

INFO. C/SR

DISPATCH		CLASSIFICATION SECRET	DISPATCH SYMBOL AND NO. OSSA-9510
TO INFO	Chief of Station, Germany Chief, WE Chief, SE Chief, SR		HEADQUARTERS FILE NO. E J 74-6-130
FROM	Chief of Station, E J PSP	DATE 6 May 1960	
SUBJECT REDUCED/ASCOB Settlement of ASCASBARO/2 Estate	RE: "43-3" - (CHECK "X" ONE)		
	<input type="checkbox"/> MARKED FOR INDEXING		
	<input type="checkbox"/> NO INDEXING REQUIRED		
ACTION REQUIRED	<input type="checkbox"/> INDEXING CAN BE JUDGED BY QUALIFIED HQ. DESK ONLY		
REFERENCES)			
<p>1. EWGA-9679, 25 April 1960 2. OSSA-9492, 27 April 1960</p> <p>1. As already indicated in Reference 2 we believe the question of the manner of paying \$52,000 to ASCASBARO/2's beneficiary is one most reasonably settled through personal discussion with A/2's widow whom we presume to be the legal guardian of the beneficiary. The object, as we see it, is to make a legally and morally correct settlement of this estate without disclosing or confirming OBYOKE involvement, at least beyond the point that this involvement may already be known. We do not know, as a practical matter, how much A/2's widow knows about his involvement with OBYOKE or about the condition of his estate. To our knowledge A/2's widow has never attempted to collect anything from OBYOKE, a fact which suggests that she may know nothing or very little about A/2's involvement with OBYOKE. If this is the case, it seems, we would do well to arrange to pay the estate out merely as the benefits of a life insurance policy written by some private insurance company and not bring the name of OBYOKE into the thing at all. On the other hand, if we must assume that A/2's widow already knows or strongly suspects OBYOKE involvement, the following considerations seem to be more or less inescapable and themselves dictate the nature of the approach to her.</p> <p>2. If MURKIN were motivated solely by a moral obligation to pay the monies in the A/2 estate to the designated heir, this could be done simply; anonymously and without any need for personal contact between the heir and a representative of OBYOKE. But if, as we assume, we are obliged to get from the heir or her guardian, not just a receipt but also a quit claim in which the heir acknowledges that OBYOKE has discharged all its legal responsibilities, then to be legally meaningful OBYOKE must be specifically recognized by the heir in the quit claim as the source of the money. And if this is true, no method of approach we contrive can absolutely preclude the possibility of the heir's or her guardian's coming later--as you visualize in para 2, Reference 1--to an agency of OBYOKE (probably the nearest consul) with an appeal for a larger settlement. That this will actually happen seems rather unlikely provided: the guardian signs a proper quit claim with full understanding that the payment is not an arbitrary sum doled out unilaterally by OBYOKE as a consolation for an unfortunate event, but is actually a legal estate whose size was determined by specific acts and agreements by A/2; and the guardian chooses for certain tax advantages to keep the inheritance secret from the local authorities.</p> <p>3. If the foregoing is correct, our preference as to method of approach also lies with para 2,d of Reference 1. We would suggest, however, that the guardian might have less apprehension if the first letter from [] (or whoever) offered the alternative of []'s calling on her at home during an imminent trip to, say, Copenhagen which he will be making in the near future in any event. We do not at all discount the sensitivity of the emigration here generally to RIS provocation. A/2's widow may well have initial suspicions of an RIS provocation, but we see no reason to assume that she would take untoward actions until she were to see my design more clearly than would be apparent from []'s letter. The prospect of settling her late husband's estate should give her reason enough to have a personal meeting. At that meeting actions and money should speak louder than her suspicions which should be dispelled quite effectively. Naturally if she is one who sees RIS provocateurs under every bed, any approach we devise will have tough going.</p> <p>4. Regarding your request for a reading on the current situation of A/2's widow, we would indeed have difficulty doing this reasonably, soon and with good security. Thus if you feel it is necessary to take this preliminary step we second the idea of proceeding via the [] and an appropriate detective agency.</p>			
Distribution: 2 - Germany; 1 - SR; 1 - SE; 1 - SR			
FORM 10-57 53 (40)	USE PREVIOUS EDITION. REPLACES FORMS 51-28, 51-28A AND 51-29 WHICH ARE OBSOLETE.	CLASSIFICATION	PAGE NO.

Declassified and Approved for Release by the Central Intelligence Agency Date: 2005

EXEMPTIONS Section 3(b) (2)(A) Privacy (2)(B) Methods/Sources (2)(G) Foreign Relations

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74-6-137