

## Lore of the Corps

### From Infantry Officer to Judge Advocate General to Provost Marshal General and More: The Remarkable Career of Allen W. Gullion

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Allen W. Gullion was an extraordinary Soldier by any measure. He saw combat in the Philippines, served on the border with Mexico, and joined the Judge Advocate General's Department shortly before the United States entered World War I. After a number of significant assignments as a lawyer, he became The Judge Advocate General (TJAG) in 1937. When he retired from his position as TJAG on December 1, 1941, Major General Gullion assumed full-time duties as the Army's Provost Marshal General—a position that had not existed since World War I. He subsequently supervised the handling of all Axis prisoners of war, both in the United States and overseas. He also was the chief architect of the Army's framework for the post-World War II occupation of Austria, Germany, Japan, and Korea. In early 1944, Major General Gullion accepted an invitation from General Dwight D. Eisenhower to join his staff as the Chief, Displaced Persons Branch. In this unique job, Major General Gullion oversaw Allied efforts involving the repatriation of millions of refugees and other civilians displaced by the chaos of World War II. With basic plans for this project completed, Gullion retired in December 1944. He died eighteen months later, in June 1946. What follows is the story of his remarkable career—unique in the history of the U.S. Army and The Judge Advocate General's Corps.

Born in New Castle, Kentucky, on December 14, 1880, Allen Wyant Gullion graduated with a Bachelor of Arts from Centre College, Danville, Kentucky, in 1901. As a student, he excelled in the subjects of Greek, Latin, and oratory (he won the school's prize in oratory),<sup>1</sup> but decided to pursue a career as an Army officer. Consequently, he obtained an appointment to the U.S. Military Academy at West Point, and after graduating in 1905, he was commissioned as a second lieutenant (2LT) in the Infantry branch.<sup>2</sup>

After service with the 2nd U.S. Infantry Regiment at Fort Logan, Colorado, 2LT Gullion sailed to the Philippines in 1906.<sup>3</sup> He served two years in the Philippine Islands, where

he saw combat in military operations against Filipino insurgents.<sup>4</sup>



Major General Allen W. Gullion, The Judge Advocate General,  
U.S. Army, 1937

After returning to the United States in 1908, Gullion was assigned to Fort Thomas, Kentucky.<sup>5</sup> In 1911, he was promoted to first lieutenant and transferred to the 20th U.S. Infantry Regiment.<sup>6</sup> Gullion was then detailed as a Professor of Military Science and Tactics at the University of Kentucky, and during his two-year assignment, he attended law school earning a Bachelor of Law degree in 1914.<sup>7</sup>

When National Guard units were sent to the Mexican border in 1916, Gullion accepted a commission as a colonel in the 2nd Kentucky Infantry.<sup>8</sup> He served on the border until

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<sup>1</sup> DOUGLAS WALLER, A QUESTION OF LOYALTY 222 (2004).

<sup>2</sup> U.S. ARMY JUDGE ADVOCATE GENERAL'S CORPS, THE ARMY LAWYER 155 (1975).

<sup>3</sup> WALLER, *supra* note 1, at 222.

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> J.T. White & Co., *Allen Wyant Gullion*, WHITE'S BIOGRAPHY 254 (1949).

<sup>8</sup> *Id.*

May 1917, then gave up this rank and position in order to accept an appointment as a Regular Army major (MAJ) in the Judge Advocate General's Department.<sup>9</sup>

As the United States began mobilizing for World War I, MAJ Gullion was ordered to Washington for duty as Assistant Executive Officer and Chief of the Mobilization Division in the Provost Marshal General's Office. Major General Enoch H. Crowder, who had been the Army's Judge Advocate General since 1911, took a leave of absence from this position to become the Provost Marshal General and oversee the implementation of the first wartime draft since the Civil War.<sup>10</sup> Gullion assisted Crowder in administering the new Selective Service Act, and as a result of his superlative performance of duty, Gullion—who had been previously promoted to Lieutenant Colonel—was awarded the Distinguished Service Medal.<sup>11</sup> His citation read, in part:

As chief of publicity and information under the provost marshal general, he successfully conducted the campaign to popularize selective service. Later, as acting executive officer to the provost marshal general, he solved many intricate problems with firmness, promptness, and common sense. Finally, as the first chief of mobilization, division of the provost marshal general's office, he supervised all matters relating to the making and filling of calls and the accomplishment of individual inductions. To each of his varied and important duties he brought a high order of ability and remarkable powers of application. His services were of great value in raising our National Army.<sup>12</sup>

In March 1918, Lieutenant Colonel (LTC) Gullion deployed to France, where he served as a member of the General Staff, American Expeditionary Force and as Judge Advocate, Advance Session and III Corps.<sup>13</sup> After the end of hostilities, Gullion remained in Europe, and marched with III Corps into Germany as part of the Allied occupation.<sup>14</sup>

Allen Gullion returned to the United States in early 1919 and was assigned to Governors Island, New York.<sup>15</sup> For the next five years, he was the legal advisor to Lieutenant General Robert L. Bullard, a distinguished Soldier who had successfully commanded a brigade before taking charge of the First Division, III Corps, and Second Army in World War I.<sup>16</sup> Since Gullion had been Bullard's lawyer while Bullard commanded III Corps from September 1918 to October 1918, it is likely that the two Soldiers had forged a strong professional relationship during wartime that continued in peacetime in New York.<sup>17</sup>

In June 1924, LTC Gullion was transferred to the Office of the Judge Advocate General in Washington, D.C.<sup>18</sup> The next year, he earned accolades for his performance in the court-martial of World War I aviation hero Colonel (COL) William "Billy" Mitchell.<sup>19</sup> In September 1925, after two aeronautical accidents involving the loss of a Navy dirigible and three Army Air Corps aircraft, Mitchell claimed in a press conference that these air disasters were "the direct result of the incompetency, criminal negligence, and almost treasonable administration of our national defense by the Navy and War Departments."<sup>20</sup>

The White House and leaders in the Navy and War Departments were outraged by Mitchell's intemperate words, and he was ordered to stand trial by general court-martial. At a high-profile trial that was on the front page of virtually every American newspaper for weeks, Mitchell was found guilty of insubordination, conduct to the prejudice of good order and military discipline, and bringing discredit on the War Department.<sup>21</sup> But, while the court-martial left Billy Mitchell's reputation in tatters, Gullion emerged as "one of the most skilled and aggressive prosecutors" in the Army.<sup>22</sup> His withering cross examination of Mitchell's testimony had been featured in newspaper stories throughout the country, and Gullion's closing argument on findings and sentencing likewise brought him to the attention of both the public and the Army's leadership.<sup>23</sup> He certainly seemed destined for higher rank and positions of greater responsibility.

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> For a biography of Crowder, see DAVID A. LOCKMILLER, ENOCH H. CROWDER: SOLDIER, LAWYER AND STATESMAN (1955). See also Fred L. Borch, *The Greatest Judge Advocate in History? The Extraordinary Life of Major General Enoch H. Crowder (1859–1932)*, ARMY LAW., May 2012, at 1–3.

<sup>12</sup> War Dep't, Gen. Order No. 9 (1923).

<sup>13</sup> WALLER, *supra* note 1, at 222.

<sup>14</sup> U.S. ARMY JUDGE ADVOCATE GENERAL'S CORPS, *supra* note 2, at 155.

<sup>15</sup> *Id.*

<sup>16</sup> For more on Robert Lee Bullard, see ALLAN R. MILLETT, THE GENERAL: ROBERT L. BULLARD AND OFFICERSHIP IN THE UNITED STATES ARMY (1975).

<sup>17</sup> III Corps took part in the Meuse-Argonne offensive in September and October 1918, the largest U.S. operation in World War I. LAURENCE STALLINGS, THE DOUGHBOYS: THE STORY OF THE AEF, 1917-1918 293-95 (1963).

<sup>18</sup> J.T. White & Co., *supra* note 4, at 254.

<sup>19</sup> *Id.*

<sup>20</sup> WALLER, *supra* note 1, at 222.

<sup>21</sup> *Id.*

<sup>22</sup> *Id.* at 221-22.

<sup>23</sup> For more on the legal aspects of the Mitchell court-martial, see Fred L. Borch, *The Trial by Court-Martial of Colonel William "Billy" Mitchell*, ARMY LAW., Jan. 2012, at 1.

But Gullion was also recognized by his contemporaries as an eccentric.<sup>24</sup> Although “he played polo and enjoyed watching boxing matches, he smoked heavily (always with a cigarette holder) and thought exercise could be bad for his health.”<sup>25</sup> When reading the newspaper in bed, he wore “white gloves so the print wouldn’t soil his hands.”<sup>26</sup> On car trips from Washington back to Kentucky, he would stop at each railroad crossing and order his son out to inspect the track both ways and then signal him to pass over it.<sup>27</sup>

Like many officers of the period, Gullion was intensely apolitical.<sup>28</sup> He never voted in an election, believing that officers must stay out of politics.<sup>29</sup> Finally, officers who acted in an ungentlemanly or unprincipled manner deeply offended him.<sup>30</sup> Certainly, COL Billy Mitchell fell into this category.



Major General Gullion (left) and Colonel Myron C. Cramer (right), December 1941. Colonel Cramer replaced Major General Gullion as The Judge Advocate General, U.S. Army.

In 1929, LTC Gullion was selected to represent the United States as the senior War Department representative at an international conference in Geneva, Switzerland.<sup>31</sup> This gathering of forty-seven nations came together to formulate a code for prisoners of war and revise the Geneva Convention of 1906.<sup>32</sup> The result of this conference were two new international treaties on July 27, 1929: The Geneva Convention Relative to the Treatment of Prisoners of War (GPW) and the Geneva Convention for the Amelioration of the Wounded and Sick of Armies in the Field.<sup>33</sup> According to a War Department press release, Gullion was “chiefly responsible for the creation of” the 1929 GPW, and in May 1944, benefited personally from his work.<sup>34</sup> This was because the American Prisoner of War Bureau, created in compliance with U.S. obligations under the GPW, informed him that his youngest son, an Army Air Forces officer, had been captured by the Germans in France and was a prisoner of war (POW).<sup>35</sup>

In 1930, the War Department sent LTC Gullion to the Army War College, located at Fort Myer, Virginia.<sup>36</sup> After graduating in 1931, the War Department sent him to advanced schooling at the Naval War College, from which he graduated in 1932.<sup>37</sup> Gullion then sailed for Hawaii, where he assumed duties as the top military lawyer in the Hawaiian Department.<sup>38</sup>

In late 1934, in an unusual turn of events, LTC Gullion took off his uniform to become the civilian administrator of the National Recovery Administration (NRA) for the Territory of Hawaii.<sup>39</sup> Congress created the NRA in 1933 as a way to stem, at least in part, the deflation of the Great Depression in October 1929.<sup>40</sup> The goal of the NRA, which adopted a blue eagle as its symbol and “We Do Our Part” as its slogan, was to bring industry and labor together to create codes of “fair practice” and set prices that would raise consumer purchasing power and increase employment.<sup>41</sup>

Hugh S. Johnson, who had been a member of the Judge Advocate General’s Department in World War I, was the first

<sup>24</sup> WALLER, *supra* note 1, at 222.

<sup>25</sup> *Id.*

<sup>26</sup> *Id.*

<sup>27</sup> *Id.*

<sup>28</sup> *Id.*

<sup>29</sup> *Id.*

<sup>30</sup> *Id.*

<sup>31</sup> J.T. White & Co., *supra* note 4, at 254.

<sup>32</sup> *Id.*

<sup>33</sup> *Id.*

<sup>34</sup> *Id.*

<sup>35</sup> Press Release, War Department, Bureau of Public Relations, Maj. Gen. Allen W. Gullion Retires, 1 (Jan. 1, 1945) (on file with author). Gullion’s

son, Allen Wyant Gullion Jr., graduated from the U.S. Military Academy in 1943. Commissioned in the Air Corps, he was a pilot assigned to the 416th Bombardment Group when he was shot down and taken prisoner. After being released from captivity in 1945, he remained on active duty and served in a variety of Air Force assignments until retiring as a lieutenant colonel in 1966. He died in Cadiz, Spain, in 1985. THE U.S. MILITARY ACAD., WEST POINT, THE REGISTER OF GRADUATES & FORMER CADETS 352 (1992).

<sup>36</sup> J.T. White & Co., *supra* note 4, at 254.

<sup>37</sup> *Id.*

<sup>38</sup> *Id.*

<sup>39</sup> *Id.*

<sup>40</sup> *Id.*

<sup>41</sup> For more on the National Rifle Association, see JOHN K. OHL, HUGH S. JOHNSON AND THE NEW DEAL (1985).

Director of the NRA.<sup>42</sup> Johnson selected administrators like Gullion, whom he knew from his years as a judge advocate, to implement NRA goals.<sup>43</sup> These included: a minimum wage of between twenty and forty-five cents per hour and a maximum work week of thirty-five to forty-five hours.<sup>44</sup> For the next year, Gullion and his staff drafted and implemented rules and regulations that governed almost every aspect of the economy in the islands.<sup>45</sup> Within months, he was so popular in the community that the local newspapers reported that Gullion was considered to be a possible future governor of the Territory.<sup>46</sup> But Gullion was abruptly out of a job in 1935, after the U.S. Supreme Court declared the NRA unconstitutional in *Schechter Poultry Corp. v. United States*.<sup>47</sup> He then returned to Washington, D.C., to become the Chief, Military Affairs Division, in the Office of the Judge Advocate General.<sup>48</sup>

Colonel Gullion became Assistant Judge Advocate General in 1936, and the following year, after the retirement of Major General Arthur W. Brown in November 1937, Gullion was promoted to Major General and became TJAG.<sup>49</sup>

The following year, Major General Gullion was the delegate of the United States at an international conference of judicial experts in Luxembourg.<sup>50</sup> At the conference, Gullion spoke “on the subject of protection of civil populations from bombardment from the air.”<sup>51</sup> Given the role of airpower in World War II and the destruction wrought by aerial bombardment, his remarks must have been prescient. After Luxembourg, Major General Gullion continued to participate in high-profile events. In 1941, he represented the War Department and the American and Federal Bar Associations at the first convention of the Inter-American Bar Associations in Havana, Cuba.<sup>52</sup>

In September 1939, after the outbreak of war in Europe and as the U.S. Army began preparing for war, Gullion and his staff were heavily involved in drafting legislation to transform the Army into a wartime body.<sup>53</sup> However, as TJAG, Gullion was apparently most proud that during his tenure, the general court-martial rate was reduced “to its lowest rate in the peacetime history of the Army.”<sup>54</sup>



Major General and Provost Marshal General Gullion, Provost Marshal General School, Arlington, Virginia, March 1942

On July 3, 1941, five months before his four-year term as TJAG ended, Major General Gullion was appointed as the Provost Marshal General (PMG).<sup>55</sup> Shortly after Gullion assumed his new position, he took on responsibility for manning and training the new Military Police Corps, soon universally known as “MPs,” which was created by the Secretary of War in September 1941.<sup>56</sup> Under Major General Gullion’s guidance, the Military Police Corps of World War II “emerged as a trained specialist equipped to handle the difficult task of law enforcement.”<sup>57</sup>

As PMG, Gullion did much more than oversee law enforcement operations in the Army; he was in charge of handling all Axis prisoners of war and was responsible for developing the framework for occupying liberated and conquered Axis territories.<sup>58</sup> This was a significant

<sup>42</sup> *Id.*

<sup>43</sup> J.T. White & Co., *supra* note 4, at 254.

<sup>44</sup> *Id.*

<sup>45</sup> *Id.*

<sup>46</sup> *Gullion for Governor?*, HONOLULU STAR BULLETIN, Sept. 24, 1938.

<sup>47</sup> *A. L. A. Schechter Poultry Corp. v. United States*, 295 U.S. 495 (1935).

<sup>48</sup> J.T. White & Co., *supra* note 4, at 254.

<sup>49</sup> *Id.*

<sup>50</sup> War Department, Bureau of Public Relations, *supra* note 35.

<sup>51</sup> *Id.*

<sup>52</sup> *Id.*

<sup>53</sup> U.S. ARMY JUDGE ADVOCATE GENERAL’S CORPS, *supra* note 2, at 156.

<sup>54</sup> *Id.*

<sup>55</sup> *Id.*

<sup>56</sup> *Id.*

<sup>57</sup> *Id.*

<sup>58</sup> *Id.*

responsibility.<sup>59</sup> By the end of World War II, approximately 425,000 Axis POWs were living and working in 700 camps in the United States, and the Office of the PMG was responsible for every detail of POW welfare, from food, pay, and housing to medical care, mail, and recreation.<sup>60</sup>

As for military occupation, Gullion and his staff formulated the policies for military governance adopted by President Franklin D. Roosevelt, including an important 1943 revision to Field Manual (FM) 27-5, *Military Government*.<sup>61</sup> The FM ultimately was seen as the bible for all those involved in civil affairs and military occupation duties because “it provided guidance on how to train, to plan, and eventually implement military government.”<sup>62</sup> Major General Gullion also established a Military Government School at the University of Virginia.<sup>63</sup> In “a tough 16-week course,” Army “civil affairs officers” were “thoroughly grounded in Army organization, international law, and public administration”<sup>64</sup> so that the United States could effectively and efficiently govern in Germany, Italy, and Japan. Later, on Gullion’s recommendation, the Army also created a Civil Affairs Division (as part of the War Department General Staff), to utilize the military personnel (some of whom were judge advocates) being educated at the University of Virginia.<sup>65</sup>

In May 1944, Gullion was offered the chance to join General Dwight D. Eisenhower in France as the Chief, Displaced Persons (DPs) Branch.<sup>66</sup> Major General Gullion accepted the position, and “he was relieved [of his duties as PMG] at his own request in order to accept the appointment.”<sup>67</sup> In his new assignment, Gullion consulted and coordinated with other Allied governments (most of which were “in exile” in London) regarding repatriating nationals who had been displaced by the war.<sup>68</sup> Since at least 15 million Europeans had been displaced, (war refugees, political prisoners, forced laborers, deportees, civilian internees, concentration camp inmates, ex-POWs, and stateless persons) returning them to their homes, or otherwise finding a country that would accept them, was a huge task.<sup>69</sup>

Within months, however, Major General Gullion and his staff were able “to develop the framework of the organization”<sup>70</sup> for the rehabilitation and return of these DPs. Although this must have given Gullion great satisfaction, he certainly must have been frustrated since in November 1944 poor health required him to be “invalided at home.”<sup>71</sup> He retired “because of disability incident to the service” December 31, 1944.<sup>72</sup>

Eighteen months later, on June 19, 1946, Major General Gullion died of a heart attack at his son’s home. At the time of his death, he and his son were listening to a radio broadcast of the heavyweight boxing championship bout between Joe Louis and Billy Conn.<sup>73</sup> Gullion was 65 years old.

Allen W. Gullion served nearly forty years as a Soldier. With more than ten years as an Infantry officer, nearly twenty-five years as an Army lawyer, and World War II service as Provost Marshal General and a member of Eisenhower’s staff in France, he was a truly remarkable Soldier by any measure.

*More historical information can be found at*

The Judge Advocate General’s Corps  
Regimental History Website  
<https://www.jagcnet.army.mil/8525736A005BE1BE>

*Dedicated to the brave men and women who have served our  
Corps with honor, dedication, and distinction.*

<sup>59</sup> *Our Growing Prison Camps: How U.S. Treats War Captives*, NATIONAL WEEKLY, May 28, 1943, at 22. For more on German and Italian Prisoners of War (POWs) in the United States during World War II, see ARNOLD KRAMMER, NAZI PRISONERS OF WAR IN AMERICA (1979).

<sup>60</sup> *Id.*

<sup>61</sup> WALTER M. HUDSON, ARMY DIPLOMACY 72 (2015).

<sup>62</sup> *Id.*

<sup>63</sup> *Id.* at 135-55.

<sup>64</sup> *When the Yanks Take Over*, LOOK, July 13, 1943.

<sup>65</sup> HUDSON, *supra* note 62, at 135-55.

<sup>66</sup> War Department, Bureau of Public Relations, *supra* note 17.

<sup>67</sup> *Id.*

<sup>68</sup> For more on displaced persons, see MARK WYMAN, DPs: EUROPE’S DISPLACED PERSONS, 1945-1951 (1998).

<sup>69</sup> *Id.*

<sup>70</sup> U.S. ARMY JUDGE ADVOCATE GENERAL’S CORPS, *supra* note 2, at 156.

<sup>71</sup> *Gen. Gullion Retires*, ARMY NAVY J., Jan. 1945.

<sup>72</sup> *Id.*

<sup>73</sup> *Maj. Gen. Allen Gullion Dies While Hearing Fight*, THE NEWS DEMOCRAT (Carrollton, Kentucky), June 20, 1946; *Louis Stops Conn in Eighth Round and Retains Title*, N.Y. TIMES, June 20, 1946, at 1. Before the Louis-Conn fight, Louis was asked whether Conn might “outpoint” him because of Conn’s hand and foot speed. In a reply that still is remembered today, Louis quipped: “He can run, but he can’t hide.” The Louis-Conn bout, held at Yankee Stadium, was seen by more than 45,000 fans. The bout also was televised by the NBC network and was the first televised world Heavyweight championship fight ever. It was watched by 146,000 people, which set a record for the most viewed world Heavyweight bout in history. *Id.* Thousands more—like Gullion—listened to the fight on their radios.