

MONTHLY MG REPORT
OFFICE OF MILITARY GOVERNMENT HESSE
14. PROPERTY - PAGE 32 JUNE 1948

D. INTERNAL RESTITUTION

Concerning restitution claims filed pursuant to MG Law No. 59, the following reports have been received by this office from Restitution Agencies:

Darmstadt	13	Fritzlar	2
Frankfurt	25	Eschwege	11
Offenbach	15	Wiesbaden	46
Giessen	5	Kassel	2
Marburg	13	Fulda	5

With respect to the reports which are required to be furnished by alleged restitutors pursuant to Articles 73 and 74 of MG Law No. 59, all of the above agencies reported a total of 693 reports filed.

During June three amicable settlements of restitution claims were reported.

Inspection visits were made to four restitution agencies: Wiesbaden, Marburg, Fritzlar and Darmstadt.

The principal defects noted at the agencies concerning the precessing of claims are the following:

1. Insufficient attention is being paid to the sufficiency of claims for the purpose of stating a cause of action under Law No. 59 in particular. Claims are defective respecting factual elements of duress, factual data respecting purchase and sales prices, and matters of record pertaining thereto.
2. Inadequate Prayers for Relief, in that little or no data is generally presented from which a Restitution Chamber would calculate monetary damages to which a claimant might be entitled.
3. Restitution Agencies are conducting too many investigations on behalf of claimants for the purpose of gathering evidential data to cure factual deficiencies of claims.

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In general, the principal difficulty regarding claims relates strictly to their factual insufficiency. It was recommended that OMGUS Property Division endeavor to secure publicity abroad to the end that claimants may be made to appreciate the importance of factual accuracy and completeness respecting all the elements pertaining to claims set forth in the appendix to Regulation No. 1 of Law No. 59.

No. 59, the following reports have been received by this office: This headquarters is interested in a proposed German general claims law, which is being drafted by the Property Control Committee of the Laenderrat. It is the purpose of such proposed law to grant compensation of claims of persecutees against the former Reich in cases which do not come within the provisions of Military Government Law No. 59. The principal problems respecting such a proposed law relate to the source of funds for the payment of claims and the selection of the agency of the German Civil Government to administer such a law. The draft of the law is expected to be completed and presented for acceptance in July. and total of 693 reports filed.

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