REPRESENTATIONS REGARDING CHINESE MILITARY OCCUPATION OF AMERICAN MISSION PROPERTIES

333.1163/1-2346

The Counselor of Embassy in China (Smyth) to the Secretary of State

No. 1066

CHUNGKING, January 23, 1946. [Received February 18.]

Subject: Occupation of American Mission Property by Chinese Troops.

Sir: I have the honor to inform the Department that following the end of the war in China the Embassy received an increasing number of complaints from American mission organizations that their property had been occupied by Chinese troops who refused to return the property to its owners. There is enclosed a list of notes written by the Embassy to the Ministry of Foreign Affairs requesting, on behalf of American mission organizations, that Chinese troops be ordered to evacuate occupied property. Although the Ministry was very cooperative in complying with the Embassy’s requests, the number of complaints continued to increase. Therefore, on December 27, 1945, the Embassy wrote to the Ministry (Note No. 85, a copy of which is enclosed) requesting that additional and more comprehensive action be taken to prevent the occupation of American mission property by Chinese troops, since once a property had been occupied, the American owner inevitably encountered considerable delay and sometimes property damage before the troops surrendered the premises. It was suggested that general instructions to Chinese Army commanders and the issuance of proclamations identifying American property would be helpful. The Ministry replied in its note of January 15 (copy enclosed) stating that the appropriate authorities have circulated instructions to the troops concerned to vacate mission properties occupied by them but that they are unable to comply with the Embassy’s suggestion that proclamations be issued in the absence of information on the numbers and locations of mission properties in China.

1366
Since it would obviously be a formidable task to list all American mission property in China, the Embassy has suggested to the Consulate General in Shanghai the following alternative procedure. The Consulate General has been asked to inform mission organizations, most of which have their headquarters in Shanghai, that if they desire proclamations to be posted on their property in order to protect it from occupation by Chinese troops, they should supply the Consulate General with the name and address, in English and Chinese, of the property in question. The Consulate General will then forward the request to the Embassy which will transmit it to the Ministry of Foreign Affairs and ask that the appropriate local authorities be instructed to issue the proclamations. Although this is a somewhat cumbersome procedure, it is believed that it offers a satisfactory solution to the problem.

In most cases the Embassy has not been informed by the missions of the results of its representations, but it is believed that they have generally been effective since in only one or two instances has a mission appealed to the Embassy a second time. The Consulate General in Shanghai informed the Embassy on January 10 that the University of Shanghai premises had been evacuated.

Another problem arising from the occupation of mission property by Chinese Troops is the removal or destruction of furniture and equipment by these troops. In one case reported in detail to the Embassy, the Bethesda Hospital at Siangyang, Hupeh, claims to have lost property valued at approximately $2,000 United States currency. This loss occurred in May and June of this year during the occupation of the hospital by the Chinese Army. The Embassy would appreciate being informed whether this claim and similar claims submitted by American missionary organizations, should be presented to the Chinese Government. Some property damage committed by Chinese troops occurred during the war period but much of it apparently has taken place since the end of the war, during the re-occupation of liberated territories.

Respectfully yours,

For the Chargé d’Affaires ad interim

ROBERT L. SMYTH
[Enclosure 1]


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<tr>
<th>Note</th>
<th>Name of Institution</th>
<th>Location of Occupied Property</th>
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<tbody>
<tr>
<td>1. Unnumbered Oct. 8, 1945</td>
<td>Bethesda Hospital Christian and Missionary Alliance</td>
<td>Siangyang, Hupeh</td>
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<tr>
<td>2. No. 21, October 30, 1945</td>
<td>Evangelical Lutheran Church Reformed Church Mission</td>
<td>Changteh, Hupeh</td>
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<tr>
<td>3. No. 25, November 2, 1945</td>
<td>American Church Mission</td>
<td>Ichang, Hupeh</td>
</tr>
<tr>
<td>4. No. 63, December 17, 1945</td>
<td>American Baptist Board of Missions, (University of Shanghai) Shanghai China Bible Seminary</td>
<td>Yuanling, Hunan</td>
</tr>
<tr>
<td>5. No. 64, December 17, 1945</td>
<td>American Baptist Board of Missions, (University of Shanghai) Shanghai China Bible Seminary</td>
<td>Ichang, Hupeh</td>
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<td>6. No. 81, December 27, 1945</td>
<td>West China Conference of the Methodist Church Reformed Church Mission, Margaret Williamson Hospital, National Christian Council, American Church Mission, Foreign Mission Board of Southern Baptist Convention (Numerous properties in various parts of China. See list enclosed in Shanghai's despatch No. 8, dated Dec. 28, 1945.)</td>
<td>Shanghai</td>
</tr>
<tr>
<td>7. No. 82, December 27, 1945</td>
<td></td>
<td>Nanchang, Kiangsi</td>
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<td>8. No. 15, January 5, 1945</td>
<td></td>
<td>Yoyang, Hunan</td>
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[1946]

The American Chargé (Robertson) to the Chinese Minister for Foreign Affairs (Wang)

CHUNGKING, December 27, 1945.

EXCELLENCY: I have the honor to inform Your Excellency that since the end of hostilities with Japan the Embassy has received an increasing number of reports from American missionary organizations that their property in the recently liberated parts of China has been occupied by Chinese troops. Bishop Ralph A. Ward of the Methodist Mission recently made a month's trip in the Yangtze Valley inspecting mission stations at Kiukiang, Anking, Wuhu, Nanking, Chinkiang,

1 Not printed.
and other places and found many mission buildings occupied by Chinese troops. Mr. W. P. Mills, Secretary of the National Christian Council of China writes that much of the Protestant mission property in the liberated areas is now occupied by Chinese Government troops or by Government agencies of one sort or [or] another. This situation has made the recovery by American mission organizations of their property in China extremely difficult, and in many cases they have had to appeal to the Embassy for help. The Ministry of Foreign Affairs is already aware of numerous specific cases of this type which have been brought to its attention in the following third person notes from this Embassy:

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The Ministry of Foreign Affairs has always been extremely cooperative in taking the necessary action to bring about the evacuation of Chinese troops from American mission properties. However, in view of the increasing frequency of these incidents it is felt that additional and more comprehensive action by the Chinese Government is necessary to prevent them from recurring. To take action only after a property has been occupied results in great inconvenience to the mission representatives who suffer long delays in repossessing and rehabilitating their property in order to carry on their work in China.

Although the specific measures to be taken can only be properly determined by the Chinese Government, it is suggested that general instructions to Army commanders ordering them to evacuate any American property which they may now occupy and to refrain from occupying such property in the future would be helpful. The Chinese Government may also wish to issue proclamations which may be distributed to bona fide American mission organizations for posting on their property in order to assist Chinese troops in identifying it.

Please accept [etc.] Walter S. Robertson

[Enclosure 3]

The Chinese Ministry for Foreign Affairs to the American Embassy

[CHUNGKING,] January 15, 1946.

The Ministry of Foreign Affairs presents its compliments to the American Embassy and has the honor to refer to the Embassy’s formal note no. 85 of December 27, 1945, stating that many American mission properties in recently liberated areas of China have been occupied by
Chinese troops. The Embassy requested that extensive measures be taken by the Chinese Government and that proclamations be issued for posting at these mission properties in order to make them easily recognizable to Chinese troops. The Ministry referred the request to the appropriate authorities for consideration and action, and addressed third person notes nos. Mei/35/382 and 384 on January 11, 1946 to the Embassy for its information.

A reply has now been received from the appropriate authorities stating that they have circulated an instruction to the troops concerned to vacate the American mission properties occupied by them, but that they are unable to issue proclamations in the absence of information regarding the numbers of American churches at various places in China. The reply suggested that the Embassy be requested to ascertain the numbers and addresses of such churches in order that action may be taken in the matter.

The Ministry has the honor to request that the Embassy investigate and inform it of the numbers and addresses of American mission properties in China, so that the appropriate authorities may be requested to consider and act in the matter.

SEAL OF THE MINISTRY OF FOREIGN AFFAIRS OF THE REPUBLIC OF CHINA

398.116/1-2346

The Secretary of State to the Embassy in China

No. 489 WASHINGTON, March 15, 1946.

The Secretary of State refers to the Embassy’s despatch no. 1066, January 29, 1946 on the subject “Occupation of American Mission Property by Chinese Troops”, in which the Embassy asked whether the claim of the Bethesda Hospital at Siangyang, Hupeh, for loss sustained as a result of occupation by the Chinese Army, and other similar claims by American missions, should be presented to the Chinese Government.

There is transmitted herewith a copy of a memorandum of the Department of December 20, 1945 entitled, “Suggestions for Preparing Claims for Loss of or Damage to Property—Real or Personal.” Upon being supplied with satisfactory evidence prepared in essential compliance with the suggestions contained in that memorandum, the Embassy may informally take up such claims with the appropriate Chinese authorities. The Embassy is instructed to report to the Department in due course whether the Chinese authorities show disposition to effect settlement of claims that may be lodged with them.

*Neither printed.
*Not printed.
The Consul General at Shanghai (Davis) to the Secretary of State

No. 330

SHANGHAI, October 1, 1946.
[Received October 16.]

SIR: I have the honor to refer to my despatch no. 23, of February 9, 1946 to the Embassy 4 concerning the occupation of American mission property and to report that a certain degree of success is at last being achieved in gaining the evacuation of Chinese troops and government organizations from mission properties in this consular district. There is enclosed for the Department’s information a list 4 of the mission organizations which have reported cases of occupation of their properties by troops or government organizations with an indication of the present status of these cases.

It is believed that the Department should be informed of the delaying tactics and procrastination which have characterized the actions of the Chinese authorities in almost every instance in which this office has endeavored to assist mission organizations in the recovery of their property.

The initial report of difficulty in repossessing mission property in China was made by Bishop Ralph Ward of the Methodist Mission after a month’s inspection tour through the Yangtze Valley in the autumn of 1945. Bishop Ward inspected mission properties at Kiukiang, Anking, Wuhu, Nanking, Chinkiang, and other places and stated that the damage and looting by Chinese Government troops since the Japanese surrender was greater than that by the Japanese. This was reported by telegram no. 274 to the Department on November 27, 1945. 5 The Department authorized the Consulate General at Shanghai to request the appropriate Chinese authorities to effect the removal of the occupying troops or organizations and to afford protection to the properties. Accordingly several lists of occupied mission properties in the Yangtze Valley were obtained from the National Christian Council and forwarded to the Embassy at Chungking (despatch no. 8, December 28, 1945 * ) in order that precise data would be available to support a request for protection to the Ministry of Foreign Affairs.

In the meantime it was reported in the Ta Kung Pao, Shanghai, December 26, 1945, that the Executive Yuan had taken steps to deal with the problem. A translation of this report follows:

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4 Not printed.
380-246—72——87
Translation of a news item appearing in the *Ta Kung Pao*, Shanghai, December 26, 1945.

**PROTECTION FOR MISSIONARY CHURCHES AT VARIOUS PLACES**

—Military units ordered to move out within a time limit—
—Order issued by the Executive Yuan to leading military and administrative officials throughout the country yesterday—

Central News Agency telegram—

“Chungking, December 25th:—It is learned that the Executive Yuan on December 25th telegraphed to the commanding officers of various war zone commands and the chairmen of various provincial governments, ordering them to require those military units which are occupying missionary churches at various places in the recovered areas to move out within one month, in order to respect religion and special privileges of missionary societies.”

The lists of occupied properties were transmitted by the Embassy to the Ministry of Foreign Affairs on January 5, 1946, with the request that prompt steps be taken to evacuate the properties. The Ministry reported on January 15, 1946, that the appropriate authorities had circulated an instruction to the troops concerned to vacate the various properties.

The question of issuing proclamations for posting on mission property was also raised and the Ministry requested that complete lists of all American mission property in China be submitted in order that this action might be taken. This would have been too large a task for the mission organizations at the time, but this Consulate General was able to obtain a number of posters from the Headquarters of General Ho Ying-chin at Nanking. These were issued to several mission organizations in the Shanghai area and were reported to be effective.

On February 3, 1946, Major Bacon H. N. Pan, Secretary of the Foreign Affairs Department of General Ho Ying-chin’s Headquarters called at the Consulate General at Shanghai and was given tentative lists of American mission property in the consular district. General Ho was requested to take immediate action to have the premises vacated and returned to their rightful owners.

On February 4, 1946, the Embassy informed the Consulate General that the Ministry of Foreign Affairs had referred the matter to the appropriate authorities and that the Chinese Army Headquarters had been approached by telegram to order the immediate evacuation of the occupied property in accordance with the instruction issued by the National Military Council of January 11, 1946.

On March 26, 1946, Major General Pao Ching-an, Chief of the Foreign Affairs Department of Chinese Army General Headquarters
called at the Consulate General and received a list of American mission property in the Shanghai Consular District. He stated that all American property in Nanking had been returned to the persons concerned. He also stated that in connection with the other property he would have orders issued to the commanding generals to vacate the property.

General Ho Ying-chin addressed letters to the Consulate General on March 11, 1946 and on April 26 [25], 1946 transmitting replies from the Provincial Governments of Kiangsi and Kiangsu and the Municipal Government of Shanghai to the effect that the troops and organizations would be removed from the mission properties in those areas.

In general it would appear that the National Government of China and the high military leaders were making every effort to have the American mission properties evacuated and returned to their owners promptly. An examination of specific cases, however, shows that in nearly every case procrastination and delay on the part of individual military units or government organizations have been the principal factors. A part of the delay may be traced to the lack of initiative and decisive action on the part of the mission authorities in pressing directly for action with the units concerned. This is a minor factor, however, compared to the apparent lack of good faith on the part of the Chinese Army commanders who have ignored clearly established property rights and, also, it would seem, the direct orders of their superiors.

A typical example of the long drawn out negotiations which were necessary in almost every instance, in spite of the definite orders from the Central Government and Army Headquarters to respect mission property rights is the case of the St. Mary’s School premises of the American Church Mission at 63 Brenan Road, Shanghai. There follows a summary of the correspondence necessary to achieve the evacuation of this property.

[Here follows detailed summary.]

Obviously orders from above had little effect in this particular case. Personal representations to the commanders of the units concerned apparently give greater promise of success. This Consulate General is consequently attempting to use this approach as much as possible in dealing with the remaining cases of occupied mission property.

The Department and the Embassy will be kept informed of further developments in the cases of unrecovered properties and of new cases as they arise.

Respectfully yours,

MONNETT B. DAVIS

*Neither printed.*