

UNCLASSIFIED

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|-------------------|-------|
| Assoc. Dir.       | _____ |
| Dep. AD Adm.      | _____ |
| Dep. AD Inv.      | _____ |
| Asst. Dir.:       |       |
| Adm. Serv.        | _____ |
| Crim. Inv.        | _____ |
| Ident.            | _____ |
| Intell.           | _____ |
| Laboratory        | _____ |
| Legal Coun.       | _____ |
| Plan. & Insp.     | _____ |
| Rec. Mgmt.        | _____ |
| Tech. Servs.      | _____ |
| Training          | _____ |
| Public Affs. Off. | _____ |
| Telephone Rm.     | _____ |
| Director's Sec'y  | _____ |

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STATE 23 Nov 78 22 47z  
296909

ORIGIN L-03

RECEIVED  
FEDERAL BUREAU  
OF INVESTIGATION  
COMMUNICATIONS SECTION

INFO OCT-01 ARA-15 ISO-00 CA-01 JUSE-00 SCS-06 SSO-00  
 NSCE-00 INRE-00 SS-15 DODE-00 FBIE-00 H-02 SY-05  
 CIAE-00 INR-10 NSAE-00 /058 R

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 9/17/97 BY 1048 D/S/ML

DRAFTED BY L/ARA: MKOZAK/SD

FEDERAL GOVERNMENT

APPROVED BY ARA: JBUCKNELL

L:MR. FEDLMAN (DRAFT)

CA:AAGISE (DRAFT)

L/CA:MR. DALTON (PHONE)  
S/S-O:TGMARTIN

*Rymur*

[Redacted box]

b6 per FB  
b7C

*Wes*

-----044331 232237Z /61

O 232212Z NOV 78 ZFF4

FM SECSTATE WASHDC

TO AMEMBASSY GEORGETOWN NIACT IMMEDIATE

REC-1241

89-4286-79

NOV 24 1978

UNCLAS STATE 296909

E.O. 11652: N/A

TAGS: CASC, CDES

SUBJECT: PROPERTY OF DECEASED AMCITS

58 NOV 28 1978

REF: A) STATE 296852 B) DALTON/DIKEOS TELCON 11/22/78

*SLA*

1. REF A AUTHORIZED YOU TO RETAIN LOCAL LEGAL COUNSEL FOR PURPOSE OF OBTAINING PRELIMINARY ADVICE AS TO POTENTIAL ISSUES CONCERNING PROPERTY OF DECEASED AMCIIS ASSOCIATED WITH PEOPLES TEMPLE. THIS MESSAGE SETS FORTH MORE DETAILED GUIDANCE IN THIS CONNECTION.

2. AS YOU KNOW, DEPT HAS STATUTORY OBLIGATION TO MAKE ALL EFFORTS TO OBTAIN CUSTODY OF PERSONAL ESTATES OF AMCIIS WHO DIE OVERSEAS. WE DO NOT HAVE SUCH RESPONSIBILITY WITH RESPECT TO PROPERTY OF ORGANIZATION SUCH AS PEOPLES TEMPLE.

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WE ASSUME THAT ULTIMATE ISSUE ON WHICH YOU REQUIRE ADVICE IS QUESTION OF DETERMINING STATUS UNDER LOCAL LAW OF VARIOUS ITEMS OF PROPERTY FOUND IN GUYANA I.E. WHICH IS PROPERTY OF INDIVIDUAL AMCITS AND WHICH IS PROPERTY OF ORGANIZATION. FROM THIS STANDPOINT, RETENTION OF LOCAL COUNSEL WOULD APPEAR USEFUL ALTHOUGH U.S. LAW WILL ALSO UNDOUBTEDLY BE RELEVANT TO QUESTION OF STATUS OF PROPERTY, AND WE WILL WISH TO MAINTAIN CLOSE COORDINATION BETWEEN YOUR EFFORTS AND OUR OWN IN THIS REGARD. PLEASE ADVISE US SOONEST RE NATURE ISSUES UNDER LOCAL LAW WHICH SEEM RELEVANT TO QUESTION OF STATUS OF PROPERTY (E.G. WHAT IS STATUS OF PT IN GUYANA, A U.S/ OR GUYANA CORPORATION?), AS WELL AS ANY OTHER AREAS IN WHICH YOU BELIEVE LOCAL COUNSEL COULD BE USEFUL.

3. PER REF B, WE UNDERSTAND THAT AMOUNT OF PROPERTY AT JONESTOWN AS REPORTED BY MEDIA MAY BE GROSSLY EXAGGERATED. ONE IMMEDIATE CONCERN SHOULD BE TO ASSURE THAT US CONSULAR OFFICERS PREPARE A FULL ACCOUNTING OF ALL MOVEABLE PROPERTY FOUND IN THE AREA TO AVOID ANY POTENTIAL CLAIMS BY RELATIVES, ETC. THAT PROPERTY WAS DIVERTED BY COG OR INDIVIDUALS.

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YOU SHOULD ALSO PROMPTLY ADVISE GOG OF DEPT'S  
STATUTORY RESPONSIBILITY TO TAKE CUSTODY OF ALL  
SUBSTANTIAL ASSETS OF DECEASED AMERICANS, AND REQUEST  
THAT THEY TURN OVER TO YOU IMMEDIATELY ALL PROPERTY  
IDENTIFIABLE AS SUCH (OBVIOUSLY ITEMS WHICH GOG MAY  
REQUIRE AS EVIDENCE IN LEGAL PROCEEDINGS AGAINST PEOPLES  
TEMPLE MEMBERS SHOULD BE LEFT IN GOG CUSTODY PENDING  
COMPLETION OF PROCEEDINGS). THIS SHOULD ASSIST IN  
DETERMINING EXTENT OF LOCAL LEGAL ISSUES INVOLVED ; (IF  
GOG PREPARED TO TURN OVER BULK OF PROPERTY FOUND

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PROBLEM WOULD BECOME ONE OF DETERMINING DISTRIBUTION UNDER US LAW. IF GOG SHOULD ASSERT CUSTODY ON GROUNDS THAT PROPERTY IS NOT THAT OF INDIVIDUALS, GUYANA LAW AS WELL AS US WILL BECOME RELEVANT).

5. WITH RESPECT TO RETAINING LEGAL COUNSEL, YOU SHOULD BE AWARE THAT ATTORNEYS' S COMMONLY BILL FOR ADVICE ON ESTIMATE MATTERS ON BASIS OF A PERCENTAGE OF THE ESTATE VALUE. WE WOULD NOT WISH ANY MISUNDERSTANDING TO DEVELOP IN THIS RESPECT, AND YOU SHOULD THEREFORE ADVISE LOCAL COUNSEL THAT HE WOULD BE RETAINED ON FIXED FEE BASIS. WE WOULD BE PREPARED INITIALLY TO SEEK UP TO DOLS 1000 FOR THIS PURPOSE, AND WOULD CONSIDER SEEKING ADDITIONAL FUNDING IF MORE EXTENSIVE SERVICES SUBSEQUENTLY APPEAR TO BE REQUIRED. CHRISTOPHER

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