

## SUGGESTED POSITION AS TO SEARCH, SEIZURE, AND INTIMIDATION

These notes are prepared for criticism and discussion. The suggested position has been developed empirically in cases involving Chinese in the direct employment of American individuals or institutions, or in the service of the International Committee upon American property.

In the background are treaties and historical cases and practice giving foreigners the right to employ Chinese and enjoy their services free from interference and intimidation. In recent years the Japanese authorities in Shanghai and elsewhere have strongly asserted these principles against pressure upon their own employees.

I. We recognize the procedure of authorized and orderly search of our property, particularly if previous or simultaneous explanation is made of satisfactory reasons for the search.

II. We will not try to protect wrongdoers from the consequences of their acts, or to interfere with the proper military and political control of the population.

III. We object to irregular, unexplained, or forcible entry of our property.

IV. We object to arbitrary interference with our employees and with legitimate enterprises undertaken by us on American property, including intimidation and forcible abduction of Chinese assistants.

If the latter two propositions prove after investigation to be well founded, they might be coupled with positive suggestions or requests as to desirable procedure in cases involving our property and Chinese personnel.

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