

CLAIM PRESENTED BY THE CHINESE GOVERNMENT
FOR MR. SUN JUI-CHIN

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

REPORT FROM THE SECRETARY OF STATE RECOMMENDING AN
APPROPRIATION IN A SUM EQUIVALENT TO \$500 MEXICAN FOR
COMPENSATION ARISING OUT OF AN ASSAULT IN CHINA ON
MR. SUN JUI-CHIN BY A MEMBER OF THE LEGATION GUARD

FEBRUARY 8, 1927.—Read; referred to the Committee on Foreign Relations and
ordered to be printed

To the Congress of the United States:

I transmit herewith a report by the Secretary of State, respecting a claim against the United States, presented by the Chinese Government for compensation arising out of an assault in China on Mr. Sun Jui-chin on June 11, 1923, by a private in the Marine Corps, a member of the legation guard, with a request that the recommendation of the Secretary of State, as indicated therein, be adopted, and that the Congress authorize the appropriation of the sum necessary to pay the indemnity.

I recommend that, in order to effect a settlement of this claim in accordance with the recommendation of the Secretary of State, the Congress, as an act of grace, and without reference to the legal liability of the United States in the premises, authorize an appropriation in a sum equivalent to \$500 Mexican.

CALVIN COOLIDGE.

THE WHITE HOUSE,
February 8, 1927.

The PRESIDENT:

I have the honor to submit, with a view to its transmission to the Congress, if you approve, the following report and recommendation regarding a claim presented by the Government of China against the

Government of the United States arising out of an assault in China by a private in the Marine Corps, a member of the legation guard, on Mr. Sun Jui-chin.

On June 11, 1923, Pvt. Marion H. Chase, of the legation guard, during an altercation with a coolie operating a ricksha for Mr. Sun Jui-chin, a Chinese citizen, employed as proof reader on the North China Standard, a Japanese-owned English-language paper of Peking, struck the latter and inflicted several minor bruises and injuries to this head. The commandant of the legation guard at once instituted an investigation and found that Private Chase had assaulted Mr. Sun without sufficient provocation, and recommended to the commander in chief of the Asiatic Fleet that Private Chase be tried by general court-martial, which was done. The court on July 18, 1923, sentenced Chase to confinement in prison for a period of one year, to be followed by dishonorable discharge from the United States naval service, and in addition to suffer the loss of all pay. This sentence was subsequently approved by the commander in chief of the United States Asiatic Fleet, and Private Chase served his sentence in the naval prison at Cavite.

Mr. Sun claimed compensation in the amount of \$934 Mexican, but the commandant of the guard regarded this sum as excessive and recommended that \$500 Mexican be substituted therefor. Mr. Sun's injuries were carefully examined by a medical officer of the guard and found to be of a temporary nature.

The legation dispatches setting forth the details of the matter were referred to the Secretary of the Navy, who, on May 6, 1924, stated that inasmuch as Private Chase was tried and convicted by a general court-martial on charges based upon the assault in question, his guilt being thus established, he concurred in the legation's recommendation that Mr. Sun be compensated in the amount of \$500 Mexican.

I suggest that you recommend to the Congress that, as an act of grace and without reference to the question of the legal liability of the United States, an appropriation in a sum equivalent to \$500 Mexican be made to effect a settlement of this claim. It will be noted from the inclosed communication from the Director of the Bureau of the Budget, to whom the matter was referred, that the proposed action is not inconsistent with the financial program of the Government.

Respectfully submitted.

FRANK B. KELLOGG.

DEPARTMENT OF STATE,
Washington, February 7, 1927.

BUREAU OF THE BUDGET,
Washington.

THE SECRETARY OF STATE.

MY DEAR MR. SECRETARY: I have your letter of January 27, 1927, inclosing copy of a proposed report to the President recommending that Congress be requested to authorize an appropriation in a sum equivalent to \$500 Mexican in payment of a claim presented by the Chinese Government for the unlawful act in China of a private

connected with the legation guard in assaulting Mr. Sun Jui-chin, and asking that I indicate whether the action proposed in the report is in harmony with the financial policy of the President.

In reply I have to advise you that the proposed request for legislation authorizing an appropriation in a sum equivalent to \$500 Mexican for the purpose stated is not in conflict with the financial program of the President.

Sincerely yours,

H. M. LORD, *Director.*

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Volume 41, No. 1, January 1951
This issue contains the following articles:
The Role of the General Practitioner in the Management of the Patient with a Fracture of the Femur
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