such organization shall be bound thereby.

(*b*). One affidavit may be used to verify any number of forms of the same kind, provided that such forms are numbered consecutively; that the numbers are referred to in the affidavit and that all such forms are attached to and submitted with the affidavit.

F. PENALTIES

9. Any person failing to submit a report in accordance with Military Government Law No. 52 and these instructions or who omits any required fact or statement, or who makes any misleading, incomplete or false statement in such report shall, upon conviction by a Military Government Court, be liable to any lawful punishment as such Court may determine.

G. PREPARING THE REPORT

10. Care should be taken that all entries are clear and legible and are in their proper spaces. All spaces in the report must be properly filled in. If no property exists in any category, write the word "none" in the proper space. Reports not found to be in proper form or lacking in essential details shall not be deemed to have been filed. If these reports are filled out in German, they should be accompanied by an English translation.

11. NUMBER (upper right-hand corner). A financial institution preparing a number of forms will enter a number here when the affidavit covering the particular report is one covering several other reports. For example, should a financial institution prepare three reports, only the affidavit on the third need be sworn to, provided the numbers of each report form have been entered in the space provided therefor in the affidavit.

12. DATES. The date the report is prepared and the affidavit is sworn to should be entered in the proper blank spaces.

13. PART I—FINANCIAL INSTITUTION MAKING THE REPORT

(*a*) Name: Enter here the name of the organization submitting this report and any other information to identify it.

(*b*) Give the complete address, including number, street and town.

14. PART II—PERSON WHOSE PROPERTY IS REPORTED

(*a*) Name: Enter the full name of the individual, giving family name first. In the case of an organization, enter the full name and any trade name by which the particular organization or institution is known.

(*b*) Address: Enter here the last-known address of the person whose property is being reported.

(*c*) Business, Profession or Occupation: Be specific.

(*d*) Citizen of, or organized under the laws of ————: In the case of an individual, enter the country of which the individual is a citizen. An individual deprived of citizenship, will be reported as being a citizen of the country of which he was a citizen before the cancellation. In the case of business or other organizations, enter the name of the country or countries under the laws of which they were organized, or where their respective principal offices are located. In addition, whenever the controlling ownership interest is held in a country other than the country under which the organization was formed, give the name of such country.

(*e*) Blocked pursuant to Law No. 52 because: Here enter the particular clause of Articles I and II under which the property mentioned has been blocked. Thus an account of the German Reich in a particular bank would be reported "Art. I. 1.(a)." However, all cases of blocking by special lists issued by Military Government, telegrams or letters sent by Military Government or by other means, including General Order No. 1 or subsequent orders, will be reported "blocked by Military Government pursuant to list (or letter or telegram or General Order), dated....., 194 ." Whenever property of an individual, or organization, or institution is blocked by a Military Government Officer's verbal order, the financial institution will note "blocked by verbal order, of ....., dated....., 194 , at . . . ."

15. PART III A.—DEPOSITS

Where there are no deposits, an unequivocal statement is required, to wit "None." (This principle will govern in all other cases where information is asked in this report.)

Enter here all types of deposits including but not limited to time, notice or demand deposits. Enter also all accounts for which the blocked person has a power of attorney or other control and all joint accounts to which the blocked person is a party.

(*a*) Name of the account: Enter the name of the account as it is carried on your books. Include other identification if the account name as carried on your books is insufficient identification of the blocked person.

(*b*) Account number if any: Enter here the number of the account as carried in your books.

(*c*) Balance as of (1) 31st December, 1943, (2) effective date of Military Government Law No. 52: In case (1) above, enter the proper amount. If no account was maintained at that date, state: "None." Likewise in case (2) enter the balance in the account as of the date of the first promulgation of Military Government Law No. 52 in your area. Should an individual, institution or organization be blocked subsequent to the date of the said first promulgation of Law No. 52, you will enter the balance under column "effective date of Law No. 52" as the balance in the said account as of the date when blocked.

(*d*) Total: Add the sums of the accounts of one person for each of the two required dates and enter in the proper space.

16. PART III B.—COLLECTIONS

Give the total amount of all items deposited by or for the credit of the account of the person whose property is blocked which have not yet been entered on his accounts, except sight or cash items in process of collection. Enter all items received for credit to such account for which remittance has not yet been received. In the case of persons blocked subsequent to the date of first promulgation of Military Government Law No. 52, use the date on which blocking takes place, so stating in the report, instead of the date of first promulgation.

17. PART III C.—CHECKS, BANK ACCEPTANCES AND LETTERS OF CREDIT

(*a*) Checks: Enter the number of these items, and their total value, outstanding as of the date of first promulgation of Military Government Law No. 52. In case of persons blocked subsequent to first promulgation of Military Government Law No. 52, use the date on which blocking took place, so stating. Include the cashiers or other bank officials checks of the reporting bank purchased by the blocked person, and when appropriate records are available, such checks issued to his order. Treat certified checks in the same manner.

(*b*) Bank acceptances: Under this category give the total amount of all drafts accepted by the reporting bank drawn by

or payable to the blocked person as of the date of first promulgation of Law No. 52 or in case of persons blocked subsequent to the first promulgation of Military Government Law No. 52, the date on which such blocking took place.

(*c*) Letters of Credit: Give the total unexpended or unused amount of all letters of credit, prepaid or not, including traveller's checks, as of the date of first promulgation of Military Government Law No. 52 or as of the date of notice of blocking in the case of blocked persons, under which the blocked person had any rights, contingent or absolute, to receive any payments in any amount pursuant to the terms of a letter of credit, or reimbursement of any unused portion thereof. In determining the unexpended or unused available amount of a letter of credit, deduct from the face amount thereof or from the upper limit of credit, if greater than the face amount thereof, the amount of any drafts drawn or accepted thereunder, whether or not paid. No deduction or other adjustment should be made for any cash or other collateral or for any contingent liability under the letter of credit on the part of the person at whose request the credit was opened. Cash collateral should be reported under Deposits, Part III A. Other collateral, if it consists of securities, should be reported under Securities, Part V (a).

18. PART IV.—SAFE DEPOSIT BOXES

(*a*) Enter in this category rentals of safe deposit boxes in your institution in which your records indicate the blocked person has a direct interest. Give the name under which said safe deposit box is held and the number or other designation. Thus, if Mr. and Mrs. X jointly own a safe deposit box, and Mr. X's name is on a list of those whose property is to be blocked pursuant to Military Government Law No. 52, you will report said safe deposit box in Part IV (a).

(*b*) Enter those boxes where the blocked person is known to have an interest, but which interest may or may not be patent on the basis of your records. Here also report powers of attorney and other interests in a safe deposit box known to you apart from your records.

(*c*) Enter any parcel, box, case, trunk, sealed envelope, or other such receptacle which has been deposited with you by the person listed in Part II (a) hereof or in which such person has any interest whatsoever.

19. PART V.—SECURITIES

(*a*) Securities of any kind held in custody or safekeeping or as collateral: Securities shall include all types of securities whatsoever such as but not limited to: bonds, mortgage bonds, debentures, instruments of indebtedness issued by the Reich or other entities, public or private, including detached coupons, notes, bills, certificates, etc., stocks, shares, dividend warrants, scrip and such officially registered claims on the Reich as are equivalent to German securities.

Where face amount is asked, the reporting institution shall give the par or face value of the security or instrument. If none is shown, give the estimated value, marking said value "Estimated." If unable to give a value, state "Value unknown."

Where a security is not in your physical possession, but is in your custody or control, indicate its location under the heading, "Description and Location." You will describe the securities in custody or safekeeping with you with sufficient detail so as to be readily identifiable.

Where a security is held as collateral, indicate on a separate sheet attached to and made part of this report, the loan for which the security is collateral.

If the securities were held by you on 1st September, 1939, you would of course answer "yes," in the proper column.

(*b*) Enter here any other property or property rights not covered in Part V (a).

20. PART VI.—ADDITIONAL INFORMATION

(*a*) Enter here the name and address of any person whom you know or have reason to believe has some interest, actual or contingent, with respect to any property herein reported or to be reported under Part VI (b). Refer to this particular property item by proper paragraph, number and description.

(*b*) Enter here any property whatsoever which, in any manner, is in your custody or control, and which you have not entered in any other part of this report. It follows that for a given person whose property you are reporting, you will report every item of property in your control or custody, in any manner whatsoever.

(*c*) Enter here the names and locations of other financial institutions which to your knowledge or belief are holding any property of the blocked person whose property is herein reported.

BY ORDER OF MILITARY GOVERNMENT.

MGAB-I (2)

MILITARY GOVERNMENT—FINANCE SECTION

Date.....

INSTRUCTIONS TO STOCK AND COMMODITY EXCHANGES AND THEIR MEMBERS, No. 1

1. Your operations and transactions will be conducted to conform with all pertinent Military Government proclamations, laws, ordinances, regulations and any orders and instructions issued thereunder. All stock and commodity exchanges will call such law to the attention of their members and be responsible for the distribution to them of such information as may be required.

2. All stock and commodity exchanges and their members, including particularly specialists or jobbers, will preserve all books, records, accounts and papers and be responsible for the preservation of all such archives.

3. All records of clearings and written agreements pertaining thereto will be preserved in good order.

4. Stock and commodity exchanges and all members thereof are required to comply with the terms of Military Government laws, orders or instructions issued thereunder, concerning blocking and freezing of credits, securities and all other assets and papers of parties whose property is blocked pursuant to Military Government Law No. 52.

5. The statistical services of stock and commodity exchanges will be preserved and such exchanges will be required, in due time, to prepare and submit data required by Military Government.

6. Any deposits or guarantees of members of stock or commodity exchanges will be preserved and held by such exchanges pending further instructions.

7. No stock or commodity exchange or any member or employee thereof will, directly or indirectly, record, utter, issue or publish any quotation, past, present or future, official or unofficial, concerning transactions which are prohibited by Military Government law.

8. All stock and commodity exchanges will continue the preparation of their normal or periodic reports of activities, which may be called for by Military Government.

9. Every stock or commodity exchange will apply to the nearest branch of the Reichsbank, i.e. nearest office within

the same area, for copies of the Fragebogen which must be filled out in accordance with "Instructions to Financial Institutions No. 3 (Personnel)."

10. In the event that any stock or commodity exchange has in the past acted as a banking institution or safe deposit agency, it will comply with instructions to such institutions including any regulations restricting access to safe deposit vaults and boxes.

11. All correspondence or information furnished by you to Military Government should be in English; if given in German it should be accompanied by an English translation.

BY ORDER OF MILITARY GOVERNMENT.

MGAX-I (1)

MILITARY GOVERNMENT—FINANCE SECTION

Date.....

INSTRUCTIONS TO THE REICHSBANK AND ITS OFFICES, No. 1

(Foreign Exchange Control)

Your attention is directed to Military Government Law No. 53 (Foreign Exchange Control). The following are some of the responsibilities with respect to the administration of such Law imposed on you:

1. Within 15 days of the effective date of Military Government Law No. 53, in your area, there will be delivered to you certain foreign exchange assets enumerated in Paragraph 5 of Article III of such law. Form MGAX (2) will be made available to you. You will distribute these forms to all financial institutions, including Post Offices, and to other persons or organizations likely to hold or own foreign exchange assets of the kind covered by Paragraph 5 of Article III. Persons making delivery of such assets will submit Form MGAX (2) filled out in triplicate. You will acknowledge receipt in the blank space marked for this purpose on all three copies of the form accompanying the assets so delivered. You will retain the second copy and will forward the original to your Head Office in Berlin as soon as possible, or to such branch or other institution as Military Government may designate. The third copy will be given to the person delivering such property as his receipt.

2. All assets delivered to you in this manner will be placed in a special vault or other safe place of custody, which will be locked and which will contain no other assets. You are responsible for the safe custody of such assets. Keys and other means of access to such vault or similar place of custody will be held at the exclusive disposal of Military Government officers or persons specially authorized by them. You will receive further instructions in due course as to inspection, reporting and forwarding of assets so delivered. In the meantime, you may attend to collection of coupons, etc., pertaining to securities thus deposited and may take such other normal action as may be necessary to administer such assets.

3. Unless authorized by Military Government, requests for extensions of the aforementioned 15-day time limit will not be granted.

4. In addition to assets of the type enumerated in Paragraph 5 of Article III delivered by owners, holders or other persons acting on behalf of the owners, you may also receive such assets from time to time from :

(*a*) Military Government personnel charged with the duty of controlling the national frontiers of Germany, or from personnel authorized by Military Government to act in that capacity ; or

(*b*) Military Government personnel and personnel acting for them charged with postal censorship duties.

When assets are delivered by persons in subsection 4 (*a*) above, they will be accompanied by a copy of the receipt issued by such personnel to the person from whom such property has been received. Upon receipt of such assets, you will fill in Form MGAX (2) in triplicate, retaining the duplicate copy thereof and the copy of the receipt furnished you by the Military Government personnel. You will forward the original of Form MGAX (2) to your Head Office in Berlin as soon as possible, or to such branch or other institution as Military Government may designate. The triplicate copy thereof will be returned to the Military Government personnel making the delivery as their receipt. Assets similarly delivered to you by other Military Government organizations, etc., will be treated in the same manner.

Instructions may be issued to you from time to time regarding delivery of such assets by other agencies.

5. Within 30 days of the effective date of Military Government Law No. 53, you will receive declarations on Form MGAX (1) of all assets and obligations subject to said Law.

Form MGAX (1) will be made available to you and will be promptly distributed by you to all financial institutions, including Post Offices, and to other persons or organizations likely to hold or own such assets or owe such obligations. More detailed instructions will be issued to you in due course as to disposition of all declarations received.

6. In accordance with Military Government Law No. 53 you are prohibited, except as authorized by Military Government, from engaging in any transaction or other dealing in foreign exchange and gold and silver, including but not limited to disposing or permitting to be disposed of, or in any way transferring or permitting to be transferred, any assets whatsoever which are held outside Germany in your name. All authorizations or exemptions issued, granted or in any way given by you to financial institutions or any other persons or organizations to act as your agents in dealing in foreign exchange, are revoked, and are without any effect whatsoever.

7. All outstanding licenses and exemptions issued, granted or in any way given by you in respect of matters over which you have jurisdiction or other authority or control under existing German laws and regulations are cancelled. Until further orders from Military Government, no licenses will be issued by you with respect to foreign exchange or transactions or other dealings involving foreign exchange, including but not limited to transactions involving the purchase, sale or transfer of foreign exchange, gold or silver, foreign securities, or involving any Reichsmark accounts, securities and other valuables owned by or held for account of nationals of countries other than Germany and blocked under German or Military Government laws and regulations.

8. All correspondence and information furnished by you to Military Government should be in English; if given in German it should be accompanied by an English translation.

BY ORDER OF MILITARY GOVERNMENT.

MGAF—I(1)

MILITARY GOVERNMENT—FINANCE SECTION

Date.....

INSTRUCTIONS TO THE REICHSBANK AND ITS OFFICES, No. 2

(Instructions under Military Government Law No. 52)

1. Your attention is directed to Military Government Law No. 52 (Blocking and Control of Property) and to Instructions to Financial Institutions Nos. 1, 2 and 3. The provisions of the aforementioned documents apply equally to you. In addition, with respect to the administration of Military Government Law No. 52, you will comply with the following instructions.

INSTRUCTIONS TO FINANCIAL INSTITUTIONS NO. 2

2. Form MGAF (2) Series A to be used by Financial Institutions in reporting property held by them subject to Law No. 52 will be distributed by you to all appropriate Financial Institutions and Post Offices in your district, together with " Instructions to Financial Institutions No. 2," which contains instructions for the preparation of said Form. Within 30 days from the promulgation of Law No. 52 in your area, Form MGAF (2) Series A will be submitted to you in triplicate by all Financial Institutions and Post Offices in your district. After making certain that the Form is complete, properly made out and sworn to under oath, you will file them alphabetically pending further instructions from Military Government. For use in reporting property held by persons or organizations other than such Financial Institutions, additional Series of Form MGAF (2) will be forwarded to you for distribution and subsequent collection in due course. Unless otherwise authorized by Military Government, requests for extension of the thirty-day time limit for filing Form MGAF (2) will not be granted.

GENERAL LICENSES

3. There are enclosed herewith copies of General Licenses Nos. 1, 2, 3, 4, and 5, issued under Military Government Law No. 52. Subject to the terms and conditions contained therein these licenses authorize the following transactions: use of blocked accounts for the payment of living expenses of the depositor and his household (General License No. 1); payments into blocked accounts (General License No. 2); normal transactions in municipal property (General License No. 3); bank transfers of credit for the purpose of effecting payment of taxes and social insurance premiums, etc. (General License No. 4); normal transactions in Church property (General License No. 5). You will immediately take appropriate

measures to ensure that such licenses are made known to all financial institutions, including Post Offices, and to all other interested persons or organizations in your area.

APPLICATIONS FOR SPECIAL LICENSES

4. Unless otherwise authorized by Military Government, applications to effect any transaction prohibited by Military Government Law No. 52 and not authorized under any outstanding general license will be filed exclusively with you. Application Forms (MGAF-A (1)) for this purpose will be made available to you in the near future. You will make certain that all such applications have been properly filled out. You will take no action on such applications until specifically instructed by Military Government.

OTHER DUTIES

5. You will be responsible for the prompt distribution of various Military Government laws, instructions, report forms and other Military Government documents to interested Financial Institutions and persons and will at all times maintain a sufficient supply of such documents on hand to meet the needs of the general public.

6. All owners or holders of property blocked pursuant to Military Government Law No. 52 will be advised to address all inquiries with respect to general and special licenses, report forms, license application forms, etc., to you.

7. From time to time you will receive additional instructions relative to your responsibilities under Military Government Law No. 52.

BY ORDER OF MILITARY GOVERNMENT.

MGAF—L(1)

MILITARY GOVERNMENT—FINANCE SECTION

Date.....

GENERAL LICENSE No. 1

Issued pursuant to Military Government Law No. 52 (Blocking and Control of Property)

1. A general license is hereby granted permitting any natural person within Germany whose property is blocked pursuant to Military Government Law No. 52 to transfer or withdraw, or to order the transfer or withdrawal, from all his accounts in financial institutions of such funds as may be necessary for the actual living expenses of such natural person and the members of his household, provided however :

(*a*) That the total of all such transfers, withdrawals, or orders therefor does not exceed RM. 300 in any one calendar month, except that additional sums not exceeding RM. 50 per person per calendar month may be withdrawn for each additional dependent member of such person's household, up to a total of RM. 200 for all such dependents, making a maximum possible aggregate allowance of RM. 500 per household per calendar month ;

(*b*) Payments, transfers and withdrawals from an account in the name of a person who has been taken under detention or other form of custody by Military Government shall be made only to a member of such person's household and under no circumstances to such person.

2. No financial institution shall permit any payment, transfer or withdrawal pursuant to this general license if it has knowledge or reason to believe that such payment, transfer or withdrawal does not comply with the terms and conditions of this general license.

3. As used herein, the term "household" shall mean all dependent relations residing with and the natural person owning or controlling the blocked account.

BY ORDER OF MILITARY GOVERNMENT.

MGAF—L(2)

MILITARY GOVERNMENT—FINANCE SECTION

Date.....

GENERAL LICENSE No. 2

Issued pursuant to Military Government Law No. 52 (Blocking and Control of Property)

1. A general license is hereby granted permitting payments or transfers into accounts in financial institutions blocked pursuant to Military Government Law No. 52, provided that :

(*a*) Such transactions are not prohibited by any law other than Military Government Law No. 52 ;

(*b*) Such payment or transfer shall not be made by or on behalf of or from the property of any person whose property is blocked, except that a person whose property is blocked may deposit in his account in a financial institution property held by him outside a financial institution ;

(*c*) This license shall not be deemed to authorize any payment or transfer to any blocked account other than that of the person who is the ultimate beneficiary of such payment or transfer.

2. This license may not be employed to authorize or make any payment or transfer comprising part of a transaction which cannot be effected without the issuance of another license.

BY ORDER OF MILITARY GOVERNMENT.

MGAF—L(3)

MILITARY GOVERNMENT—FINANCE SECTION

Date.....

GENERAL LICENSE No. 3

Issued pursuant to Military Government Law No. 52 (Blocking and Control of Property)

A general license is hereby granted permitting any Kreis or Municipality to engage in all transactions within Germany ordinarily incidental to its normal operations, provided that such transactions are not prohibited by any law other than Military Government Law No. 52, and that such Kreis or Municipality shall not engage in any extraordinary transaction which, directly or indirectly, substantially diminishes or imperils the assets of such Kreis or Municipality or otherwise prejudicially affects its financial position.

BY ORDER OF MILITARY GOVERNMENT.

MGAF—L(4)

MILITARY GOVERNMENT—FINANCE SECTION

Date.....

GENERAL LICENSE No. 4

Issued pursuant to Military Government Law No. 52 (Blocking and Control of Property)

A general license is hereby granted permitting intra- and inter-bank transfers of credit from an account blocked pursuant to Military Government Law No. 52 :

(*a*) to the account of the German Reich or any Länder, Provinzen, Stadtkreise, Gemeinden, Landkreise, or other governmental sub-division or agency, in payment of matured taxes, duties, fees and similar items ; or

(*b*) in payment of matured premiums for social insurance.

BY ORDER OF MILITARY GOVERNMENT.

MGAF—L(5)

MILITARY GOVERNMENT—FINANCE SECTION

Date.....

GENERAL LICENSE No. 5

Issued pursuant to Military Government Law No. 52 (Blocking and Control of Property)

A general license is hereby granted permitting any institution within Germany dedicated to public worship to engage in all transactions ordinarily incidental to its normal activities but otherwise prohibited by Military Government Law No. 52, provided that :

(*a*) Such transactions are not prohibited by any law other than Military Government Law No. 52 ;

(*b*) This license shall not authorize any transaction by or on behalf of any agency, organization, person or other entity mentioned in General Order No. 1 ;

(*c*) This license shall not authorize the purchase, sale or transfer of title of real property ;

(*d*) Such institution shall not engage in any transaction which directly or indirectly substantially diminishes or imperils the assets of such institution or otherwise prejudicially affects such assets.

BY ORDER OF MILITARY GOVERNMENT.

MGAB—I(3)

INSTRUCTIONS TO FINANCIAL INSTITUTIONS, No. 3, AND GOVERNMENT FINANCIAL AGENCIES

(Personnel)

To all Financial Institutions and Agencies, public or private, Government Financial Agencies, and the Officials and Employees thereof:

I.—POLICY.

It is the policy of the Supreme Commander to remove active Nazis and ardent sympathisers from office and authority in the financial system, public and private. The efforts of persons to hinder the carrying out of these instructions by acts of omission or commission will be severely punished.

If forms or questionnaires are filled out in German, they should be accompanied by an English translation.

II.—EXECUTION AND CLASSIFICATION OF QUESTIONNAIRE (FRAGEBOGEN)

Every financial institution, public or private, and every government agency primarily of a financial character must procure from the Military Government sufficient *Fragebogen* for prompt execution by all personnel hereafter specified. If sufficient quantities are not available, the required number should be produced, in exactly the same format and content, by the institution or agency involved.

Every employee of every financial institution and of all government agencies primarily of a financial character, who hold or at any time since 1st January 1938 held, any position above that of clerk or other non-policy-making functionary, must procure, execute and deliver within 3 days his executed *Fragebogen* to his employer. All other persons specified in these instructions and the schedule annexed must also complete and deliver a *Fragebogen* within 3 days as directed by this circular. In reporting on Employment, Section E of the *Fragebogen,* care must be taken to include all positions or employment as director, adviser or consultant of corporations, etc.

Each such financial institution and government agency shall see that *Fragebogen* are executed by the individuals concerned and be returned by them, delivered into the hands of one of the four principal officers remaining in authority after the instructions contained in this circular have been carried out. The four highest officials remaining after the automatic removals have been effected in the institution must also examine the *Fragebogen* and see that they are correct according to the records of the institution and their own knowledge of the persons concerned. Any omissions or discrepancies must be noted in writing and attached to the respective *Fragebogen.* The four highest remaining

officials should then examine the *Fragebogen* to see that they are properly executed and completed and separate them into the following 3 categories and subdivisions thereof:—

(*a*) Persons automatically removed in accordance with these instructions to be subdivided into:—

(1) Directors (Members of the *Aufsichtsrat*).

(2) Board of Management (*Vorstand,* the members of which are often called "Direktor.")

(3) Other officials of the position of department head or higher.

(4) All remaining officials and employees.

(*b*) Persons suspended, sub-divided into 4 groups as above.

(*c*) Persons not automatically removed nor suspended, subdivided into the same 4 groups as above.

The *Fragebogen* so examined and classified should be sealed and delivered within 4 days to the nearest Military Government Financial Officer within the same area.

The fact that a person has been or will be removed or suspended under these instructions does not obviate the necessity for the execution of a *Fragebogen* by him as provided herein.

III.—DEFINITIONS

"Remove"—To discharge immediately an individual from every financial institution, government financial agencies and position which he holds and terminate his influence and participation, direct or indirect, therein.

"Suspend"—To prohibit temporarily the participation of any individual in the affairs of any financial institution or government financial agency until he has been investigated.

"*Vorstand*"—Board of Management.

"Officials"—Any individuals, whether officers or not, who are empowered either alone or with others to bind or sign for or on behalf of the financial institution (*e.g., stellvertretende Vorstandsmitglieder, Prokuristen, Handlungsbevollmächtigte*), as well as departmental heads (*Abteilungsleiter*).

"Government financial agencies," "government agencies primarily of a financial character," and "government agencies performing financial functions" mean those government agencies, at all levels, whose duties are fiscal or financial (*e.g.,* Ministry of Finance; those parts of the Ministry of Economics which supervise, regulate or control financial institutions; other agencies dealing with taxes; etc.). It is *not* intended to include persons handling administrative expenditures of other government agencies which are not primarily financial agencies, such as accounts departments of the Ministry of Agriculture.

In some German financial institutions the names given herein to certain positions may not be identical with the terminology used by Germans, but removal, suspension and investigation

shall apply to holders of positions corresponding to those mentioned in this instruction.

"*Fragebogen*"—Public Safety Form of Questionnaire MG/PS/G/9.

The singular includes the plural, *i.e.*, where it is directed that the Vice-Chairman of the Board of Directors shall be suspended, and there is more than one such Vice-Chairman, all shall be suspended.

IV.—Effecting Removals and Suspensions

(*a*) Immediately upon the occupation of Germany, or portions thereof, and thereafter, certain persons will be arrested and detained by military, Military Government, Counter-Intelligence or other officers because of their past or present political or other activities. All persons so arrested and detained who hold positions in financial institutions and government agencies shall be removed from such positions forthwith.

(*b*) Financial institutions and government financial agencies shall also remove immediately all persons in their employ who are known to be or to have been:—

(1) Members before 1st April, 1933, or officials at any time of the NSDAP.

(2) Members before 1st April, 1933, or officers and non-commissioned officers at any time of the SS (but as to the Waffen SS only officers of the rank of *Unterscharführer* or higher are to be removed at once).

(3) Members before 1st April, 1933, or officers at any time of the SA with the rank of *Scharführer* or higher.

(4) Officers at any time of the HJ with the rank of *Stammführer* or *Mädelringführerin* or higher.

(5) Officers at any time of the RAD with the rank of *Arbeitsführer* or higher.

(6) Members before 1st April, 1933, or officials or commissioned officers at any time of any of the remaining organisations specified in Military Government Laws Nos. 2, 5 or 77, including Formations (*Gliederungen*), Affiliated Organisations (*Angeschlossene Verbande*) or Supervised Organisations (*Betreute Organisationen*) of the NSDAP.

(7) Members at any time of any of the General Staffs or the General Staff Corps.

(8) Officials or employees of any kind whatever, at any time, of the Gestapo or *Sicherheitsdienst* (SD).

(*c*) Automatic suspensions, pending investigation, will be made of all persons:—

(1) Who hold or have held certain positions described below or enumerated in the annexed schedule.

(2) Who do not fall into any of the categories for automatic

removal, but who are active Nazis or ardent sympathisers of the Nazis.

(3) Who at any time since 1st January, 1938, have held any position mentioned herein from which the present holder is directed by this instruction to be suspended solely by reason of the office held.

(4) Who at any time since 1st January, 1938, has served outside Germany (*a*) on behalf of the Reich or any agency thereof, whether in a key post or not, or (*b*) as an official of any of the financial institutions and government agencies performing financial functions described herein or in the annexed schedule, or any branch, subsidiary or affiliate thereof, or (*c*) on behalf of any organisation specified in Military Government Laws Nos. 2, 5 or 77.

(5) Who at any time since 1st January, 1938, has served as a personnel manager or an official in the personnel department of any such financial institution or government agency primarily of a financial character.

(*d*) The German financial institutions listed in the annexed schedule must take the actions indicated in these instructions and the schedule with respect to the remaining occupants of offices enumerated in that schedule.

(*e*) Where an institution or person comes within more than one category for treatment hereunder, the category receiving the most severe treatment shall be the one applicable under these instructions.

V.—OFFICIALS IN THE FIELD OF PUBLIC FINANCE

Fragebogen should be executed by all public officials administering revenues or expenditures and by those in all other government agencies performing financial functions, national and local, as well as by those officials in or under the Ministries of Finance and that part of the Ministry of Economics exercising control or supervision over financial institutions who, at any time since 1st January, 1938, held any position above that of clerk or other non-policy making functionary. Accordingly, *Fragebogen* should be distributed as soon as possible to such officials, who must execute and return them to the government agencies where they are or were employed within 3 days after distribution.

VI.—TREATMENT OF REMOVED AND SUSPENDED PERSONNEL

Personnel who are removed, either automatically or by direction of Military Forces or Military Government, and persons suspended, during the time of suspension, shall: (1) be denied access to the institutions or public agency from which they have been removed, and all offices, branches and agencies thereof; (2) be denied participation, directly or indirectly, in the affairs, policy determination and operation of the institutions or agencies from which they have been removed; (3) leave all other financial institutions or agencies with which they may be in any way interested or connected, directly or indirectly, and take no records, papers or valuables, whether personal or not, out of such institutions or

agencies; (4) be denied access to all their accounts, safe deposit boxes, vaults and assets whatsoever, all of which shall be blocked under Military Government Law No. 52; (5) be denied employment in any other financial institution or agency in any capacity whatsoever unless specifically approved by higher Military Government authority; (6) be required to fill out and deliver his *Fragebogen* at once if he has not already done so; and (7) be required to report in writing to the Military Government Financial Officer in the area where removed from office, immediately upon assuming employment in any other field.

Persons who are removed shall be entitled to receive no economic benefits from the institutions or agencies from which they are removed, except for (*a*) any sum to which they are contractually entitled under any agreement or obligation duly entered into or shares or other participation owned before their removal, and (*b*) severance pay not to exceed that customarily paid by such institution or agency for such cause for a period of two months. All such monies and any other assets so received or to which such persons may be entitled under any such agreement or obligation, or such shares or other participation, shall be blocked.

The foregoing provisions shall also apply to suspended personnel during the period of their suspension.

VII.—REPLACEMENT OF PERSONNEL

(*a*) No person who, since 1st January, 1938, has fulfilled any of the conditions which would lead to his removal or suspension under these instructions if he were still in office, will be eligible to replace any personnel which has been removed or suspended pursuant to the above provisions, nor may any such persons participate, either directly or indirectly, in the affairs, policy determination, or operations of any financial institutions, public or private, or Government financial agencies.

(*b*) Before any person may replace one who has been removed or may fill a position in any part of the financial structure of the Government, local or national, or in a financial institution, such person must be approved in writing by the Military Government Financial Officer.

(*c*) When these instructions have been carried out, sufficient personnel will remain to enable financial institutions to function, albeit not with the same immediate efficiency. It is possible that certain authority may have to be granted by the institution concerned or be delegated by suspended or removed personnel to the next highest ranking officials who remain in such institutions in order to have persons who may sign or otherwise acknowledge on behalf of the institutions concerned. However, in those cases where the institution grants to others authority previously exercised by persons suspended or removed under these instructions, or where such authority is delegated by those persons who are removed or suspended, it shall be delegated only to the next three ranking officials remaining after the above mentioned removals have been effected and not to new or other personnel.

VIII.—LIST OF NAZI PERSONNEL AND REPORT OF COMPLIANCE

(*a*) Within seven days after distribution of the *Fragebogen*, all financial institutions and Government agencies primarily of a financial character shall prepare and submit to the Military Government Financial Officer in their area a list, in quadruplicate, of all officials and employees by name and last address whom the records show or who are known to be or to have been:—

(1) Members before 1st April, 1933, or officials at any time of the NSDAP.

(2) Members before 1st April, 1933, or officers or non-commissioned officers at any time of the SS, but as to the Waffen SS including only officers of the rank of *Unterscharführer* or higher.

(3) Members before 1st April, 1933, or officers at any time of the SA with the rank of *Scharführer* or higher.

(4) Officers at any time of the HJ with the rank of *Stammführer* or *Mädelringführerin* or higher.

(5) Officers at any time of the RAD with the rank of *Arbeitsführer* or higher.

(6) Members before 1st April, 1933, or officials or commissioned officers at any time of any of the remaining organisations specified in Military Government Laws Nos. 2, 5 or 77, including the Formations (*Gliederungen*), Affiliated Organisations (*Angeschlossene Verbände*), or Supervised Organisations (*Betreute Organisationen*) of the NSDAP.

(7) Members of the General Staffs or the General Staff Corps at any time.

(8) Officials or employees of any kind whatsoever at any time of the Gestapo or *Sicherheitsdienst* (SD).

(*b*) As soon as any of the removals or suspensions herein directed have been effected by any financial institution or government agency, such institution or agency shall deliver to the Military Government Financial Officer three lists, each in quadruplicate. One list shall show all removed persons; the second list shall show all suspended persons. Both lists shall set forth:

(1) The names and addresses of all persons removed or suspended;

(2) The respective positions from which such persons were removed or suspended; and

(3) The dates when the respective completed *Fragebogen* were delivered to the Financial Officer.

The third list shall contain the names, addresses and positions of persons who, in the opinion of the financial institution or government agency, should have but have not executed or delivered *Fragebogen*.

IX.—GENERAL INSTRUCTIONS TO FINANCIAL INSTITUTIONS AND GOVERNMENT AGENCIES

Every financial institution and government agency and all branches or offices thereof, shall immediately post a copy of these Instructions, in German, in a conspicuous place in its premises where every employee, and the public, too, may read it at once. Adequate supplies of *Fragebogen* should be made available and be printed, if necessary, on the spot by the institution or agency involved. Such local printing must be carefully checked to ensure that the *Fragebogen* are complete and not deficient in any detail, including format.

BY ORDER OF MILITARY GOVERNMENT.

SCHEDULE ON FINANCIAL PERSONNEL

The following financial institutions and government financial agencies shall take the action indicated below with regard to removal and suspension of personnel:

A.—BANKS.

I.—CENTRAL CREDIT INSTITUTIONS.

(*a*) German Reichsbank (*Deutsche Reichsbank*).

1. Head Office (Berlin).
   (*a*) The President shall be removed.
   (*b*) Members of the managing board (*Reichsbankdirektorium*), members of the *Beirat,* and all *Reichsbankdirektoren* shall be suspended.
   (*c*) The above and all other officials (including all *Direktoren bei der Reichsbank*) shall be investigated.
2. Regional Reichsbank branches (*Hauptstellen, Stellen*).
   (*a*) All members of the local Advisory Boards (*Beizirksbeiräte*) shall be suspended.
   (*b*) The above, the *Vorstand,* and all other officials shall be investigated.
3. *Nebenstellen.*
   (*a*) All officials shall be investigated.

(*b*) Reichsbank Subsidiaries and/or Agencies controlled or operated by the Reichsbank, such as

1. The Gold Discount Bank (*Deutsche Golddiskontbank*), Conversion Office for German Debts (*Konversionskasse für Deutsche Auslandsschulden*), *Reichskreditkasse,* and German Clearing Office (*Deutsche Verrechnungskasse*).

(*a*) The Board of Directors and *Vorstand* shall be suspended.

(*b*) The above and all other officials shall be investigated.

(*c*) German Central Savings Bank (*Deutsche Girozentrale-Deutsche Kommunalbank*).

1. Reich Commissioners, *Vorstand,* and the Board of Directors shall be suspended.

2. The above and all other officials shall be investigated.

(*d*) German Central Credit Co-operative Bank (*Deutsche Zentralgenossenschaftskasse*).

1. Reich Commissioners, *Direktorium* and the Board of Directors shall be suspended.

2. The above and all other officials shall be investigated.

(*e*) *Deutsche Rentenbank-Kreditanstalt* and *Deutsche Rentenbank.*

1. Reich Commissioners, *Vorstand,* the Board of Directors and Advisory Boards shall be suspended.

2. The above and all other officials shall be investigated.

II.—SPECIALIZED CREDIT INSTITUTIONS.

(*a*) *Bank der Deutschen Luftfahrt, Heeres-Rüstungs A.G., Rüstungskontor G.m.b.H., Deutsche Bau-und-Boden Bank, Deutsche Industriebank, Deutsche Gesellschaft für öffentliche Arbeiten ("Oeffa"), Deutsche Siedlungsbank, Deutsche Verkehrs-Kredit-Bank, Deutsche Umsiedlungs Treuhand G.m.b.H.,* and similar institutions.

1. Board of Directors and *Vorstand* shall be suspended.

2. The above and all other officials shall be investigated.

(*b*) *Hausbanken* (e.g., *Deutsche Länderbank A.G.,* Berlin, *August Thyssen Bank,* Berlin, *Gebrüder Röchling Bank, A.G.,* Saarbrücken, and similar institutions).

1. Board of Directors and *Vorstand* shall be suspended.

2. The above and all other officials shall be investigated.

III.—COMMERCIAL BANKS.

(*a*) Berlin Banks (the "Big Six"—*Deutsche Bank, Dresdner Bank, Commerzbank, Reichskreditgesellschaft, Berliner Handelsgesellschaft,* and *Bank der Deutschen Arbeit* (the last-named bank is treated separately).

1. Head Office.
   (*a*) *Vorstand* and Board of Directors shall be suspended.
   (*b*) The above and all other officials shall be investigated.
2. Branches.
   (*a*) All members of the Local Advisory Boards shall be suspended.
   (*b*) The managers, the Local Advisory Board members and all other officials shall be investigated.
3. *Bank der Deutschen Arbeit*—All offices.
   (*a*) All persons who were ever officials, whatever their present connection may be, and the *Vorstand*, the Board of Directors, Local Advisory Boards and managers shall be suspended and investigated.

(*b*) State Banks.
1. *Preussiche Staatsbank* (*Seehandlung*), Berlin.
   (*a*) The Board of Directors and *Vorstand* shall be suspended.
   (*b*) The above and all other officials shall be investigated.
2. Other State Banks.
   (*a*) Chairman and Vice-Chairman of the Board of Directors and the entire *Vorstand* shall be suspended.
   (*b*) The above and all other Directors and officials shall be investigated.

(*c*) Private Banks.
1. Merck, Finck & Co., Munich and Berlin.
   Brinckmann, Wirtz & Co., Hamburg.
   Pferdmenges & Co., Cologne.
   J. H. Stein, Cologne.
   Delbrück, von der Heydt & Co., Cologne.
   Delbrück, Schickler & Co., Berlin.
   Burkhardt & Co., Essen.
   Eichborn & Co., Breslau and Berlin.
   Münchmeyer & Co., Hamburg.
   (*a*) The leading partners at any time since 1st January, 1938, *i.e.*, by virtue of size of interest or influence in the policies of the firm, shall be suspended.
2. Hardy & Co., G.m.b.H., Berlin.
   (*a*) The leading *Geschaftsführer* at any time since 1st January, 1938, *i.e.*, by virtue of size of interest or influence in the policies of the concern, shall be suspended.

3. All partners, managers and officials of the above mentioned, as well as all other private banks, shall be investigated.

(*d*) Other Commercial Banks having total assets in excess of RM. 50,000,000.

1. Chairman and Vice-Chairman of the Board of Directors and the entire *Vorstand* shall be suspended.

2. The above, all other directors and all other officials, including those of the branches, shall be investigated.

(*e*) All other Commercial Banks.

1. All Directors, *Vorstand* and officials shall be investigated.

IV.—SAVINGS BANKS SYSTEM.

(*a*) Regional Giro Centres (*Girozentralen*).

1. The Chairman and Vice-Chairman of the Board of Directors shall be suspended.

2. The above, the *Vorstand* and all other directors and officials shall be investigated.

(*b*) Local Savings Banks.

1. Directors, *Vorstand* and other officials shall be investigated.

V.—CREDIT CO-OPERATIVES SYSTEM.

(*a*) *Zentralkassen.*

1. Chairman and Vice-Chairman of the Board of Directors shall be suspended.

2. The above, the *Vorstand* and all other directors and officials shall be investigated.

(*b*) Local Credit Co-operatives.

1. All directors, *Vorstand* and other officials shall be investigated.

VI.—MORTGAGE BANKS.

(*a*) All Directors, *Vorstand* and other officials shall be investigated.

VII.—REICHSGRUPPE BANKEN AND THE SUBSIDIARY WIRTSCHAFTSGRUPPEN AND FACHGRUPPEN.

(*a*) All leaders, deputy leaders and managers, past or present, and all other officials, Reichs Commissioners, and the Advisory Boards of the *Reichsgruppen Banken, Wirtschaftsgruppen* and *Fachgruppen* shall be suspended and investigated.

B.—INSURANCE COMPANIES.

I.—COMPANIES ENGAGING IN THE BUSINESS OF REINSURANCE, WHETHER OR NOT ALSO ENGAGING IN THE BUSINESS OF DIRECT INSURANCE:

(*a*) Companies having international business.

1. The Board of Directors and *Vorstand* shall be suspended.

2. The above and all other officials shall be investigated.

(*b*) Companies operating only in Germany.

1. The Board of Directors shall be suspended.

2. The above, the *Vorstand* and all other officials shall be investigated.

II.—ALL OTHER INSURANCE COMPANIES AND INSTITUTIONS:

(*a*) Companies engaged in business throughout Germany.

1. The Board of Directors shall be suspended.

2. The above, the *Vorstand* and all other officials shall be investigated.

(*b*) Companies engaged only in local business.

1. All Directors, *Vorstand* and other officials shall be investigated.

III.—REICHSGRUPPE VERSICHERUNG AND THE SUBSIDIARY WIRTSCHAFTSGRUPPEN AND FACHGRUPPEN.

All leaders, deputy leaders and managers, past or present, and all other officials, commissioners and the Advisory Boards of the *Reichsgruppe Versicherung* and related *Wirtschaftsgruppen* and *Fachgruppen* shall be suspended and investigated.

C.—STOCK AND COMMODITY EXCHANGES.

I.—The Reich Commissioners and the board of management (*Börsenvorstand*) shall be suspended.

II.—The above and all other officials shall be investigated.

D.—ALL FINANCIAL INSTITUTIONS AND GOVERNMENT AGENCIES PERFORMING FINANCIAL FUNCTIONS.

I.—All financial institutions and Government agencies performing financial functions shall suspend, until Military Government directs otherwise, every person in their employ:—

(*a*) Who at any time since 1st January, 1938, has held any position mentioned herein from which the present holder

is directed by this instruction to be suspended solely by reason of the office held, or

(*b*) Who at any time since 1st January, 1938, has served outside Germany (1) on behalf of the Reich or any agency thereof, whether in a key post or not, or (2) as an official of any of the named or described financial institutions and government agencies performing financial functions, or any branch, subsidiary or affiliate thereof, or (3) on behalf of any organization specified in Military Government Laws Nos. 2, 5 or 77.

(*c*) Who at any time, since 1st January, 1938, has served as a personnel manager or an official in the personnel department of any financial institution or government agency primarily of a financial character.

II.—Where an institution or person comes within more than one category for treatment hereunder, the category receiving the most severe treatment shall be the one applicable under these instructions.

E.—TERMINATION OF SUSPENSION.

I.—No suspension shall be terminated except upon the written authority of Military Government.

PSYCHOLOGICAL WARFARE AND THE CONTROL OF GERMAN INFORMATION SERVICES

1. CONDUCT OF PSYCHOLOGICAL WARFARE.

Army Group Commanders are responsible in Germany for the conduct of Psychological Warfare within the areas of their command. Psychological Warfare, as conducted by Army Group Commanders, consists of combat propaganda against enemy forces in forward areas and toward civilians immediately behind enemy lines. Combat propaganda comprises:

(*a*) Production and dissemination of tactical leaflets.

(*b*) Operation of mobile public address systems.

(*c*) Operation of mobile broadcasting units.

(*d*) Collection of psychological warfare intelligence. (Intelligence which relates to Military Government activities and civilian morale and opinion will be made available to Military Government.)

2. CONTROL OF GERMAN INFORMATION SERVICES.

(*a*) In Germany control of information services will be effected by District Information Control Organizations under command of Army Groups. Army Group Commanders will call forward appropriate elements of these organizations at the earliest possible moment to ensure from the outset continuity of policy and personnel. Such organizations will be organized for duty in specific areas, and will, as far as possible, remain in those areas.

(*b*) The term information services is used to denote these media: radio broadcasting, domestic press, domestic news agencies, publications (including periodicals, books and posters), films, musical performances, opera, theatres and other public entertainment. The term does not include post, telegraph and telephone or messages carried by such media.

(*c*) The objectives of control of German information services are to:

(1) Facilitate military operations of occupying forces by issuance of such general instructions as may be necessary.

(2) Assist Military Government in establishment of law and order, as far as the military situation permits.

(3) Co-operate with counter-intelligence in prevention of illegal propaganda.

(4) Prevent dissemination of matter violating military security or contrary to Allied policy.

(*d*) The basic method of operation of selected media will be the use (under supervision of Information Control personnel) of such German staffs as may remain after dismissal of active Nazis and ardent Nazi sympathizers.

(*e*) Supreme Headquarters will be responsible for policies governing German information services in the area of responsibility of the Supreme Commander, Allied Expeditionary Force. Policy requirements will be transmitted by directives to District Information Control Organizations through command channels.

3. RELATIONS BETWEEN INFORMATION CONTROL AND MILITARY GOVERNMENT.

(*a*) Close liaison between Information Control and Military Government will be maintained at all levels.

(*b*) Information Control Organizations will be prepared to furnish the following facilities which will assist Military Government:

(1) Publicity for proclamations, laws, ordinances, instructions and notices to German civilians.

(2) News and other services designed to prevent civil unrest and to combat harmful or false reports.

(3) Guidance on implications of material which Military Government proposes to issue.

(4) Assistance to Military Government in control and repatriation of displaced persons through dissemination of instructions and orders.

(5) Available intelligence relating to Military Government activities and civilian morale and opinion.

(*c*) Information Control Organizations will receive from Military Government:

(1) Assistance by all available means in suspending the printing or publication of newspapers, magazines, periodicals, books, posters and other printed publications and the activities or operation of news services, news agencies, radio broadcasting stations, theatres, cinemas and other forms of public entertainment.

(2) Assistance by all available means in opening and operating such German media as will be selected by Information Control organizations in accordance with approved policies.

(3) Military Government reports which contain information of value to Information Control Organizations.

(4) Information concerning illegal activities of radio broadcasting stations, newspapers or other publications, and the location of printing plants, newsprint stocks, radio broadcasting installations and equipment, and other information facilities which come to the attention of Military Government.

MILITARY GOVERNMENT—GERMANY
SUPREME COMMANDER'S AREA OF CONTROL

Instructions to Reich Minister of Posts

To the Reich Minister of Posts :

1. Commencing forthwith, all the services and activities of the Reichspost will be controlled by the Military Government and the whole organization will be subject to the ordinances and over-riding policies dictated by the Military Government.

2. In pursuance of that policy and by order of the Military Government, you are required to issue such general instructions throughout the Reichspost as will ensure that :

(*a*) All officials and employees (except such as may be suspended) shall remain at their posts until otherwise ordered by the Military Government.

(*b*) No alteration is made in the existing scales of rates and charges for P.T.T. services without prior authority from Military Government.

(*c*) All records, books of account and documents relating thereto are preserved and held at the disposal of the Military Government.

(*d*) Stores, equipment, vehicles, etc., are not moved from one place to another or dismantled without covering authority.

3. POSTAL SERVICES.—As regards the Postal Service, you are required to suspend all internal, external and transit postal services forthwith :

(*a*) All items of such correspondence in course of post or in letter boxes must not, in any circumstances, be delivered, forwarded, or handed over unless express instructions to do so are received from the Military Government.

(*b*) All hand-date and hand-cancelling stamps, together with boxes of type and the dies from mechanical stamping machines used exclusively in the external service, must be withdrawn from use and placed under lock and key, the key being held by a responsible postal official, pending further instructions from the Military Government.

4. Post Office financial services, unless instructions are issued to the contrary, will be permitted to operate.

5. Accounts of governments, institutions, organizations or persons specified in Military Government Law No. 52 (Blocking and Control of Property) will be specially blocked (frozen) and no transaction or dealing with regard to such accounts may be made without a license (general or special) issued by or under the authority of Military Government. The current account sheets, or equivalent records, will be plainly marked with the

words, "Blocked by MG," to distinguish them from other accounts, including those blocked under existing blocking procedure.

6. You will prepare the following lists and statements:

(*a*) Within seven days, a list of all accounts blocked according to paragraph 5 above, showing names and balances of all the relative accounts, debit or credit, as at.....

(*b*) Statements of Condition (preferably on a form currently used by the Post Office for reporting Giro and Savings Deposit Liabilities).

(i) One consolidated statement for all of the Post Offices in the area for which Military Government is responsible.

(ii) A consolidated statement for each Post Office region for which Military Government is responsible.

(*c*) Amount and location of the principal assets of the Postal Check and Savings System in the area for which Military Government is responsible.

(*d*) (i) Declaration and submission of lists of assets and obligations subject to foreign exchange control, as provided in enclosed Military Government Law No. 53 (Foreign Exchange Control).

(ii) All foreign exchange assets listed in Military Government Law No. 53 will be treated as provided in such article. An appropriate record of delivery of such property to the Reichsbank (or other institution designated by Military Government) will be made by you.

(3) Those Reichsmark accounts held in Post Offices in the names of non-German owners which, by virtue of their being foreign owned, are already blocked under existing Foreign Exchange Laws, will also be plainly marked "Blocked by MG" (Military Government) in addition to being blocked under German laws.

(4) All other accounts blocked under existing German Foreign Exchange laws, but not falling under any of the categories mentioned in Law No. 52 or No. 53, will continue to be blocked in accordance with legislation in force.

7. All offices must prepare a detailed statement of account, and the usual forms, showing the amount of cash, unused postage, revenue and insurance stamps on hand at the close of business on the date of receipt of this notice, and a statement showing the total number of money order advices on hand and not yet paid. These statements will be held at the offices concerned and will be available for inspection by officers of the Military Government.

8. No payments of pensions, allowances, etc., are to be made except to bona fide claimants who fulfil the conditions laid down with the approval of Military Government.

9. When external circulation channels are again reopened, you will ensure that only such channels as are authorized will be used and that the staff generally take all practicable steps to ensure that the postal censorship requirements are fully met, and that there is no evasion of censorship.

10. TELEGRAPH, TELEPHONE AND RADIO SERVICES.—As regards telegraphs, telephones, or radio, you are required to instruct all offices that :

(*a*) They will hand over to Military Government such telecommunication systems, equipment, and dumps as may be ordered, together with all associated equipment, stocks of maintenance stores and spares, and relative records. Such records will include full details of all telegraph and telephone circuits, both radio and line, together with associated terminal equipment, repeater equipment, switchboard, and other associated apparatus.

(*b*) They must be prepared to furnish telecommunications technical-executive personnel of the appropriate status to all Allied Military Headquarters as may be ordered. Such personnel will be those best qualified to interpret the telecommunication records mentioned above and of such grade and status as to be capable of acting as the channel for the transmission of Allied orders regarding future operations of the various telecommunication systems.

(*c*) They will be responsible for preventing sabotage, unauthorized removal or damage to systems or their component parts and for the prevention of unauthorized "listening-in."

11. Until Military Government Control becomes effective, all telecommunication systems under the Reichspost control, except those necessary for meeting the essential needs of the community, will be suspended. You will furnish lists of the services essential to the community for which provision should be made.

12. In the case of systems closed down, the Reichspost will be responsible for maintaining such systems in working order and for the preservation and repair of all existing systems.

13. You will be required to maintain and operate the necessary broadcasting stations, music circuits and lines used for radio broadcasting purposes, and to carry out such instructions relating thereto as may be issued by Military Government.

14. You will be required to comply with all those portions of the Instrument of Surrender, the General Orders and the Special Orders relating thereto, as apply to the Reichspost.

15. You will be required to assist the Allied Censorship staff in every possible way :

(*a*) In the efficient performance of their duties.

(*b*) In preventing the evasion of censorship.

16. CENSORSHIP.—The following regulations shall be considered as applicable to the Deutsche Reichspost, the Deutsche-Atlantische Telegraphengesellschaft and to all other agencies, governmental or private, offering electrical communications facilities for the use of the public ; and as defining the responsibilities of those agencies and their personnel towards the Allied Censorship authorities in respect of the facilities referred to.

17. The Deutsche Reichspost, the Deutsche-Atlantische Telegraphengesellschaft and all other agencies referred to in paragraph 16 above, shall hereinafter, and in all subsequent Instructions, Decrees or Regulations, be designated simply as the "Telecommunication Agency" without other distinction, and this designation shall apply to all of them, individually and collectively.

18. The term "Civil Censorship Officer" or "Civil Censorship Officers" appearing hereinafter shall always be taken to mean any Officer appointed by the Military Government for Censorship purposes. Civil Censorship Officers are authorized to issue any instructions to the Telecommunication Agency necessary for the operation of Civil Censorship. .

19. The Supreme Commander, Allied Expeditionary Force, will proceed to establish whatever Censorship Stations are deemed necessary for the execution of the terms of the Law No. 76 on Censorship, signed and made public by him by the medium of the Civil Censorship Officers appointed by him ; these stations shall be of any nature whatsoever necessary for the efficiency of the Censorship organization. Their location shall be that considered most suitable by the Civil Censorship Officers.

20. The Telecommunication Agency shall be responsible for ensuring that no external message or telephone call shall be allowed to proceed to its ultimate destination without its having been first submitted to the proper Civil Censorship Officer for action ; and that no external message shall be transmitted abroad or delivered unless it bears the Censorship pass indicator. Transit and internal messages and telephone calls must be submitted to Censorship for action before being allowed to proceed to ultimate destination in those cases where submission is directed by Civil Censorship Officers.

21. The Telecommunication Agency shall be responsible for ensuring that the filing, processing, transmission, and delivery of all messages and telephone calls are carried out in accordance with the Censorship Regulations for the Public, as well as with these regulations and Annexure. No message or telephone call shall be accepted from the public unless such message or telephone call satisfies in every respect the requirements of the aforementioned Regulations.

22. It is in the general interest that Censorship Instructions shall affect as little as possible the existing organization and methods of the Telecommunication Agency. The details of these regulations and Annexure have therefore been drawn up with the intention of fulfilling the requirements of Censorship without undue hindrance or disturbance being brought to methods already familiar to the personnel of the Telecommunication Agency.

23. The Telecommunication Agency shall be responsible for ensuring that its files of original messages (or copies, where the nature of the communication is such that the original message is not available) and telephone tickets extending back as far as the laws of the country require in times of peace remain intact; and that they shall be available to Civil Censorship Officers whenever the latter may request them.

24. The Telecommunication Agency shall further be responsible for ensuring:

(*a*) That no disclosure of Censorship Action is made under any circumstances, by its executives, agents or employees, without written permission from the appropriate Civil Censorship Officer.

(*b*) That no individual whatever, except designated employees of the Telecommunication Agency acting in the course of their regular duties, is shown or given any copy of any message handled in any way by the Telecommunication Agency. Any request for communication of texts or for copies must be referred to the Civil Censorship Officer.

(*c*) That its files of messages, telephone tickets, or other documents of any nature whatsoever concerning its operations with the public are, at all times, kept inaccessible to any individual or individuals other than its own employees acting in the course of their regular duties.

(*d*) That no person is allowed in the operating rooms of the Telecommunication Agency, except employees required to be present in the regular course of their duties, without prior approval from the Civil Censorship Officer.

(*e*) That no complaints or requests of any nature from the public concerning any messages or telephone calls routed through the Telecommunication Agency shall be dealt with in any way whatsoever without having first been submitted to the Civil Censorship Officer.

(*f*) That any requests from the public for elucidation of any articles or terms of Censorship Regulations shall not be satisfied by any member whatsoever of the Telecommunication Agency without prior approval of the Civil Censorship Officer.

(*g*) That all executives, agents, and employees of the Telecommunication Agency are fully informed, by the usual administrative channels, of all the terms of this Instruction

which are necessary for the efficient discharge of their duties in relation to Censorship requirements; and that they are conversant with the Censorship Regulations for the public, and fully understand the responsibilities devolving upon them in the execution of these Regulations.

25. Detailed operating instructions are contained in Annexure "A."

BY ORDER OF MILITARY GOVERNMENT.

ANNEXURE "A"

INSTRUCTION

Defining the Responsibilities of German Agencies, and their Personnel, toward the Allied Censorship Authorities in respect of Cable, Telegraph, Radio-telegraph, Teletype, Telephone, and Radio-telephone Communications

1. CONTROL OF TELECOMMUNICATIONS

a. *Internal Telecommunications.*—As soon as military exigencies permit, internal telecommunications will be resumed subject to certain restrictions. Diversion of internal telecommunications from ordinary routings will not normally be required by Censorship. However, control of internal telecommunications will be carried out whenever necessary and without further warning by the following methods:

(1) The entering of any telegraph office or teletype exchange without previous notice for the examination of files; for checking the degree of observance of Censorship Regulations; and for any other form of control deemed necessary. At his discretion, the Civil Censorship Officer may require routing of certain internal messages through Censorship Stations for action before transmission or delivery.

(2) Installation at any required location or on any part of the premises of any telephone exchange, of any material or equipment necessary for the check-monitoring of telephone calls passing through the exchange.

b. *External and Transit Telecommunications.*—

(1) As soon as military exigencies permit, external and transit telecommunications will also be resumed subject to certain restrictions.

(2) All external and transit telecommunications must be channelled through certain points, to be established by the Civil Censorship Officer, and which will be of two categories:

(*a*) Examination points.

(*b*) Routing points.

(3) External and transit telecommunications will be handled mechanically at the above points as follows:

(*a*) *External Telegraph* (*and Radio-Telegraph*).—At both examination and routing points all incoming and outgoing telegraph circuits (including submarine cables carrying these circuits) will be broken, and tape-printing machines, to be supplied by the Telecommunication Agency, will be installed. At certain of these points messages will be transcribed for examination; at others, they will be retransmitted as prescribed.

(*b*) *External Telephones* (*and Radio-Telephone*).—At examination points all incoming and outgoing telephone circuits (including submarine cables carrying these circuits) will be terminated on a switchboard, and monitoring equipment, supplied by the Censorship authorities, will be installed. At examination points no ticket for an outgoing call will be passed abroad without prior approval from the Civil Censorship Officer; conversely, prior approval from the Civil Censorship Officer must be obtained before contact is made with the called party, when a ticket is received from abroad. The Civil Censorship Officer must again be notified when a connection on any external call is ready to be established.

(*c*) *External Teletype*.—At examination points all incoming and outgoing teletype circuits (including submarine cables carrying these circuits) will be broken, and teleprinters, supplied by the Telecommunication Agency, will be installed.

(*d*) *Transit*.—Circuits carrying transit telegraph and teletype communications will be broken at certain examination points and tape-printers or teleprinters, supplied by the Telecommunication Agency, will be installed. Normally such communications need not be submitted to Censorship for examination prior to retransmission (copies will be required, however), but the Civil Censorship Officer may require such submission at his discretion. Circuits carrying transit telephone calls will be terminated on a switchboard at certain examination points and monitoring equipment, supplied by the Censorship authorities, will be installed. Normally Censorship approval will not be required for contacting the called station on transit calls, although notification of Censorship when the connection is ready to be established will be necessary. However, the Civil Censorship Officer may require approval before contact is made with the called station, at his discretion.

(4) Detailed instructions concerning the establishment of the aforementioned points, as well as prescribed routings and operating procedure, will be subsequently issued, and will be promulgated through the appropriate military authority, on both ministerial and regional levels.

2. SERVICE REQUIREMENTS

a. *Routings.*—

(1) Routings prescribed for messages and telephone calls shall not be altered without the prior approval of the Civil Censorship Officer.

(2) The Civil Censorship Officer is empowered to divert a message or telephone call from the established routing whenever unusual circumstances render it advisable, in his own judgment.

b. *Information Required by Censor.*—

(1) Civil Censorship Officers are entitled to an explanation on any message or telephone call, internal, external or transit, that they may judge necessary to request.

(2) The Telecommunication Agency shall obtain such explanations and shall relay them to Censorship within 72 hours of receipt of request, in the case of messages, or within 3 hours of receipt of request, in the case of telephone calls.

(3) Failure or inability to comply with this requirement shall be reported to Censorship within the time limits prescribed above.

c. *Charges.*—

(1) Charges on all messages shall be computed on the actual number of words filed and not merely the number of words transmitted. This shall apply even to messages held by Censorship. Censorship may except government and press traffic from this regulation.

d. *Complaints and Refunds.*—

(1) In furtherance of Article 24 (*e*) of the Instruction to the Reich Minister of Posts, to which this is attached, complaints and requests for refunds must not be made directly to Censorship. The Telecommunication Agency shall not, however, make any investigation of the circumstances without prior approval from the Civil Censorship Officer, nor shall the results of such investigation be disclosed or any refund be made without his approval.

e. *Cancellations.*—

(1) Messages may not be cancelled at sender's request without prior approval from the Civil Censorship Officer.

(2) Cancellation of messages with the approval or by the direction of the Civil Censorship Officer automatically permits the Telecommunication Agency to notify the sender and make refund.

f. *Delivery of Messages.*—

(1) The Telecommunication Agency shall be responsible for delivering all messages to be acted upon to the Censorship Station, and for collecting messages after censorship action has been taken.

(2) The Telecommunication Agency shall not deliver any message to an address other than that appearing on the message without prior approval from the Civil Censorship Officer.

(3) Confirmation of the delivery to destination of any message is prohibited without the prior approval of the Civil Censorship Officer.

g. *Transmission of Information Necessary to Censorship.*—

(1) All supplementary information placed on message forms in accordance with Censorship Regulations shall be forwarded by the Telecommunication Agency to Censorship together with the actual message, when so directed by the Civil Censorship Officer. The Telecommunication Agency shall also obtain supplementary information on any message from the office of origin when so directed by the Civil Censorship Officer.

(2) At such time as private or commercial codes are permitted by the Civil Censorship Officer, the name of the code shall be inserted in the preamble at the point of filing.

(3) Censorship indicators and memoranda affixed to a message shall be transmitted with the message to the point indicated by the Civil Censorship Officer.

h. *Telephone Requirements.*—

(1) On external calls the telephone operator is responsible for obtaining all information required by Censorship Regulation.

(2) On any telephone call the operator must terminate the connection when the Censor so directs.

(3) On all external calls, the Telecommunication Agency shall check the domestic telephone listing given on the call against its latest official records. A similar check shall be made in connection with internal calls when the Censor so directs.

i. *Copies and Files.*—

(1) The Civil Censorship Officer may require that one (1) carbon copy of each cablegram, radiogram, telegram, or teletype communication be submitted to Censorship together with the original message.

(2) The Civil Censorship Officer may require that all cablegrams, radiograms, and telegrams transcribed from tape be printed in ditto ink. (Such ditto copy would be considered the original message, to be supplied with the carbon copy stipulated in paragraph (1) above.)

(3) Blank copies of all message forms used by the Public shall be furnished to Censorship Stations by the Telecommunication Agency.

(4) One (1) copy of each message shall be retained by the Telecommunication Agency in its files.

THE [illegible] LIBRARY
[illegible] G.

RECEIPT

For Supplies furnished by the Supreme Commander, Allied Expeditionary Force

Issuing Military Government Detachment.....

Depot of Origin .....

Number of Truck or Wagon..... Name of Driver.....

Date of Delivery..... Hour of Delivery.....

Receiving Party .....

Purpose for which Supplies are being furnished.....

.....

.....

.....

Category of the Goods .....

Description of Goods	List, Catalogue or Part Numbers	Composition and Unit of Measure of each Pkg.	No. of Pkgs.	Total Quantity

Notes : .....

.....

.....

The quantities of supplies shown above have been received for the account of :

.....

(1) .....

is authorized to take delivery and to sign the receipt for the supplies shown above.

.....	.....
Authority designating the receiving party.	Name and title of receiving party.
.....	.....
Signature of the Authority	Signature of receiving party.
At.....the.....	At.....the.....

(1) Fill in name, title and address.

MILITARY GOVERNMENT—GERMANY
SUPREME COMMANDER'S AREA OF CONTROL

Law No. 51
CURRENCY

ARTICLE I
Allied Military Marks

1. Allied Military Mark Notes of the denominations specified in the Schedule hereto shall be legal tender in the occupied territory of Germany for the payment of any Mark debt.

2. Allied Military Mark Notes will in all respects be equivalent to any other legal tender Mark currency of the same face value.

3. No person shall discriminate between Allied Military Marks and any other legal tender Mark currency of equal face value.

ARTICLE II
Prohibited Transactions

4. Except as authorized by Military Government, no person shall make or enter, or offer to enter, into any arrangement or transaction providing for payment in or delivery of a currency other than Marks.

ARTICLE III
Penalties

5. Any person violating any provision of this Law shall, upon conviction by a Military Government Court, be liable to any lawful punishment, other than death, as the Court may determine.

ARTICLE IV
Effective Date

6. This Law shall become effective upon the date of its first promulgation.

BY ORDER OF MILITARY GOVERNMENT.

Schedule

Denominations of Allied Military Mark Notes (Marks)	*Size (in cm.)*	*Words and Figures indicating amount and printed in*
0·50	6·7 × 7·8	Green
1	6·7 × 7·8	Dark Blue
5	6·7 × 7·8	Reddish Purple
10	6·7 × 11·2	Dark Blue
20	6·7 × 15·6	Red
50	6·7 × 15·6	Dark Blue
100	6·7 × 15·6	Reddish Purple
1,000	6·7 × 15·6	Green

On the face of all notes are printed :

(*a*) The amount in words—thus : Fünfzig Pfennig, Eine Mark, etc. Also the amount in figures—thus : ½ (on the Pf.50 note), 1 (on the M.1 note), etc.

(*b*) The words " Alliierte Militärbehörde " at the top of the note.

(*c*) The words " In Umlauf gesetzt in Deutschland," " Serie 1944 ", and the serial number of the note. On the notes for M.20, 50, 100 and 1,000, all of these appear twice.

The basic colour of the field on the face of all the notes is light blue ; on the back it is reddish brown.

MILITARY GOVERNMENT—GERMANY
SUPREME COMMANDER'S AREA OF CONTROL

Law No. 52
BLOCKING AND CONTROL OF PROPERTY

ARTICLE I
Categories of Property

1. All property within the occupied territory owned or controlled, directly or indirectly, in whole or in part, by any of the following is hereby declared to be subject to seizure of possession or title, direction, management, supervision or otherwise being taken into control by Military Government :

(*a*) The German Reich, or any of the Länder, Gaue, or Provinces, or other similar political subdivision, or any agency or instrumentality thereof, including all utilities, undertakings, public corporations or monopolies under the control of any of the above ;

(*b*) Governments, nationals or residents of other nations, including those of territories occupied by them, at war with any of the United Nations at any time since 1st September, 1939 ;

(*c*) The NSDAP, all offices, departments, agencies and organizations forming part of, attached to, or controlled by it, its officials and such of its leading members or supporters specified by Military Government ;

(*d*) All persons held under detention or any type of custody by Military Government ;

(*e*) All organizations, clubs or other associations prohibited or dissolved by Military Government ;

(*f*) Absent owners, including United Nations governments and nationals thereof ;

(*g*) All other persons specified by Military Government by inclusion in lists or otherwise.

2. Property which has been the subject of duress, wrongful acts of confiscation, dispossession or spoliation from territories outside Germany, whether pursuant to legislation or by procedures purporting to follow forms of law or otherwise, is hereby declared to be equally subject to seizure of possession or title, direction, management, supervision or otherwise being taken into control by Military Government.

ARTICLE II

Prohibited Transactions

3. Except as hereinafter provided, or when licensed or otherwise authorized or directed by Military Government, no person shall import, acquire or receive, deal in, sell, lease, transfer, export, hypothecate or otherwise dispose of, destroy or surrender possession, custody or control of any property :—

(*a*) Enumerated in Article I hereof ;

(*b*) Owned or controlled by any Kreis, municipality, or other similar political subdivision ;

(*c*) Owned or controlled by any institution dedicated to public worship, charity, education, the arts and sciences ;

(*d*) Which is a work of art or cultural material of value or importance, regardless of the ownership or control thereof.

ARTICLE III

Responsibilities for Property

4. All custodians, curators, officials, or other persons having possession, custody or control of property enumerated in Articles I and II hereof are required :—

(*a*) (i) To hold the same, subject to the directions of the Military Government, and pending such direction not to transfer, deliver or otherwise dispose of the same ;

(ii) To preserve, maintain and safeguard and not to cause or permit any action which will impair the value or utility of such property ;

(iii) To maintain accurate records and accounts with respect thereof and the income thereof.

(*b*) When and as directed by Military Government :—

(i) File reports furnishing such data as may be required with respect to such property and all receipts and expenditures received or made in connection therewith ;

(ii) Transfer and deliver custody, possession or control of such property and all books, records and accounts relating thereto ; and

(iii) Account for the property and all income and products thereof.

5. No person shall do, cause, or permit to be done any act of commission or omission which results in damage to or concealment of any of the properties covered by this law.

ARTICLE IV

Operation of Business Enterprises and Government Property

6. Unless otherwise directed and subject to such further limitation as may be imposed by Military Government :—

(*a*) Any business enterprise subject to control under this law may engage in all transactions ordinarily incidental to the normal conduct of its business activities within occupied Germany provided that such business enterprise shall not engage in any transaction which, directly or indirectly, substantially diminishes or imperils the assets of such enterprise or otherwise prejudicially affects its financial position and provided further that this does not authorize any transaction which is prohibited for any reason other than the issuance of this law ;

(*b*) Property described in Article I 1 (*a*) shall be used for its normal purposes.

ARTICLE V

Void Transfers

7. Any prohibited transaction without a duly issued license or authorization from Military Government and any transfer contract arrangement made, whether before or after the date of this law, with the intent to defeat or evade the powers or objects of Military Government or the restitution of any property to its rightful owner, is null and void.

ARTICLE VI

Conflicting Laws

8. In case of any inconsistency between this law and any order made under it and any German law the former prevails. All laws, decrees and regulations providing for the seizure, confiscation or forced purchase of property enumerated in Articles I and II, otherwise than by the Military Government, are hereby suspended.

ARTICLE VII

Definitions

9. For the purposes of this Law, the following terms are defined as follows :—

(*a*) " Person " shall mean and include any natural person, collective persons and any entity under public or private

law having legal capacity to acquire, occupy, control or dispose of property or interests therein ;

(*b*) " Business Enterprise " shall mean any individual, partnership, association, corporation or other organization engaged in commercial or other business or public welfare activities ;

(*c*) " Property " shall mean and include all moveable and immoveable property and all legal, equitable or economic rights and interests in or claims to such property whether present or future, and shall include, but shall not be limited to, land and buildings, money, stocks, shares, patent rights or licenses thereunder, or other evidences of ownership, and bonds, bank balances, claims, obligations and other evidences of indebtedness, and works of art and other cultural materials ;

(*d*) A " national " of a state or government shall mean and include a subject or citizen and any partnership, corporation, or other juridical person existing under the laws of or having a principal office in the territory of such state or government ;

(*e*) " Germany " shall mean the area constituting " Das Deutsche Reich " as on 31st December, 1937.

ARTICLE VIII

Penalties

10. Any person violating any of the provisions of this law shall, upon conviction by a Military Government Court, be liable to any lawful punishment as the Court may determine.

ARTICLE IX

Effective Date

11. This Law shall become effective upon the date of its first promulgation.

BY ORDER OF MILITARY GOVERNMENT.

MILITARY GOVERNMENT—GERMANY
SUPREME COMMANDER'S AREA OF CONTROL

Law No. 53
FOREIGN EXCHANGE CONTROL

ARTICLE I

Prohibited Transactions

1. Except as duly licensed by or on instructions of Military Government, any transaction involving or with respect to any of the following is prohibited:

(*a*) Any foreign exchange assets owned or controlled directly or indirectly, in whole or in part, by any person in Germany;

(*b*) Any property located in Germany owned or controlled directly or indirectly, in whole or in part, by any person outside Germany.

2. Any transaction with respect to or involving any of the following is also prohibited, except as duly licensed by or on instructions of Military Government:

(*a*) Property wherever situated if the transaction is between or involves any person in Germany and any person outside Germany;

(*b*) Any obligation of payment or performance, whether matured or not, due or owing to any person outside Germany by any person in Germany;

(*c*) The importing or otherwise bringing into Germany of any foreign exchange assets, German currency, or securities issued by persons in Germany and expressed or payable in German currency;

(*d*) The exporting, remitting, or other removal of any property from Germany.

3. All existing licenses and exemptions issued by any German Authority authorizing any of the aforesaid transactions are cancelled.

ARTICLE II

Declaration of Property and Obligations

4. Within thirty (30) days of the effective date of this law, unless otherwise ordered, any person owning or controlling directly or indirectly, in whole or in part, any foreign exchange asset, or owing any obligation of payment or performance, whether matured or not, to a person outside Germany, shall file with the nearest branch of the Reichsbank, or other institution designated by Military Government, a written declaration of such assets or obligations in such form and manner as will be prescribed by Military Government.

ARTICLE III

Delivery of Property

5. Within fifteen (15) days of the effective date of this law, all of the following classes of property shall be delivered, against receipt therefor, by the owner, holder or other person in possession, custody or control thereof, to the nearest branch of the Reichsbank, or as otherwise directed:

(*a*) Currency, other than German currency;

Chapter III

FINANCE AND PROPERTY CONTROL

A. FINANCE SECTION

Survey

325. GENERAL. Under the Nazi regime, and particularly during the war, German finance has been subjected to highly centralized controls exercised partly through regular administrative channels and partly through political organizations. The Minister of Economics (who since 1939 has also been President of the Reichsbank) and the Minister of Finance stand at the apex of the existing administrative machinery for finance.

326. CURRENCY. Only three types of paper currency are legal tender and valid in Germany at present. They are:

(*a*) Reichsmarks

(*b*) Rentenmarks

(*c*) Allied Military Marks (*Allierte Militärbehörde*) (See Appendix " B ")

327. Military currency, such as the *Reichskreditkassenscheine,* which was issued to the German Army in invaded countries, is not legal tender in Germany. " *Marks* " as distinguished from *Reichsmarks* or *Rentenmarks* are not legal tender. No German paper currency in excess of denominations over 1,000 is valid. No currency which is not legal tender may be accepted for any purpose whatsoever.

(*a*) Reichsmarks are issued by the Reichsbank under a decree dated 30th August, 1924, which appears on all such notes. All Reichsmarks also bear a date of issue, later than the date of the decree, the earliest date of issue being 11th October, 1924.

(*b*) Rentenmarks are issued by the Rentenbank. At present only denominations of Rentenmarks 1, 2 and 5 are legal tender. Rentenmarks are issued under the decree dated 15th October, 1923, which appears on all Rentenmarks. The date of issue also appears on all Rentenmarks and will be 2nd January, 1926, or later. The 5 Rentenmark notes were scheduled to be withdrawn from circulation during 1943, but it appears that they have not all been withdrawn. All notes of 10 Rentenmarks or more are invalid.

(*c*) Allied Military Marks are in all respects legal tender in Germany and are exchangeable for Reichsmarks or Rentenmarks of equal face value. (Mil. Gov. Law No. 51.)

(*d*) There are also coins in circulation which are legal tender (see Appendix " B ").

328. FOREIGN EXCHANGE CONTROL. Since 1931, Germany has had a stringent system of control of all transactions involving foreign exchange. The export of capital and currency has been prohibited; the proceeds, in foreign exchange, of goods delivered and services rendered to persons abroad, and all gold, securities and claims in foreign currency held by persons in Germany, have had to be declared or tendered to the Reichsbank. Imports of goods into Germany and the use of services involving outlays of foreign exchange have been subject to rigid controls exercised by the Reichsbank, the Reich Ministry of Economics, or bodies operating under the latter's authority.

329. FINANCIAL INSTITUTIONS, BANKS.

(*a*) The basic characteristics of the German banking system are:

(i) highly centralized control and supervision by a number of Reich agencies, chiefly the Ministry of Economics and the Reichsbank;

(ii) the importance of savings banks which alone hold approximately 60 per cent. of bank deposits;

(iii) the extensive use of cashless transfer system (*Giroverkehr*) which largely replace the check/cheque system known in other countries;

(iv) the extent to which the entire German banking system has invested in government paper (in 1943 approximately 80 per cent. of total bank deposits); and

(v) the close relationship with industry.

(*b*) Banking in Germany can be divided roughly into the following groups:

(i) The Official Central Bank (Reichsbank), its numerous branches, and affiliated institutions;

(ii) Commercial Banks (the Big Six in Berlin, Provincial Banks, Land Banks, and private banking firms);

(iii) Savings Banks (*Sparkassen*, with their regional *Girozentralen* and *Landesbanken*) acting as reserve banks and clearing centres;

(iv) Credit Co-operatives (*Kreditgenossenschaften*, both rural and urban);

(v) Mortgage banks (*Hypothekenbanken*);

(vi) Banks for special purposes or owned by special interests (e.g., *Deutsche Verkehrs-Kreditbank*, owned by and serving the German Railways).

(*c*) The Post Offices in Germany handle Giro payments, money orders, and travellers' checks. Since 1938 they also have handled savings accounts, the central records for which presumably are

Objectives and Policies

335. GENERAL. The initial objectives of Mil. Gov. in the financial field are to take such measures:—

(*a*) as are necessary to eliminate active Nazis or ardent sympathizers from the financial system (see Financial and Property Control Technical Manual);

(*b*) as are essential to avoid conditions which will adversely affect the military forces in their operations;

(*c*) as will assist the Supreme Commander and any successor control organization in dealing with undesirable German practices, institutions and persons;

(*d*) as will facilitate control of German foreign exchange assets and certain categories of other assets;

(*e*) as will facilitate the obtaining of such financial and economic intelligence as will enable the Supreme Commander or any successor control organization to discharge their program and responsibilities.

To carry out these objectives the financial machinery existing in Germany at the time of occupation will be utilized to the maximum extent practicable, consistent with policy, subject to supervisory control from the highest possible level down and in accordance with instructions which may be issued from time to time to the German authorities. This will facilitate Mil. Gov. financial administration and the formulation of uniform policy.

The Finance and Property Control Technical Manual (hereafter called F & PC Manual) must be consulted.

336. INFLATION. The establishment of a comprehensive financial program to deal with long range problems of inflation is not, at least initially, a responsibility of Mil. Gov. During the period of the Supreme Commander's Military Government, the German authorities will be ordered to continue the counter-inflationary controls already operating, such as rationing and measures to control prices and to combat black markets, subject to the requirements of the military situation and the program for eliminating discriminatory and objectionable practices and undesirable personnel.

337. CURRENCY.

(*a*) The Currency Section will be the sole source of currency for use in Germany by the Allied Armed Forces and for Mil. Gov. purposes. If Allied Military stamps are used, this Section will supply them as needed.

(*b*) If, during the initial phase of operations, cash for Mil. Gov. purposes cannot, for any reason, be obtained from the Currency Section and the need for such money is urgent, Military Pay Services will issue funds to authorized Mil. Gov. Officers.

(*c*) The Currency Section will maintain accounts and records necessary to indicate supply, control and movement of currencies held by it, as well as financial data and expenditures arising out of operations or activities of Allied Military Forces.

(*d*) As soon as banking facilities are under adequate control, the Currency Section will use the Reichsbank, or if the Reichsbank is not available, other conveniently located banks, for the purpose of receiving and paying out funds.

(*e*) Reichsmarks will be used as far as possible for necessary cash expenditures. If the supply of Reichsmarks is insufficient, Allied Military Marks will be used to supplement the currency and coin now in circulation in Germany. (See Appendix B for denominations of Allied Military Marks.) Allied Military Marks will be declared to be legal tender by Law No. 51. Reichsmarks, Rentenmarks and German coin will be legal tender to the extent fixed by existing German law. If it is found necessary to use US Yellow Seal Dollars, BMA notes, or US or British coin, specific instructions will be issued in regard thereto by higher authority.

(*f*) Except as authorized by Mil. Gov., no person shall enter into any transaction in which the consideration or any part thereof is expressed or is payable in a currency other than Marks. *Reichskreditkassenscheine* and other German military currency and coin will not be legal tender. Non-yellow Seal US Dollar notes and coins and regular British Pound Notes and coin are not legal tender and may not be imported, exported, acquired or otherwise dealt in, except under such conditions as may be specifically authorized by Mil. Gov. Only Finance Officers and Paymasters of the Armed Forces may accept US money, British money and other non-German currencies from the US and British military or other authorized personnel for conversion into Mark currency at the established rate of exchange, after satisfying themselves as to the legitimacy of the source of such money.

(*g*) Further instructions will be issued on the subject of rates of exchange of the Mark, the Dollar and the Pound Sterling and the rate of convertibility of Allied Military Marks currently circulating in Germany.

338. FOREIGN EXCHANGE CONTROL.

(*a*) The object of Foreign Exchange Control is to maintain control of all foreign exchange assets and transactions. Under Law No. 53 (Foreign Exchange Control), all foreign exchange transactions are prohibited, unless licensed, including transactions involving:—

(i) German-owned foreign exchange assets, including gold or silver coin or bullion, foreign securities; foreign currencies, wherever situated; and any German-owned property located outside Germany.

349. BANKS AND OTHER FINANCIAL INSTITUTIONS.

(*a*) Mil. Gov. Officers will deliver either to the individual banks in the area or through a central banking institution (for example, Reichsbank, *Girozentrale*) the letters of Instruction to Financial Institutions (see Appendix B) whether or not such banks are open at the time. If banking institutions are closed, Mil. Gov. Officers will keep in touch with local banking and public officials with a view to ascertaining what steps are being taken by the banks or by a local authority for resumption of banking activity and will advise the nearest Mil. Gov. Financial Officer. If banks are open and if there appears to be a critical situation with respect to the banks, such as an extreme run, or if, in order satisfactorily to control the banks, remove personnel, or block accounts, it appears desirable that banks in an area be closed for a temporary period or otherwise, Mil. Gov. Officers will advise the facts with their recommendations to the nearest Mil. Gov. Financial Officer but will not close the banks except upon instructions from higher authority.

(*b*) Private insurance companies will be permitted to continue their activities. Mil. Gov. Officers will inform the nearest Mil. Gov. Financial Officer of any facts indicating inability of insurance companies to carry on normal activities or of activities of insurance companies in any way inimical to the policies of Mil. Gov.

(*c*) Stock and commodity exchanges will be permitted to continue their activities in accordance with Mil. Gov. law, the requirements of " Instructions to Stock Exchanges and Commodity Exchanges " (see Appendix B) and applicable German law. The Mil. Gov. Officer will see that such instructions are complied with.

350. PUBLIC FINANCE.

(*a*) Mil. Gov. Officers will maintain contact with all offices for the collection of taxes, customs duties and other public revenues (unless and until a Mil. Gov. Financial Officer establishes such contact) for the purpose of ascertaining whether:

(i) The German administrative machinery is continuing in the performance of its customary duties under some responsible German official; and

(ii) All funds and records are being safeguarded and preserved.

(*b*) Mil. Gov. Officers will deliver to the German official in charge of local budgets at *Kreis* level the Letter of Instructions to German Officials on Revenues and Expenditures (see Appendix B). Mil. Gov. Officers will not be responsible for the examination of local budgets or for the collection of taxes or revenues, by Reich, *Länder* or *Provinzen*. No Mil. Gov. Officer will collect, requisition or use any funds arising from taxation or from public revenue without specific instructions from higher authority. Mil. Gov. Officers will at once report

to higher authority any instances of payment or collections of taxes in violation of the Letter of Instructions and will immediately and specifically prohibit such payments or collections.

(*c*) Budgetary deficits of local governmental authorities and state enterprises will be met by funds provided by higher German governmental authorities, the Reichsbank, the German banking system, or other normal channels of finance. Mil. Gov. Officers will not advance Mil. Gov. funds to meet such deficits. If Mil. Gov. Officers find that such budgetary deficits are not being met or are unlikely to be met by funds provided through German channels, they will advise higher authority.

(*d*) The personnel, equipment and transactions of Allied forces and their personnel are exempt from all German taxes, customs and other fees (including social security contributions) except that the personal expenditures of Allied Military personnel are liable to non-discriminatory sales taxes.

351. DE-NAZIFICATION. Mil. Gov. Officers will initiate and carry out the policy of the Supreme Commander to remove active Nazis and ardent sympathizers. The procedures for such removals of persons in the financial systems of Germany are set forth in the F & PC Manual which Mil. Gov. Officers must consult.

352. FINANCING OF PRIVATE ENTERPRISES. Private enterprises whose activities are essential to Military Government and which require financing will obtain the same through their normal local channels. If such financing is unavailable, Mil. Gov. Officers will notify the nearest Military Government Financial Officer of all the facts so that he may take appropriate steps to require the Reichsbank or other local bank to make the necessary funds available.

353. EXPENDITURE OF MILITARY GOVERNMENT FUNDS. Services, equipment, supplies and office space necessary for the conduct of military operations and Mil. Gov. will be obtained as far as possible from the appropriate branch of the Allied Military Services, or through a purchasing or contracting officer, or in the absence of such, direct from the German public authorities. If it is impossible to secure them from such sources Mil. Gov. Officers may make necessary expenditures from Mil. Gov. funds. The needs may include the hiring of office workers and interpreters, carriage of supplies, rent, storage, heat, light, power, water, telephones, telegraph, printing, stationery, and witness fees and expenses. Whenever such expenditures are necessary, they will be made only in minimum quantities required for the immediate need, at prices in conformity with official price schedules to be issued and through methods prescribed by the Claims and Hiring Branch/ General Purchasing Agent whenever possible.

354. PROHIBITED EXPENDITURES.

(*a*) Except on instructions from Supreme Headquarters, Mil.

carry on as usual upon their own responsibility and in accordance with remaining and unabrogated German law.

(*c*) Notify them that future distributions of relevant material will be made through Reichsbank and they should make arrangements to get distribution promptly.

(*d*) Tell them to safeguard all records, etc.

7. Initiate Blocking (Freezing) Control Program, if not already done, by directing Financial Institutions to block accounts and mark records of black-listed persons and organizations and removed persons under de-Nazification program.

8. Initiate Foreign Exchange control program, by directing Financial Institutions to comply with and publicize pertinent law, letters, etc., published in " Gazette."

9. Take into immediate control without awaiting specific authority.

(*a*) Property and records of local offices of the Nazi Party and its affiliated, attached, controlled and supervised organizations (see Mil. Gov. Law No. 5) where such property was used for party purposes. Such action to be taken in co-ordination with officers of G–2 (CIC), when available.

(*b*) Abandoned properties of sufficient value and importance to warrant control, with priority given property of United Nations and their nationals.

(*c*) Loot obtained by Germans from all sources outside Germany when readily identifiable as such.

10. Locate and take necessary measures to ensure protection of *Grundbücher, Handelsregisters* and other public records which are of use in tracing property interests.

11. Make contact with local officials, bankers and other persons from whom information regarding properties subject to control may be obtained.

B. PROPERTY CONTROL SECTION

Diverse Controls Affecting Property

360. " Property Control " is a phrase of special meaning to denote the custodianship or possession of property which a part of Military Government, *i.e.*, the Financial organization, may assume over specified categories of property (Mil. Gov. Law 52). Within certain limits the property is held by Mil. Gov. in place of the owner's control. Under Mil. Gov., property and the use thereof may be regulated or controlled, *e.g.*, deposit of radio transmitters or fire arms, prohibitions on right to use transport, to manufacture munitions, etc. These

types of control, however, are *not* what is meant by Property Control. Property Control involves the taking into custody of property by Property Control personnel of the Financial organization. Thus the (freezing) blocking of bank accounts or the deposit of foreign exchange assets or the use of property by the armed forces under requisition, seizure or confiscation, are not Property Control because Property Control personnel do not take such property into control. If such deposited, blocked, seized, requisitioned or confiscated properties are later delivered to Property Control or to an agency or enterprise under Property Control, or designated by it, they would then come under Property Control.

Definitions

361. The terms "property," "control," "Germany" and "United Nations" are defined in Military Government Law No. 52 (Blocking and Control of Property).

Categories of Property Subject to Property Control

362. (*a*) Under Article I of Military Government Law No. 52 (Blocking and Control of Property), properties owned by the following entities are made subject to being taken into control by Mil. Gov. (At the outset, however, the activities of Mil. Gov. Officers exercising Property Control functions will be limited to the instructions set forth in Paragraph 383 hereof:

(i) The German Reich, or any of the *Länder, Gaue,* or Provinces, or other similar political subdivision, or any agency or instrumentality thereof, including all utilities, undertakings, public corporations or monopolies under the control of any of the above.

(ii) Governments, nationals or residents of nations, including those of territories occupied by them, at war with any of the United Nations at any time since 1st September, 1939.

(iii) The NSDAP, all offices, departments, agencies and organizations forming part of, attached to, or controlled by it, its officials and such of its leading members or supporters as may be specified by Mil. Gov.

(iv) All persons held under detention or any type of custody by Mil. Gov.

(v) All organizations, clubs or other associations prohibited or dissolved by Mil. Gov.

(vi) Absent owners, including United Nations governments and nationals thereof.

(vii) All other persons specified by Mil. Gov. by inclusion in lists or otherwise. Included in this category will be the property of all persons and organizations listed in General Order No. 1 issued pursuant to Military Government Law No. 52, and of other undesirable or hostile

persons, institutions or agencies including war criminals, black-listed nationals of the United Nations, etc.

(viii) Regardless of present ownership, property which has been the subject of duress, wrongful acts of confiscation, dispossession or spoliation, whether pursuant to legislation or by procedures purporting to follow forms of law or otherwise.

(*b*) BLOCKING CONTROL. In order to maintain the above categories of property in *status quo* the technique of blocking controls has been instituted (Article II of Military Government Law No. 52) to apply to all the categories of property listed above, and also to municipal and certain institutional property and to works of art and cultural materials of value and importance. When property is blocked (frozen) no transaction or dealing in respect thereto may be engaged in, except in so far as such transaction is licensed or otherwise authorized by Mil. Gov.

GENERAL PLAN

363. Mil. Gov. Officers will post Military Government Law No. 52 (Blocking and Control of Property) and will see that it is complied with.

364. The provisions of Military Government Law No. 52 provide for holding properties until such time as it may be determined to take the property into control (*i.e.*, the present custodian, holder or other person in possession, custody or control, is charged with the responsibility of preserving, maintaining and safeguarding the property).

365. Control of property by Mil. Gov. will be organized by specialist Property Control Officers. In the initial period, however, Mil. Gov. Officers will be called upon, as described in the Working Plan below, to exercise certain controls with respect to property.

366. Mil. Gov. Officers will communicate with the appropriate Property Control Officer for advice, consultations and information and shall report to such Property Control Officer all the facts of any violation of Law No. 52 coming to their attention and of any problems arising in connection with the administration of that law within their area.

WORKING PLAN

General Instructions to Military Government Officers

367. F. & P.C. TECHNICAL MANUAL. Mil. Gov. Officers exercising property control functions will use this Handbook as well as the Finance and Property Control Technical Manual (F & PC Technical Manual). The Manual contains general technical guidance and property and accounting records and forms to be used in connection with property control functions.

368. Mil. Gov. Officers may be furnished with "black" lists of: (*a*) persons and organizations whose property will be taken under control; and (*b*) specific property to be taken under control. "White" lists of reliable German personnel who may be used as custodians may also be furnished.

369. SUMMON PUBLIC AUTHORITIES. Local authorities will be summoned at the earliest possible moment and required to furnish information and lists concerning all property of categories subject to property control, and to assist in locating such property and all other property found in a "black" list. Reports of information thus obtained will be sent to the appropriate Property Control Officer.

370. POSTING OF NOTICES. After property to be controlled or protected has been identified or selected, the Notice of Custody (MG/PC/1) will be posted on all such properties. This will afford some deterrent against trespassing, but should not be depended upon to prevent it.

371. PRESERVATION OF PROPERTIES. In appropriate cases, particularly with respect to United Nations' properties, arrangements will be made with local Mil. Gov. Public Safety Officers for the protection of properties taken under control. Intelligence and confidential information on the associations, character, loyalty and efficiency of civilians under consideration for employment as custodians of property should be sought from Mil. Gov. Public Safety Officers.

372. PUBLIC REGISTERS. It is important to ascertain at once where the *Grundbuch* (register of title) for the area, *Handelsregister* (Register of Commerce) and other basic records are located (these will normally be at the *Amtsgericht*) and to take immediate steps for the protection of these and other public records, which are of use in tracing property interests.

373. PRIORITY. In taking control of any of the abovementioned categories of property, priority will be given to such property as is necessary for the purpose of the military effort or for Mil. Gov. or those which may be used in a manner prejudicial to the military effort, Mil. Gov., or the United Nations.

374. RELATIONSHIP WITH MIL. GOV. FINANCIAL OFFICERS. Financial Officers will be charged with the administration of the Foreign Exchange Control Law (Military Government Law No. 53) which establishes control of foreign exchange transactions and foreign exchange assets in Germany. Financial Officers will also be concerned with the administration of the Blocking and Control of Property Law (Military Government Law No. 52), in so far as property covered by such law has not been taken into control by Property Control, and in so far as such property, whether or not taken into control, is subject to overall financial policies. An explanation of the type of

licenses and the procedure for licensing under the Blocking and Control of Property Law is set forth in the F & PC Technical Manual and should be referred to in this connection. General licenses to be issued under the Property Control Law and Instructions to Financial Institutions and the Reichsbank respecting Property Control will be found in Appendix B. It should be noted that applications for licenses to effect transactions in property not taken into control by Property Control should be made to the nearest Branch of the Reichsbank. Situations will arise in the administration of Property Control affecting the administration of the above-mentioned laws. Appropriate contact will be maintained with Mil. Gov. Financial Officers and Mil. Gov. Officers charged with administering such financial functions. As far as possible full reports of such problems will be given by Mil. Gov. Officers to the Mil. Gov. Financial Officer, as well as the appropriate Property Control Officer.

375. RELATIONSHIP WITH MONUMENTS, FINE ARTS AND ARCHIVES OFFICERS. Mil. Gov. Monuments, Fine Arts and Archives Officers will provide information regarding works of art and other similar objects which require special custody or control. Mil. Gov. Officers should consult with such specialist officers on questions arising with regard to such property.

376. RELATIONSHIP WITH LEGAL OFFICERS. Mil. Gov. Legal Officers are available in case of doubt as to property control authority in any specific case and they will be consulted with respect to all legal proceedings.

377. MILITARY FORCE REQUISITION. Requisitions of property for military use will be made through normal military channels and not through Mil. Gov. channels.

Methods of Control

378. Wherever practicable and compatible with United Nations interests, existing custodians, attendants and operators found in properties may be permitted to remain. Actual physical custody by Mil. Gov. Officers or other military personnel should be kept to a minimum.

379. In general, Mil. Gov. Officers should draw freely on all available German personnel to perform such duties as those of trustees, managers, superintendents, operators and guards. In this connection see Para. 399 of this chapter. Every effort should be made to turn over actual physical custody or operation to a responsible agency, tenant, or manager.

380. After the courts have been cleared of Nazi influence, use may be made of them to assist Mil. Gov. Officers in the control of property. Specific instructions with regard to such use of courts will be issued at a future date.

381. To assist Mil. Gov. Officers in the control of property, the German machinery for custody of property of enemy aliens (used against United Nations' property) will be continued and will also be extended to cover property of other enemies of the United Nations and will be subject to control of Mil. Gov. Pending establishment of controls by Property Control Officers the procedure under these laws may, if desirable, be resorted to by Mil. Gov. Officers to establish control over property to which they are applicable. More detailed instructions with regard to such procedure will be furnished at a later date. Custodians already appointed will be removed by Mil. Gov. Officers if they are unacceptable, or otherwise unsatisfactory; if possible the approval of the appropriate Property Control Officer will be obtained before such removal.

382. If none of the foregoing methods of control is found feasible, military personnel or guards should be installed for such time and to such extent as may be necessary.

Special Instructions to Mil. Gov. Officers

383. Mil. Gov. Officers will be concerned with the categories of property described in Para. 362 hereof to the following extent:

(*a*) *The German Reich, or any of the Länder, Gaue, or Provinces, or other similar political subdivision, or any agency or instrumentality thereof, including all utilities, undertakings, public corporations or monopolies under the control of any of the above:*

(i) Mil. Gov. Officers will be specifically instructed which, if any, of such properties in their respective areas will be taken under control.

(ii) Munitions and war supplies, unless otherwise directed, will be collected by Allied Military forces and not under Mil. Gov. direction.

(iii) Ships and loaded cargoes, railroads and other inland transportation facilities will not be controlled by Mil. Gov. as a function of Property Control.

(*b*) *Governments, nationals or residents of nations, including those of territories occupied by them, at war with any of the United Nations at any time since 1st September,* 1939.

Mil. Gov. Officers will take such property into control only when specifically instructed to do so.

(*c*) *The NSDAP, all offices, departments, agencies and organizations forming part of, attached to, or controlled by it, its officials and such of its leading members of supporters specified by Mil. Gov.*

Mil. Gov. Officers will be specifically instructed which of such properties in their respective areas will be taken under control, except that actual headquarters and party property used for

party purposes by the Nazi Party and its affiliated, attached, controlled and supervised organizations will be taken into control at once in co-ordination with CIC.

(*d*) *Property of absent owners, including United Nations Governments and Nationals thereof.*

(i) PROPERTY OWNED BY ABSENT GERMANS OR NEUTRALS. Mil. Gov. Officers will take control of property of this category only if there is no custodian or other person in possession and if such property is of sufficient importance and value to warrant such control. To assist Mil. Gov. Officers in exercising such control, German laws for the appointment of custodians for property of absent owners (*curator absentis*) may be used, with care that custodians so appointed are satisfactory to Mil. Gov. Further specific instructions with regard to such use of courts will be issued at a later date.

(ii) PROPERTY OWNED BY UNITED NATIONS GOVERNMENTS OR ABSENT NATIONALS THEREOF. In most cases of property in this category custodians will probably be found in possession who were appointed under the German alien enemy property legislation. If however such property is found abandoned, it will be taken into control as soon as practicable. Custodians found in possession will be removed by Mil. Gov. Officers if found unacceptable. Full investigations should be made by Mil. Gov. Officers at the earliest possible moment to determine the efficiency and reliability of custodians. When property of the United Nations or any of their nationals has been taken into control, particular care should be taken where possible to see that the value of such property is preserved. It may be expected that shortly after the termination of hostilities nationals of United Nations whose property is in custody of the German or Mil. Gov. appointees will seek repossession, but Mil. Gov. Officers will not restore such property until specifically directed.

(*e*) *Property obtained by Germans through duress or wrongful acts of dispossession or spoliation.* Mil. Gov. Officers will be specifically instructed which of such properties in their respective areas, looted from outside Germany, will be taken under control; except in cases of prima facie loot from outside Germany in which case such property will be taken into control at once and held pending further investigation. Mil. Gov. Officers will not take into control property which has been looted from within Germany unless there is some other reason, other than looting, for taking such property into control.

(*f*) Mil. Gov. Officers should send to the Deputy Chief Property Control Officer recommendations of specific properties enumerated in Article I of Military Government Law No. 52, which they believe should be taken into control at once.

Operating Procedure

384. In exercising Property Control functions, the role of the Mil. Gov. Officer is that of a military government official, not that of a receiver or trustee in the British or American sense. He should do what is reasonable in the circumstances. No personal liability will attach to any Mil. Gov. Officer for acts which are performed, permitted or omitted, in good faith, relative to the control or administration of property.

385. Mil. Gov. Officers are not authorized to submit to the jurisdiction of the local courts in proceedings in which Mil. Gov. or Mil. Gov. Officers are, in effect, defendants. Further instructions will be issued in regard to this matter.

386. Mil. Gov. Officers will arrange for the receipt of reports and returns required from local officials, organizations and persons relating to property under control.

387. Mil. Gov. Officers will at all times gather and forward to the Deputy Chief Property Control Officer all local information relevant to the classes of property subject to property control. Of particular interest will be reports of cloaking activities used to disguise property acquired through duress or wrongful acts of dispossession or spoliation, or to conceal holdings of the Nazi Party and prominent members and supporters thereof.

388. In the event it is necessary to use force to take possession of any property or to exclude any person from it, and sufficient assistance from Mil. Gov. Public Safety Officers cannot be obtained, a request should be made for the necessary aid to the appropriate Military Commander.

389. In the administration and operation of property taken under control, Mil. Gov. Officers should not, except after consultation with the appropriate Property Control Officer, lease or repair such property, nor employ agents and fix and pay compensation for any of the foregoing.

390. Mil. Gov. does not ordinarily take title to property taken into control. Sales may be made on behalf of the owner only if specially ordered or in cases of perishables.

391. Mil. Gov. Officers will not enter into a contract for a term in excess of 30 days, without approval from the Chief Property Control Officer.

392. Property should be entered on the Property Record (MG/PC/2) as soon as taken into control. The Record of Property Transactions (MG/PC/3) will be maintained by Mil. Gov. Officers or Mil. Gov. Detachments and will recite all facts and transactions that affect the property, its condition and history. Until the property is entered on the Property Record by the Mil. Gov. Officer and the Notice of Custody (MG/PC/1) is filed, it is not completely taken into control. It may there-

fore be released to its owner or his representatives without formality even though protective notices have been posted on it or have been delivered to its occupants. (See F & PC Technical Manual.)

393. When a going concern is taken over, Mil. Gov. Officers should consult with any Mil. Gov. functional specialist officers interested in the functioning of such concern. When a going concern is taken over Mil. Gov. Officers will give to the person or persons in charge Property Control Letter of Instruction No. 1 (MG/PCO/IBE/1). (See F & PC Technical Manual.)

394. Operating agents and custodians shall be instructed to keep the proper and appropriate accounts so that reports and accounts may be rendered to owners or to higher authorities. Where Mil. Gov. takes control of any business or undertaking which already has a satisfactory accounting system in operation, the existing accounting system will be continued. If the Mil. Gov. Officer finds an inadequate accounting system in an undertaking taken under control, a report thereof will be made to the appropriate Property Control Officer.

395. Funds received or produced by the operation of the property may be retained in such accounts or depositories as are maintained on its behalf, subject to directions of the appropriate Property Control Officer. Large accumulations of funds by such undertakings will be reported to the appropriate Property Control Officer.

396. Custodians appointed to operate any property shall have no power without the consent of higher authority to alter the nature of a business, or to sell, liquidate, incumber or obligate the property or any part of it beyond the ordinary course of business.

397. Fees paid to custodians, and allowances made to owners or their dependents, out of such properties may be continued, but may not be reduced or increased without prior approval from the Chief Property Control Officer. When paid they shall stand as a charge against the property and its owner.

398. Under no circumstances will persons who have been removed from any office or position because of the Supreme Commander's policy of removal of active Nazis and ardent Nazi sympathizers be employed or in any other way used in connection with the Property Control program of Mil. Gov.

399. Mil. Gov. Officers exercising property control functions will use the Finance and Property Control check list which is contained at the end of the Finance Section of this Chapter.

APPENDICES

APPENDIX "A."—*Military Government Technical Manuals—Germany.*

APPENDIX "B."—*Finance and Property Control Documents.*

1. Currency now in Circulation in Germany.
2. Allied Military Marks.
3. General Order, No. 1 (Law No. 52—Blocking Property).
4. Instructions to Financial Institutions, No. 1 (Compliance and Reports).
5. Instructions to Financial Institutions, No. 2 (Blocking Property).
6. Instructions on Revenues and Expenditures, No. 1.
7. Instructions to Stock and Commodity Exchanges, No. 1.
8. Instructions to Reichsbank, No. 1 (Law No. 53).
9. Instructions to Reichsbank, No. 2 (Law No. 52).
10. General License, No. 1 (Living Expenses).
11. General License, No. 2 (Payments into Blocked Accounts).
12. General License, No. 3 (Municipal Property).
13. General License, No. 4 (Inter-bank Transfers).
14. General License, No. 5 (Religious Property).

APPENDIX "C."—*Psychological Warfare and the Control of the German Information Services.*

APPENDIX "D."—*Instructions to Reich Minister of Posts.*

APPENDIX "E."—*Receipt for Supplies to be Furnished by the Supreme Commander.*

FINANCE AND PROPERTY CONTROL DOCUMENTS

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9. Instructions to Reichsbank, No. 2 (Law No. 52).
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11. General License, No. 2 (Payments into Blocked Accounts).
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CURRENCY NOW IN CIRCULATION IN GERMANY

Abbreviations: RM—Reichsmark RPf—Reichspfennig
Rt M—Rentenmark Rt Pf—Rentenpfennig

1. *Reichsbank Notes*—(Unlimited Legal Tender)

RM. 5
10
20
50
100
1,000

2. *Rentenbank Notes*—(Not legal tender, but pass freely, and are acceptable in payment of taxes, etc.)

Now in issue :—

Rt M 1
2

Formerly issued :—

Rt M 5
10
20
50
100
500
1,000

3. *Coin*—

Made of	*Denominations*	*Legal Tender up to*	*Whether still in circulation*
Silver	RM 5 ..	RM 20 ..	Yes
	RM 3 ..	RM 20 ..	No
	RM 2 ..	RM 20 ..	No
	RM 1 ..	RM 20 ..	No
Nickel	RM 1 ..	RM 20 ..	No
	RPf 50 ..	RM 5 ..	No
Aluminium ..	RPf 50 ..	RM 5 ..	Yes
Aluminium-Bronze ..	RPf 10 ..	RM 5 ..	Yes
	RPf 5 ..	RM 5 ..	Yes
Copper	RPf 2 ..	RM 5 ..	No
	RPf 1 ..	RM 5 ..	No
Zinc	RPf 10 ..	RM 5 ..	Yes
	RPf 5 ..	RM 5 ..	Yes
	RPf 1 ..	RM 5 ..	Yes

NOTES.—(1) All coins are accepted without limit by the Reich, Länder and Reichspost.

(2) Certain coins expressed in " Rentenpfennige " are in practice treated indistinguishably from the Reichspfennig coins of the same denominations.

ALLIED MILITARY MARKS

1. Allied Military Marks have been printed in the following denominations :—

Denomination (Marks)	*Number of Notes in each box*	*Code Sign on box*	*Value of each box* (Marks)
0·50	64,000	PA64	32,000
1	64,000	PB64	64,000
5	64,000	PC64	320,000
10	40,000	PE40	400,000
20	32,000	PF32	640,000
50	32,000	PG32	1,600,000
100	32,000	PH32	3,200,000
1,000	32,000	PJ32	32,000,000
Mixed (*see* para 2.)	52,000	PM52	580,000

2. Each " Mixed Box " contains the following :—

Denomination (Marks)	*Number of Notes*	*Value* (Marks)
0·50	8,000	4,000
1	16,000	16,000
5	16,000	80,000
20	4,000	80,000
50	8,000	400,000
	52,000	580,000

3. The notes are packed in wooden boxes of approximately the following dimensions :—

27 in. × 15 in. × 10½ in.
Weight : 90 lbs. approx.
25 boxes weighing 1 ton (br) approx.

It should be possible to pack about 80 boxes on one U.S. Army 3-ton truck/lorry (6×6).

GENERAL ORDER No. 1

(Blocking and Control of Property)

I. It is hereby ordered that commencing from the date of announcement of dissolution, abrogation or suspension of any organization by Military Government, the provisions of Article IV of Military Government Law No. 52 shall no longer apply to any such organization or its property.

II. All property of all persons described below is hereby specified by Military Government in accordance with Article I, paragraph 1, sub-paragraphs (*c*) and (*g*) of Military Government Law No. 52, to be subject to all of the provisions of Military Government Law No. 52, and may not be dealt with except as licensed or otherwise authorized or directed by Military Government or Military Government Law No. 52.

1. All persons removed from office or position, public or private, or arrested and held by the Military Forces or Military Government; all persons suspended from office or position, public or private, by Military Government for the time such persons are suspended.

2. All persons who have been members of the German General Staff at any time.

3. Ministers, State Secretaries and Ministerial Directors in all Reich Ministries.

4. All Generalbevollmächtigte, Heads of Geschäftsgruppen; all Sonderbeauftragte in the Office of the Plenipotentiary for the Four Year Plan.

5. Minister, Chief Adjutant, State Secretary, Ministerial Directors, heads and deputy heads of departments, sub-departments and agencies of Ministry of Armaments and War Production, including the heads of all Hauptausschüsse and Ringe.

6. All Reich Commissioners, General Commissioners and Inspectors-General.

7. Land Ministers, State Secretaries and Ministerial Directors at Land Levels.

8. Provincial Presidents, Reich Governors and their Department Heads.

9. Regierungspräsidenten.

10. Landräte.

11. Oberbürgermeister.

12. Reich Youth Leader.

13. The President, members of the managing board (Reichsbank-direktorium), members of the Beirat, and all Reichsbank-direktoren of the head office (Berlin) of the Reichsbank (Deutsche Reichsbank); all members of the local Advisory Boards (Bezirksbeirate) and the Regional Reichsbank Branches (Hauptstellen, Stellen).

14. The Board of Directors and Vorstand of the:

(*a*) The Gold Discount Bank (Golddiskontbank), Conversion Office for German Debts (Konversionskasse für Deutsche Auslandsschulden), Reichskreditkasse and German Clearing Office (Deutsche Verrechnungskasse).

(*b*) German Central Savings Bank (Deutsche Girozentrale-Deutsche Kommunalbank).

(*c*) Bank der Deutschen Luftfahrt, Heeres-Rüstungs A.G., Rüstungskontor G.m.b.H., Deutsche Bau-und-Boden Bank, Deutsche Industriebank, Deutsche Gesellschaft für Öffentliche Arbeiten ("Oeffa"), Deutsche Siedlungsbank, Deutsche Verkehrskreditbank, Deutsche Umsiedlungs Treuhand G.m.b.H.

(*d*) The following Berlin Commercial Banks: The "Big Six"—Deutsche Bank, Dresdner Bank, Commerz-und Privat-Bank A.G., Reichs-kredit-gesellschaft A.G., Berliner Handels-Gesellschaft, and Bank der Deutschen Arbeit A.G. Also all members of the local advisory boards of such banks.

(*e*) Preussiche Staatsbank (Seehandlung), Berlin. Also the Chairman and Vice-Chairman of the Board of Directors and the entire Vorstand of all other State Commercial banks.

15. Reich Commissioners, Vorstand, and the Board of Directors of the:

(*a*) German Central Credit Co-operative Bank (Deutsche Zentralgenossenschaftskasse).

(*b*) Deutsche Rentenbank-Kreditanstalt and Deutsche Rentenbank.

16. All partners of the following private banks:

Merck, Finck and Co., Munich and Berlin.

Brinckmann, Wirtz and Co., Hamburg.

Pferdmenges and Co., Cologne.

J. H. Stein, Cologne.

Delbrueck, von der Heydt and Co., Cologne.

Delbrueck, Schickler and Co., Berlin.

Burkhardt and Co., Essen.

Eichborn and Co., Breslau and Berlin.

Münchmeyer and Co., Hamburg.

17. All Geschäftsführer of Hardy and Co., G.m.b.H., Berlin.

18. Chairman and Vice-Chairman of the Board of Directors and Vorstand of all commercial banks not otherwise specified herein, having total assets in excess of RM.50,000,000.

19. Heads of Reichsausschuss zum Schutze des Deutschen Blutes, Reichsstelle für Umsiedlung, Reichsstelle für Raumordnung, Reichsversicherungsamt, Reichsarchiv.

20. All officials of the following Reich agencies :

(*a*) Office of the Plenipotentiary for the Four Year Plan and all subdivisions thereof (Beauftragter für den Vierjahresplan).

(*b*) Supreme Command of the Armed Forces (Oberkommando der Wehrmacht—OKW).

(*c*) Reich Ministry for Public Enlightenment and Propaganda (Reichsministerium für Volksaufklärung und Propaganda) and national, regional and subsidiary offices.

(*d*) Reich Air Ministry (Reichsluftfahrtministerium).

(*e*) Reich Ministry for Occupied Eastern Territories (Reichsministerium für die besetzten Ostgebiete).

(*f*) Reich Ministry for Ecclesiastical Affairs (Reichsministerium für Kirchliche Angelegenheiten).

(*g*) European Office for Labour Supply.

(*h*) Reich Office for Spatial Planning (Reichsstelle für Raumordnung).

(*i*) Reich Office for Resettlement (Reichsstelle für Umsiedlung).

(*j*) Academy of German Law (Akademie für das deutsche Recht).

(*k*) German Academy (Deutsche Akademie, Munich).

(*l*) Reich Chambers for Doctors, Veterinaries, Dentists and Apothecaries (Reichsärzte-, Tierärzte-, Zahnärzte- und Apotheker-kammern).

(*m*) Office of Forestry (Amt für Forstwirtschaft).

(*n*) Reich Patent Office (Reichspatentamt).

21. All members of every German Reichstag since 1st January, 1934.

22. Reich Labour Trustees (Reichstreuhänder der Arbeit).

23. The following officials of the Reich Food Estate : All Bauernführer—from and including the Kreis level up ; Chairman of the Central Market Associations (Hauptvereinigungen), Regional Market Associations (Wirtschaftsverbände) and County or local marketing Associations (Unterverbände), Presidents of Regional Food Offices (Landesernahrungsämter) and County Food Offices (Ernahrungsämter) ; and their deputies.

24. All University Rectors and Curators appointed since 30th January, 1933, including heads of all institutions of University rank (Hochschulen).

25. Members of the Supreme Court (Reichsgericht); People's Court (Volksgericht); Reichsverwaltungsgericht; Reichkriegsgericht; Reichserbhofgericht; Reichsarbeitsgericht; Reichsehrengerichtshof; Oberstes Fideikommissgericht; Oberprisenhof.

26. Members of the Courts of Appeal (Oberlandesgerichte).

27. Chief Public Prosecutors (Oberreichsanwälte, Generalstaatsanwälte and Oberstaatsanwälte).

28. All members of the SS; all officers and non-commissioned officers of the Waffen SS and SA from Unterscharführer up; all officers of the Technische Nothilfe.

29. Hitler Youth Officials and officers (male and female) from Bannführer or Bannmädel up.

30. Officials and officers of the NSDAP, down to Ortsgruppenleiter; directors, officials and officers of any organization, institution, department, agency, office or other entity forming part of, attached to, affiliated with, or in any way controlled or supervised by any organization listed in Military Government Law No. 5 and of any of the following NSDAP agencies:

(*a*) Reich Committee for People's Health Service (Reichsausschuss für Volksgesundheitsdienst).

(*b*) Reich Sport Office (Reichssportamt).

(*c*) Reich Genealogical Office (Reichssippenamt).

(*d*) State Academy for Race and Health (Staatsakademie für Rassen und Gesundheitspflege Dresden).

(*e*) All publishing houses and printing works owned by the NSDAP and controlled by any of them and corporations such as Phœnix G.m.b.H., the Eher Verlag and all enterprises owned or controlled by any of them.

(*f*) Association of German Organizations Abroad (Verband Deutscher Vereine im Ausland VDVA).

(*g*) Fraternity USA (Kameradschaft USA).

(*h*) Ibero-American Institute (Ibero-Amerikanisches Institut).

(*i*) World Service (Weltdienst).

(*j*) Main Office for the Security of the Reich (Reichssicherheitshauptamt).

(*k*) Main Office for Budgets and Buildings (Hauptamt für Haushalt und Bauten).

(*l*) Main Office for Administration and Economy (Hauptamt für Verwaltung und Wirtschaft).

(*m*) Gemeinschaftslager Hanns Kerrl (The Hanns Kerrl Community Camp).

(*n*) German Fichte Association (Deutscher Fichte Bund).

(*o*) SA (Sturmabteilungen), and all formations, subdivisions and affiliated organizations thereof, including the SA—Wehrmannschaften or pre-military training centres.

(*p*) NSKK (NS-Kraftfahr-Korps, or Motor Corps).

(*q*) NSFK (NS-Fliegerkorps, or Flying Corps).

(*r*) Hitler Youth (Hitler Jugend—HJ) and subsidiary organizations.

(*s*) German Christian Movement (Deutsche Christen Bewegung).

(*t*) Neo Pagan Movement (Deutsche Glaubensbewegung).

(*u*) Technische Nothilfe (TN).

(*v*) Volksdeutsche Bewegung.

31. Police Presidents and Directors.

32. Police officers above the rank of Lt.-Col.

33. All members of Security Police (Sicherheitspolizei); of Secret Police (Gestapo), Security Service (Sicherheitsdienst), and Frontier Police (Grenzpolizei).

34. All members of German Labour Front of the rank of Arbeitsführer and above including Kraft durch Freude officials at Reich and Gau levels.

35. Civilian officials and military officials of the rank of Captain or equivalent or above, in German administration of occupied countries, and all persons who have acted as representatives of the NSDAP in occupied countries not otherwise covered.

36. Leaders of National Economic Chamber; Chairmen, Presidents and their Deputies of Reichsgruppen, National Transportation Groups (Reichsverkehrsgruppen), Wirtschaftsgruppen, Gau Economic Chambers and Affiliated Economic Chambers.

37. Officers responsible for the organization of the Organization Todt.

38. All Wehrwirtschaftsführer.

39. President and all other officials of the Werberat der Deutschen Wirtschaft and its component organizations.

40. All Directors and high officials of the Reichsrundfunk G.m.b.H. and the Deutsches Nachrichtenbüro.

41. All Managers, Directors and officials of the Deutsche Umsiedlungs Treuhand G.m.b.H.

42. Presidents, Vice-Presidents and Secretaries of the Reichskulturkammer, of each subordinate Kammer and heads of sections of each subordinate Kammer.

43. Chief Editors, Assistant Editors, Directors and all other Executives of all newspapers, magazines and other news-disseminating agencies owned or controlled by the NSDAP or any organization, department, agency, institution, office or other entity forming part of, attached to, affiliated with, or controlled by the NSDAP.

44. All Amtsleiter and higher officials of the Reichs-propagandaleitung.

45. Persons other than those listed above who have accepted the Nazi honours of Blutsorden, Ehrensold, Ehrendolch.

III. The specification of the foregoing persons shall be deemed to include all persons holding such positions at the date of Military Government Law No. 52, and all persons holding such position at any time within one year prior to the date of such Law, and to the nominees of any of them. The specification of the foregoing agencies, organizations and other entities above shall be deemed to include their successors, substitutes or nominees.

IV. As used herein with respect to any stock company (Aktiengesellschaft, A.G.), any registered association (eingetragene Verein, e.V.), and any limited liability company (Gesellschaft mit beschränkter Handlung, G.m.b.H.), the term "official" shall mean any individual, whether an officer or not, who is empowered, either alone or with others, to bind, sign for or on behalf of any of the foregoing (*e.g.* Geschäftsführer, Vorstandsmitglieder, Prokuristen and Aufsichtsratsmitglieder); with respect to Government Departments or agencies the term "officials" shall mean all heads of departments, sub-departments, sections or other similar organizational units.

V. All persons, custodians, curators, officials or others having possession, custody or control of any of the property of the foregoing are required to comply with Military Government Law No. 52.

BY ORDER OF MILITARY GOVERNMENT.

MILITARY GOVERNMENT—FINANCE SECTION

Date.....

INSTRUCTIONS TO FINANCIAL INSTITUTIONS, No. 1

1. Your operations will be conducted to conform with all applicable German laws and all Military Government Laws, Orders and Instructions, including: (*a*) Military Government Law No. 51 (Currency); (*b*) Military Government Law No. 52 (Blocking and Control of Property); (*c*) Military Government Law No. 53 (Foreign Exchange Control).

2. Access to safe deposit vaults and boxes will be prohibited except as authorized by Military Government. No property held by you in safe custody may be delivered to anyone except as authorized by Military Government. Bank employees in the ordinary performance of their duties may, however, have access to the bank's vaults containing bank assets or records.

3. All property, including accounts and other financial assets of persons, institutions, organizations or other entities subject to Military Government Law No. 52 or named or described in any lists, orders, or instructions which may be issued from time to time, will be blocked. The current ledger sheets or equivalent records will be plainly marked with the words " blocked by MG", to distinguish them from other accounts, such as those blocked under existing German blocking procedure. Applications for special licenses with respect to property subject to Military Government Law No. 52 will be filed with the nearest branch of the Reichsbank, *i.e.* that branch of the Reichsbank from which it formerly received its instructions, if available, or the nearest branch of the Reichsbank within the same territorial subdivision.

4. You will not effect any payment, transfer or withdrawal made pursuant to Article IV of Military Government Law No. 52, if you have any knowledge or reason to believe that such payment, transfer, or withdrawal does not comply with the terms and conditions of such article, or if the transaction is prohibited by General Order No. 1 under Military Government Law No. 52. In questions arising as to the interpretation of such article you will consult with the nearest branch of the Reichsbank.

5. All financial institutions will submit to the nearest branch of the Reichsbank:

(*a*) Within seven days, a detailed balance sheet on your regular report forms as of the date you receive these instructions.

(*b*) Within fifteen days, a list of accounts of all natural persons with balances aggregating RM.100,000 or more; and of accounts of all others with balances aggregating RM.500,000 or more (Form MGAF (3)).

(*c*) Within 30 days, a report on Form MGAX (1) of all assets and liabilities covered by Military Government Law No. 53 (Foreign Exchange Control).

6. Within 15 days you will deliver to the nearest branch of the Reichsbank the foreign exchange assets specified in Article III of Military Government Law No 53 (Foreign Exchange Control), together with Form MGAX (2) in triplicate.

7. The official language of Military Government is English. All information furnished by you and all correspondence shall be in English. Where German is used by Military Government it is simply as a convenience, and in case of any conflict or doubt, the English version shall always prevail.

8. Until otherwise instructed, the Reichsbank will be used as the medium for conveying requests, information and reports desired by or of concern to Military Government.

9. All bank personnel not removed by Military Government will remain at work.

10. The individual or individuals constituting the management of your institution as well as all officials and employees of your institution involved, are personally responsible for compliance with all proclamations, laws, and instructions issued by Military Government as well as for the preservation of all your archives, records, ledgers, registers, and the prompt preparation of all data required by Military Government.

BY ORDER OF MILITARY GOVERNMENT.

MILITARY GOVERNMENT—FINANCE SECTION

Date.....

INSTRUCTIONS TO FINANCIAL INSTITUTIONS, No. 2

(For Preparation of Report Form MGAF (2) Series A)

1. The instructions given below are for use in preparation of Form MGAF (2) Series A and are issued to implement the provisions of Military Government Law No. 52 (Blocking and Control of Property). They are in addition to the instructions contained in Instructions to Financial Institutions No. 1. Copies of Law No. 52, General Order No. 1 issued pursuant thereto, Instructions to Financial Institutions No. 1 and of all other documents pertaining to the blocking of property, may be secured from the nearest branch of the Reichsbank, *e.g.* the nearest office within the same territorial sub-division, or from its Head Office in Berlin.

A. Who Must Report

2. Every financial institution in Germany (see definition of "Germany" in Article VII of Military Government Law No. 52) shall file reports on Form MGAF (2) Series A, for all blocked accounts, credits, securities and other property held by it. For the purpose of these instructions, the term "bank" shall mean and include the Reichsbank and all its sub-divisions and offices, the Post Offices and every public or private authority, agency, institution, organization, company (whether or not incorporated), co-operative firm, or person normally engaged or authorized to engage in any of the following activities :—

(*a*) the business of receiving deposits and paying out money ;

(*b*) making loans ;

(*c*) purchasing, selling or otherwise dealing in gold or silver bullion, gold coins, foreign exchange ;

(*d*) maintaining safe deposit facilities.

3. Stock and commodity houses and exchanges, insurance companies and stock and commodity brokerage firms (*i.e.* whose principal business is buying and selling securities for customers' accounts) and other holders need not file Declarations (MGAF (2) Series A). Other forms will be furnished them.

B. Property to be Reported

4. Your attention is directed to Articles I and II of Military Government Law No. 52 and General Order No. 1 issued thereunder. General Order No. 1 gives lists of organizations, agencies and persons whose property must be blocked under Law No. 52.

5. A separate form shall be completed for each person whose property is blocked.

C. TIME AND PLACE FOR FILING REPORTS

6. Reports shall be executed in ENGLISH and in triplicate and all three copies shall be filed with the nearest branch of the Reichsbank within 30 days of the first promulgation of Military Government Law No. 52. Whenever the property of a person, institution or organization is received or " blocked " subsequent to the date of the first promulgation of Military Government Law No. 52, the bank required to report shall file said report within 15 days after the date of blocking.

D. ADDITIONAL SPACE

7. If Form MGAF (2) Series A has insufficient space for all items, the bank will attach extra sheets as necessary. The extra sheets should be numbered and should show the number of the property item being reported. There should be a notation on the form itself at the proper space that additional information is being reported on " Extra page —".

E. AFFIDAVIT

8. If an affidavit on behalf of a partnership is executed by one of the partners on behalf of all, it must be accompanied by authorization from each partner. An affidavit executed by an organization shall be signed by two officials authorized to sign on behalf of such organization.

An affidavit may be used to cover any number of forms provided that such forms are numbered consecutively; that the numbers are referred to in the affidavit being sworn to and that all such forms are submitted with the affidavit.

F. PENALTIES

9. Any person failing to submit a report in accordance with Military Government Law No. 52 and these instructions or who omits any required fact or statement, or who makes any misleading, incomplete or false statement in such report shall, upon conviction by a Military Government Court, be liable to any lawful punishment as such Court may determine.

G. PREPARING THE REPORT

10. Care should be taken that all entries are clear and legible and are in their proper spaces. All spaces in the report must be properly filled in. If no property exists in any category, write the word " none " in the proper space. Reports not found to be in proper form or lacking in essential details shall not be deemed to have been filed.

11. NUMBER (upper right-hand corner). A bank preparing a number of forms will enter a number here when the affidavit covering the particular report is one covering several other

reports. For example, should a bank prepare three reports only the affidavit on the third need be sworn to, provided the numbers of each report form have been entered in the space provided therefor in the affidavit.

12. DATE. The date the report is prepared and the affidavit is sworn to should be entered in the proper blank space. Care should be taken that the date of the affidavit and the date for the report are the same, indicating that the affiant is swearing to the contents of all documents submitted.

13. PART I—BANK MAKING THE REPORT

(*a*) Name: Enter here the name of the organization submitting this report and any other information to identify it.

(*b*) Give the complete address, including number, street and town.

14. PART II—PERSON WHOSE PROPERTY IS REPORTED

(*a*) Name: Enter the full name of the individual, giving family name first. In the case of an organization, enter the full name and any trade name by which the particular organization or institution is known.

(*b*) Address: Enter here the last-known address of the person whose property is being reported.

(*c*) Business, Profession or Occupation: be specific.

(*d*) Citizen of, or organized under the laws of ————. In the case of an individual, enter the country of which the individual is a citizen. An individual deprived of citizenship, will be reported as being a citizen of that country which cancelled his citizenship, notwithstanding the cancellation. In the case of business or other organizations, you will enter the name of the country or countries under which the principal or head office of the said firm was organized. In addition, whenever a controlling ownership interest is held in a country other than the country under which the organization was formed, give all pertinent facts.

(*e*) Blocked pursuant to Law No. 52 because: Here enter the particular clause of Articles I and II under which the property mentioned has been blocked. Thus an account of the German Reich in a particular bank would be reported "Art. I. 1.a." However, all cases of blocking by special lists issued by Military Government, telegrams or letters sent by Military Government or by other means, including General Order No. 1 or subsequent orders, will be reported "blocked by Military Government pursuant to list (or letter or telegram or General Order), dated....., 1944. Whenever property of an individual, or organization, or institution

is blocked by a Military Government Officer's verbal order, the bank will note " blocked by verbal order, of ....., dated....., 1944."

15. PART III A.—DEPOSITS

Where there are no deposits, an unequivocal statement is required, to wit " None." (This principle will govern in all other cases where information is asked in this report.)

Enter here all types of deposits including but not limited to time, notice or demand deposits. Enter also all accounts for which the blocked person has a power of attorney and all joint accounts to which the blocked person is a party.

(*a*) Name of the account: Enter the name of the account as it is carried on your books. Include other identification if the account name as carried on your books is insufficient identification of the blocked person.

(*b*) Account number if any: Enter here the number of the account as carried in your books.

(*c*) Balance as of (1) 31st December, 1943, (2) effective date of Military Government Law No. 52: In case (1) above, enter the proper amount. If no account was maintained at that date, state: " None." Likewise in case (2) enter the balance in the account as of the date of the first promulgation of Military Government Law No. 52. Should an individual, institution or organization be blocked subsequent to the date of the first promulgation of Law No. 52, you will enter the balance under " effective date of Law No. 52 " as the balance in the said account as of the date when first blocked.

(*d*) Total: Add the sums of the accounts of one person for each of the two required dates and enter in the proper space.

16. PART III B.—COLLECTIONS

Give the total amount of all items deposited by or for the credit of the account of the person whose property is blocked which have not yet been entered on his accounts, except sight or cash items in process of collection. Enter all items received for credit to such account for which remittance has not yet been received. In the case of persons blocked subsequent to the date of first promulgation of Military Government Law No. 52, use the date on which blocking takes place, so stating in the report, instead of the date of first promulgation.

17. PART III C.—CHECKS, BANK ACCEPTANCES AND LETTERS OF CREDIT

1. Checks: Enter the number of these items, and their total value, outstanding as of the date of first promulgation of Military Government Law No. 52. In case of persons blocked subsequent to first promulgation of Military Government Law No. 52, use

the date on which blocking took place, so stating. Include the cashiers or other official bank checks of the reporting bank purchased by the blocked person, and when appropriate records are available, such checks issued to his order. Treat certified checks in the same manner.

2. Bank acceptances: Under this category give the total amount of all drafts accepted by the reporting bank drawn by or payable to the blocked person as of the date of first promulgation of Law No. 52 or in case of persons blocked subsequent to the first promulgation of Military Government Law No. 52, the date on which such blocking took place.

3. Letters of Credit: Give the total unexpended or unused amount of all letters of credit, prepaid or not, including traveller's checks, as of the date of first promulgation of Military Government Law No. 52 or as of the date of notice of blocking in the case of blocked persons, under which the blocked person had any rights, contingent or absolute, to receive any payments in any amount pursuant to the terms of a letter of credit, or reimbursement of any unused portion thereof. In determining the unexpended or unused available amount of a letter of credit, deduct from the face amount thereof or from the upper limit of credit, if greater than the face amount thereof, the amount of any drafts drawn or accepted thereunder, whether or not paid. No deduction or other adjustment should be made for any cash or other collateral or for any contingent liability under the letter of credit on the part of the person at whose request the credit was opened. Cash collateral should be reported under Deposits, part III A. Other collateral, if it consists of securities, should be reported under Securities, part V A.

18. PART IV.—SAFE DEPOSIT BOXES

1. Enter in this category rentals of safe deposit boxes in your institution which on your records indicate that the blocked person has a direct interest therein. Give the name under which said safe deposit box is held and the number or other designation. Thus, if Mr. and Mrs. X jointly own a safe deposit box, and Mr. X's name is on a list of those whose property is to be blocked pursuant to Military Government Law No. 52, you will report said safe deposit box in Part IV A.

2. Enter those boxes where the blocked person is known to have an interest, but which interest may or may not be patent on the basis of your records. Here also report powers of attorneys and other interests in a safe deposit box known to you apart from your records.

3. Enter any parcel, box, case, trunk, sealed envelope, or other such receptacle which has been deposited with you by the person listed in Part II A hereof or in which such person has an interest whatsoever.

19. PART V.—SECURITIES

(*a*) Securities of any kind held in custody or safekeeping or a collateral: Securities shall include all types of securities whatsoever such as: bonds, mortgage bonds, debentures, instruments of indebtedness issued by the Reich and other public entities such as notes, bills, certificates, etc., stocks, shares, dividend warrants, scrip and such officially registered claims on the Reich as are equivalent to German securities.

Where face amount is asked, the reporting institution shall give the face value of the security and/or instrument. If no face value is shown, give the estimated value, marking said value: "Estimated." If unable to give a value, the institution shall report the information required as "unknown."

Where a security is not in your physical possession, but is in your custody or control, indicate its location under the heading, "Description and Location." You will describe the securities in custody or safekeeping with you with sufficient detail so as to be readily identifiable.

Where a security is held as collateral, indicate on a separate sheet attached and made part of this report, the loan for which the security is collateral.

If the securities were held by you on 1st September, 1939, you would of course answer "yes."

(*b*) Enter here any other property or property rights not covered in Part V A.

20. PART VI.—ADDITIONAL INFORMATION

(*a*) Enter here the name and address of any person whom you know or have reason to believe has some interest, actual or contingent, with respect to any property herein reported or to be reported under Part VI B. Refer to this particular property item by proper paragraph, number and description.

(*b*) Enter here any property whatsoever which, in any manner, is in your custody or control, and which you have not entered in any other part of this report. It follows that for a given person whose property you are reporting, you will report every item of property in your control or custody, in any manner whatsoever.

(*c*) Enter here the names and locations of other banks which to your knowledge or belief are holding any property of the blocked person whose property is herein reported.

BY ORDER OF MILITARY GOVERNMENT.

MGAP-I (1)

MILITARY GOVERNMENT—FINANCE SECTION

Date.....

INSTRUCTIONS TO GERMAN OFFICIALS ON REVENUES AND EXPENDITURES, No. 1

1. GENERAL

Every official within the occupied territory responsible for the administration of Government Finance, including preparation of budgets, assessment and collection of taxes and other public revenues, and the disbursement of public funds, will (unless removed from office) continue in the performance of his duties, subject to the direction of Military Government.

2. REVENUE

The responsible officials will administer, assess, and collect all taxes and other public revenues as nearly as possible in the form and manner and in accordance with the laws in force in Germany except insofar as any such laws may be suspended or abrogated by Military Government. German officials will specially familiarize themselves with and give effect to the suspension or abrogation of revenue laws discriminating for or against any person because of race, color, creed or political opinion.

3. EXPENDITURES

The responsible officials will continue the existing system of expenditures as far as circumstances permit. Subject to the provisions of paragraph 4 below, officials responsible for disbursing public funds will function as follows:

(*a*) Where authority to incur expenditure is already vested in an official, he will effect disbursements in accordance with existing practices.

(*b*) Where authority to incur ordinary expenditures requires approval by a supervisory authority at a higher echelon, but, due to difficulty of communication or other substantial reason, contact with the appropriate supervisory authority is impractical, responsible officials will make disbursements as if proper approval had been received.

(*c*) Where emergency conditions require extraordinary expenditures (such as for relief, public health, public safety, and transportation and communication facilities, including roads and bridges), responsible officials will request authority from appropriate echelons of Government; but if, due to difficulty of communication or other substantial reason, contact with the appropriate echelon is impractical, the expenditures will be incurred on the responsibility of the highest available German Public Finance Official.

(*d*) Where expenditure is incurred under (*b*) or (*c*) above responsible officials will :

(1) Ensure that the expenditure is properly controlled in accordance with existing practices ; and

(2) Report the expenditures to and procure the necessary approval of appropriate German authority as soon as possible.

(*e*) If an Officer of the Allied Military Authority directs that a specific expenditure be incurred, the responsible German Officials will carry out such direction and account for the disbursement in accordance with existing practices.

4. PROHIBITED EXPENDITURES

The following expenditures and disbursements are prohibited, whether or not included in approval budgets, unless authorized by Military Government :

(*a*) Expenditures and disbursements to or for : the NSDAP, all offices, departments, agencies and organizations forming part of, attached to, or controlled by it, including those specified in General Order, No. 1, under Military Government Law No. 52 ; their officials and such of their leading members or supporters whose names are published by Military Government ; all organizations, clubs or other associations prohibited or dissolved by Military Government ; and all other entities or persons whose names are announced by Military Government by publication of lists or otherwise, as persons with respect to whom expenditures and disbursements are prohibited or whose property is blocked.

(*b*) Expenditures and disbursements for any kind of propaganda.

(*c*) All expenditures for military pensions arising out of service at any time, except—

(1) pensions paid for physical disability reducing the pensioner's ability to work ; and

(2) pensions or allowances to widows, orphans or persons other than the military personnel who are without other means of support and are actually dependent on such payments for living expenses.

(*d*) No pensions or other emoluments shall be paid for membership in or services to the Nazi party or affiliated organizations or any organization specified in General Order No. 1 under Military Government Law No. 52.

(*e*) Other expenditures and disbursements which the Military Government may from time to time prohibit.

5. All correspondence and information furnished by you to Military Government must be in English.

BY ORDER OF MILITARY GOVERNMENT.

MGAB-I (2)

MILITARY GOVERNMENT—FINANCE SECTION

Date.....

INSTRUCTIONS TO STOCK AND COMMODITY EXCHANGES AND THEIR MEMBERS, No. 1

1. Your operations and transactions will be conducted to conform with all pertinent Military Government proclamations, laws, ordinances, regulations and any orders and instructions issued thereunder. All stock and commodity exchanges will call such laws to the attention of their members and be responsible for the distribution to them of such information as may be required.

2. All stock and commodity exchanges and their members, including especially specialists or jobbers, will preserve all books, records, accounts and papers and be responsible for the preservation of all such archives.

3. All records of clearings and agreements thereof will be preserved in good order.

4. Stock and commodity exchanges and all members thereof are required to comply with the terms of Military Government laws and orders or instructions issued thereunder, concerning blocking and freezing of credits, securities and all other assets and papers of parties whose property is blocked pursuant to Military Government Law No. 52.

5. The statistical services of stock and commodity exchanges will be preserved and such exchanges will be required, in due time, to prepare and submit data required by Military Government.

6. Any deposits or guarantees of members of stock and commodity exchanges will be preserved and held by such exchanges pending further instructions.

7. No stock or commodity exchange or any member or employee thereof will, directly or indirectly, record, utter, issue or publish any quotation, past, present or future, official or unofficial, concerning prohibited transactions or transactions in any form of property, transactions in which are prohibited by Military Government law.

8. All stock and commodity exchanges will continue the preparation of their normal or periodic reports of activities which may be called for by Military Government.

9. Every stock or commodity exchange will apply to the nearest Branch of the Reichsbank, i.e. nearest office within

the same territorial subdivision, for copies of the Fragebogen which must be filled out in accordance with "Instructions to Financial Institutions No. 3 (Personnel)."

10. In the event that any stock and commodity exchange has in the past acted as a banking institution or safe deposit agency, it will comply with instructions to such institutions including any regulations restricting access to safe deposit vaults and boxes.

11. All correspondence or information furnished by you to Military Government must be in English.

BY ORDER OF MILITARY GOVERNMENT.

MGAX-I (1)

MILITARY GOVERNMENT—FINANCE SECTION

Date.....

INSTRUCTIONS TO THE REICHSBANK AND ITS OFFICES, No. 1

(Foreign Exchange Control)

Your attention is directed to Military Government Law No. 53 (Foreign Exchange Control). The following are some of the responsibilities with respect to the administration of such Law imposed on you:

1. Within 15 days of the effective date of Military Government Law No. 53, there will be delivered to you certain foreign exchange assets enumerated in Paragraph 5 of Article III of such law. Form MGAX (2) will be made available to you shortly. You will distribute these forms to all financial institutions, including Post Offices, and to other persons or organizations likely to hold or own foreign exchange assets of the kind covered by Paragraph 5 of Article III. Persons making delivery of such assets will submit Form MGAX (2) filled out in triplicate. You will acknowledge receipt in the blank space marked for this purpose on all three copies of the form accompanying the assets so delivered. You will retain the second copy and will forward the original to your Head Office in Berlin as soon as possible, or to such branch or other institution as Military Government may designate. The third copy will be given to the person delivering such property as his receipt.

2. All assets delivered to you in this manner will be placed in a special vault or other safe place of custody, which will be locked and which will contain no other assets. You are responsible for the safe custody of such assets. Keys and other means of access to such vault or similar place of custody will be held at the exclusive disposal of Military Government officers or persons specially authorized by them. You will receive further instructions in due course as to inspection, reporting and forwarding of assets so delivered. In the meantime, you may attend to collection of coupons, etc., pertaining to securities thus deposited and may take such other normal action as may be necessary to administer such assets.

3. Unless authorized by Military Government, requests for extensions of the aforementioned 15-day time limit will not be granted.

4. In addition to assets of the type enumerated in Paragraph 5 of Article III delivered by owners, holders or other persons acting on behalf of the owners, you may also receive such assets from time to time from :

(*a*) Military Government personnel charged with the duty of controlling the national frontiers of Germany, or from personnel authorized by Military Government to act in that capacity ; or

(*b*) Military Government personnel and personnel acting for them charged with postal censorship duties.

When assets are delivered by persons in subsection 4 (*a*) above, they will be accompanied by a copy of the receipt issued by such personnel to the person from whom such property has been received. Upon receipt of such assets, you will fill in Form MGAX (2) in triplicate, retaining the duplicate copy thereof and the copy of the receipt furnished you by the Military Government personnel. You will forward the original of Form MGAX (2) to your Head Office in Berlin as soon as possible, or to such branch or other institution as Military Government may designate. The triplicate copy thereof will be returned to the Military Government personnel making the delivery as their receipt. Assets similarly delivered to you by other Military Government organizations, etc., will be treated in the same manner.

Instructions may be issued to you from time to time regarding delivery of such assets by other agencies.

5. Within 30 days of the effective date of Military Government Law No. 53, you will receive declarations on Form MGAX (1) of all assets and obligations subject to said Law.

Form MGAX (1) will be made available to you shortly and will be promptly distributed by you to all financial institutions, including Post Offices, and to other persons or organizations likely to hold or own such assets or owe such obligations. More detailed instructions will be issued to you in due course as to disposition of all declarations received.

6. In accordance with Military Government Law No. 53 you are prohibited, except as authorized by Military Government, from engaging in any transaction or other dealing in foreign exchange and gold and silver, including but not limited to disposing or permitting to be disposed of, or in any way transferring or permitting to be transferred, any assets whatsoever which are held outside Germany in your name. All authorizations or exemptions issued, granted or in any way given by you to banks or any other persons or organizations to act as your agents in dealing in foreign exchange, are revoked, and are without any effect whatsoever.

7. All outstanding licenses and exemptions issued, granted or in any way given by you in respect of matters over which you have jurisdiction or other authority or control under existing German Laws and regulations are cancelled. Until further orders from Military Government, no licenses will be issued by you with respect to foreign exchange or transactions or other dealings involving foreign exchange, including but not limited to transactions involving the purchase, sale or transfer of foreign exchange, gold or silver, foreign securities, or involving any Reichsmark accounts, securities and other valuables owned by or held for account of nationals of countries other than Germany and blocked under German or Military Government laws and regulations.

8. All correspondence and information furnished by you to Military Government must be in English.

BY ORDER OF MILITARY GOVERNMENT.

MGAF—I(1)

MILITARY GOVERNMENT—FINANCE SECTION

Date.....

INSTRUCTIONS TO THE REICHSBANK AND ITS OFFICES, No. 2

(Instructions under Military Government Law No. 52)

1. Your attention is directed to Military Government Law No. 52 (Blocking and Control of Property) and to Instructions to Financial Institutions Nos. 1, 2 and 3. The provisions of the aforementioned documents apply equally to you. In addition, with respect to the administration of Military Government Law No. 52, you will comply with the following instructions.

INSTRUCTIONS TO FINANCIAL INSTITUTIONS NO. 2

2. Form MGAF (2) Series A to be used by Financial Institutions in reporting property held by them subject to Law No. 52 will be distributed by you to all appropriate Financial Institutions and Post Offices in your district, together with " Instructions to Financial Institutions No. 2," which contains instructions for the preparation of said Form. Within 30 days from the promulgation of Law No. 52, Form MGAF (2) Series A will be submitted to you in triplicate by all Financial Institutions and Post Offices in your district. After making certain that the Form is complete, properly made out and sworn to under oath, you will file them alphabetically pending further instructions from Military Government. For use in reporting property held by persons or organizations other than such Financial Institutions, additional Series of Form MGAF (2) will be forwarded to you for distribution and subsequent collection in due course. Unless otherwise authorized by Military Government, requests for extension of the thirty-day time limit for filing Form MGAF (2) will not be granted.

GENERAL LICENSES

3. There are enclosed herewith copies of General Licenses Nos. 1, 2, 3, 4, and 5, issued under Military Government Law No. 52. Subject to the terms and conditions contained therein these licenses authorize the following transactions: use of blocked accounts for the payment of living expenses of the depositor and his household (General License No. 1); payments into blocked accounts (General License No. 2); normal transactions in municipal property (General License No. 3); interbank transfers of credit for the purpose of effecting payment of taxes and social insurance premiums, etc. (General License No. 4); normal transactions in Church property (General License No. 5). You will immediately take appropriate

measures to ensure that such licenses are made known to all financial institutions, including Post Offices, and to all other interested persons or organizations in your area.

APPLICATIONS

4. Unless otherwise authorized by Military Government, applications to effect any transaction prohibited by Military Government Law No. 52 and not authorized under any outstanding general license will be filed exclusively with you. Application Forms (MGAF-A (1)) for this purpose will be made available to you in the near future. You will make certain that all such applications have been properly filled out. You will take no action on such applications until specifically instructed by Military Government.

OTHER DUTIES

5. You will be responsible for the prompt distribution of various Military Government laws, instructions, report forms and other Military Government documents to interested Financial Institutions and persons and will at all times maintain a sufficient supply of such documents on hand to meet the needs of the general public.

6. All owners or holders of property blocked pursuant to Military Government Law No. 52 will be advised to address all inquiries with respect to general and special licenses, report forms, license application forms, etc., to you.

7. From time to time you will receive additional instructions relative to your responsibilities under Military Government Law No. 52.

BY ORDER OF MILITARY GOVERNMENT.

MGAF—L(1)

MILITARY GOVERNMENT—FINANCE SECTION

Date.....

GENERAL LICENSE No. 1

Issued pursuant to Military Government Law No. 52 (Blocking and Control of Property)

1. A general license is hereby granted permitting any natural person within Germany whose property is blocked pursuant to Military Government Law No. 52 to transfer or withdraw, or to order the transfer or withdrawal, from all his accounts of such funds as may be necessary for the actual living expenses of such natural person and the members of his household, provided however :

(*a*) That the total of all such transfers, withdrawals, or orders therefor does not exceed RM.500 in any one calendar month, except that additional sums not exceeding RM.100 per person per calendar month may be withdrawn for each additional dependent member of such person's household, up to a total of RM.300 for all such dependents, making a maximum possible aggregate allowance of RM.800 per household per calendar month;

(*b*) Payments, transfers and withdrawals from an account in the name of a person who has been taken under detention or other form of custody by Military Government shall be made only to a member of such person's household and under no circumstances to such person.

2. No financial institution shall permit any payment, transfer or withdrawal pursuant to this general license if it has knowledge or reason to believe that such payment, transfer or withdrawal does not comply with the terms and conditions of this general license.

3. As used herein, the term "household" shall mean all dependent relations residing with the natural person owning or controlling the blocked account.

BY ORDER OF MILITARY GOVERNMENT.

MGAF—L(2)

MILITARY GOVERNMENT—FINANCE SECTION

Date.....

GENERAL LICENSE No. 2

Issued pursuant to Military Government Law No. 52 (Blocking and Control of Property)

1. A general license is hereby issued permitting payments or transfers into accounts in German financial institutions blocked pursuant to Military Government Law No. 52, provided that :

(*a*) Such transactions are not prohibited by any law other than Military Government Law No. 52 ;

(*b*) Such payment or transfer shall not be made by or for or from the property of any person, whose property is blocked ;

(*c*) This license shall not be deemed to authorize any payment or transfer to any blocked account other than that of the person who is the ultimate beneficiary of such payment or transfer.

2. This license may not be employed to authorize or make any payment or transfer comprising part of a transaction which cannot be effected without the issuance of another license.

BY ORDER OF MILITARY GOVERNMENT.

MGAF—L(3)

MILITARY GOVERNMENT—FINANCE SECTION

Date.....

GENERAL LICENSE No. 3

Issued pursuant to Military Government Law No. 52

(Blocking and Control of Property)

A general license is hereby granted permitting any Kreis or Municipality to engage in all transactions within Germany ordinarily incidental to its normal operations, provided that such transactions are not prohibited by any law other than Military Government Law No. 52, and that such Kreis or Municipality shall not engage in any transaction which, directly or indirectly, substantially diminishes or imperils the assets of such Kreis or Municipality or otherwise prejudicially affects its financial position.

BY ORDER OF MILITARY GOVERNMENT.

THE ARMY LIBRARY

WASHINGTON, D. C.

MGAF—L(4)

MILITARY GOVERNMENT—FINANCE SECTION

Date.....

GENERAL LICENSE No. 4

Issued pursuant to Military Government Law No. 52

(Blocking and Control of Property)

A general license is hereby granted permitting intra- and inter-bank transfers of credit from an account blocked pursuant to Military Government Law No. 52:

(*a*) to the account of the German Reich or any Länder, Provinzen, Stadtkreise, Gemeinde, Landkreise, Municipality or other governmental sub-division or agency in payment of matured taxes, duties, fees and similar items; or

(*b*) in payment of matured premiums for social insurance.

BY ORDER OF MILITARY GOVERNMENT.