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ROSS MARGARET A  
STATE 296909

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INFO OCC-21 ARA-15 ISO-26 CA-21 JUST-02 SCS-26 CSO-22  
MCOE-27 INFE-28 SS-15 CODE-28 TRIE-28 E-02 SY-25  
CIAE-22 INF-18 NSAE-22 /059 2

DRAFTED BY S/ARA: MEOZAK/SD  
APPROVED BY AEA: JFUCKNELL  
MR. FERDMAN (DRAFT)  
MAGLISH (DRAFT)  
/CA: ME. DALTON (PHONE)  
/S-O: MARTIN

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232212Z NOV 78 ZFPA  
SECSTATE WASEDC  
EMBASSY GEORGETOWN NIACT IMMEDIATE  
UNCLAS STATE 296909

TO: 11652: V/A  
INFO: CASC, CDS

SUBJECT: PROPERTY OF DECEASED AMCITS  
REF: A) STATE 29652 B) DALTON/DIXON TELCON 11/22/78

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

AS YOU KNOW, DEPT HAS STATUTORY OBLIGATION TO MAKE ALL  
EFFORTS TO OBTAIN CUSTODY OF PERSONAL ESTATES OF AMCITS  
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 WISE TO MAINTAIN CLOSE COORDINATION BETWEEN  
YOUR EFFORTS AND OUR OWN IN THIS REGARD. PLEASE ADVISE  
AS 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.

PER REF B, WE UNDERSTAND THAT AMOUNT OF PROPERTY AT  
GEORGETOWN AS REPORTED BY MEDIA MAY BE GROSSLY EXAGGERATED.  
WE 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

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DEPARTMENT OF STATE A/CDC/MR	REVIEWED BY	DATE
	FOR XDS EXT. DATE	REASON(S)
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	REASON(S)	REASON(S)

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... THAT PROPERTY WAS DIVERTED BY GOG OR  
... .

YOU SHOULD ALSO PROMPTLY ADVISE GOG OF DEPT'S  
RESPONSIBILITY TO TAKE CUSTODY OF ALL  
PERSONAL EFFECTS OF DECEASED AMERICANS, AND PROMISE  
LET THEM TURN OVER TO YOU IMMEDIATELY ALL PROPERTY  
UNIDENTIFIED AS SUCH (COURTSHIP ITEMS BEING GOG MAY  
WANT AS EVIDENCE IN LEGAL PROCEEDINGS AGAINST PEOPLE  
WHOSE NAMES SHOULD BE LEFT IN GOG CUSTODY PENDING  
COMPLETION OF PROCEEDINGS). THIS SHOULD ASSIST IN  
DETERMINING NATURE OF LOCAL LEGAL ISSUES INVOLVED : (IF  
GOG PREPARED TO TURN OVER BILL 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,  
KYANA LAW AS WELL AS US WILL BECOME RELEVANT).  
E. 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 WISE 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  
\$1000 FOR THIS PURPOSE, AND WOULD CONSIDER SEEKING  
ADDITIONAL FUNDING IF MORE EXTENSIVE SERVICES SUB-  
SEQUENTLY APPEAR TO BE REQUIRED. CHRISTOPHER  
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