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 Yaddo Estate
 Saratoga Springs, N.Y.
 Guerrilla Court Martial

How supposedly conquered Chinese
 fight behind the Japanese back

by AGNES SMEDLEY

THE judge of the guerrilla court martial, with three assistants, sat about the square charred table waiting for the next prisoners to be brought in and for the witnesses to arrive. The two prisoners about to be tried were confessed traitors, and the chief witness against them was a civilian named Kan Ding-kuo.

The guerrillas paid much attention to the principle of content, but little to that of form. Thus the judge and his assistants sat waiting for the witnesses, instead of having the witnesses wait for them. Today, Kan Ding-kuo was presiding at the opening session of delegates to the "Ten-Man Group" conference. Eighty delegates from a large territory behind the lines of the Japanese Army of Occupation in Central China had gathered to devise new ways of hunting down Chinese traitors and of wiping out Japanese. One civilian delegate had come from near Hankow, and the others from the Peiping-Hankow railway, from the Han River region, and the lake regions north and northwest of Hankow. They represented 100,000 civilians pledged to destroy the Japanese and all their works. Kan Ding-kuo, the chief witness, was one of their first organizers and leaders.

While waiting, the judge, his assistants, and I gossiped idly. I looked the judge over and decided that he would hardly pass as a judge in any Western country, nor could this room pass as a courtroom. I looked at him, wondering how he would look with a wig on a British bench. It didn't work. A British judge, wig and all, in this room, didn't work either. An American judge? No, that failed also. A German Nazi judge? These guerrillas would put him on trial for his life. For this judge was in his middle twenties and had never seen a university in his life. Knowing him, I would say that he would never see one in the future or even a book of law. For, before this war in China was finished, he would perhaps be dead. He wore a military uniform, a pistol at his hip, and the only qualification he carried was a long, deep scar across his left cheek which he got from a saber wound while fighting the Japanese. Four years of warfare had been his higher education, and before that he had had but five years of regular schooling. He was one of the common men of China who had risen in the enemy rear to fight by (Continued on page 74)

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New York merger: Chicago's Edith Atwater and her husband, Hugh Marlowe of Philadelphia, both played on Broadway this season, she in "Johnny on a Spot," he in "The Land Is Bright," and both are frequently heard on the radio. Here they are casually hatted by Dobbs

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in mysterious ways, kidnaped from their homes in Japanese-garrisoned towns, and some were found dead in their beds, knives through their hearts. The name of Kan Ding-kuo was sometimes mentioned, and the name of the Ten-Man Group was feared.

Now one of the chief leaders of the Ten-Man Group stood in the courtroom with me. I looked at his bandaged hand and remembered how he had been wounded. Three weeks before he had been alone along the Han River when he suddenly came upon a Japanese motor launch anchored in a small cove half-hidden by trees. He crouched lower and watched, for he knew this to be one of the typical methods of the Japanese spy organization known as the Special Service. They had perhaps come to meet Chinese agents, or to seek possible landing places for an attack on the guerrillas. If they awaited Chinese spies, Kan had no fear, for such spies are cowards and would not interfere to save a Japanese life. On the launch he saw but one Japanese officer and two women.

Kan drew his pistol and aimed at the Japanese officer. The pistol jammed. It always jammed! Carefully he put his gun back in his belt and, creeping closer, leaped on the launch and grappled with the Japanese. The Japanese had time to draw a long dagger from the holster at his hip. The two struggling men tumbled into the river and their feet sank into the soft mud. The water reached their hips. Anchored in the mud, Kan forced his enemy under the water, just as he felt the knife go through his left hand. But he did not release his hold, and forced the Japanese deeper into the mud, then trampled upon him until he no longer struggled. Then he leaped onto the launch before the two women could recover from their terror. A rope lay on deck, and he bound them as they screamed. Then he rapidly searched the launch, and took from it one pistol, a camera, and a box filled

with papers. In a few seconds he was dragging the women, and carrying the box and camera and pistol, and started out toward the dikes of the lake region. After about two hours he reached a guerrilla battalion and delivered the prisoners and the captured things. The documents proved the launch to be from the Japanese Special Service. He took one that had belonged to the man he had killed, wrote a report, had his hand bandaged, and left for other work which he had been engaged in when this small diversion took place.

Now Kan and three other men with him stood in the peasant hut that was the guerrilla court martial. They gave their names and Kan began speaking without any formality.

"This man Wang here," he said, "is a spy connected with the enemy Special Service Department. He used to come into the villages and sit about gossiping, picking up information about the guerrillas and the Ten-Man Group. Our men began to watch him and in one village they told me that he was there. I smoked and gossiped with him, and later I followed him to his home in Fengshuiji. He lives in a house a few doors from one of the devils' barracks, and he has an opium and drug shop on the ground floor. He and his brother keep it.

"I got three of our men—these here—in Fengshuiji, to help me. We had knives. My pistol always jams. We thought we could—"

"Why does your pistol always jam?" the judge asked him.

"A civilian gave it to me. He had had it buried for over a year. Sometimes it shoots, sometimes it jams."

"Let me see it."

The judge took it and turned it over and over, then tested it.

"Take mine," he said. "I'll see if I can fix this thing."

Kan Ding-kuo took the judge's pistol, turned it over admiringly, exclaiming: "It's Japanese!"

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"Yes," the judge smiled, "I got it in that fight down below the Han last month. It's a sweet gun all right."

"Well," Kan said, resuming his testimony, "we thought we could capture this spy, but we were not so sure of our plan about this old bald egg here. One evening we went to this spy's home and found him alone in his drug shop. I showed my document of the Special Service that I got on that launch when I polished off that Japanese spy, and we all had our 'good-man certificates' on our jackets. I told this spy here that I had proof that he had been out in the villages selling information to the guerrillas, but if he could get the head of the puppet government to guarantee his loyalty to the Imperial Army we would not arrest him. He said he could do that, so we took him to the home of this old bald egg here. The bald egg said he could guarantee this fellow, and would even go with us to the Special Service headquarters. We got both of them into the streets, then stuck our knives against their ribs and told them that if they made a sound or struggled, we would cut them to pieces on the spot. In this way we got them outside the town and delivered them to your battalion, where I wrote my report. I'm sorry I could not get here before this. I was busy."

"Wan-la!" concluded Kan Ding-kuo, which means "finished."

The judge turned to the other three witnesses. "Anything else?" he asked them. One spoke: "The old bald egg tried to bribe us, but we told him to wait and walk faster. That's all."

Turning to the two prisoners, the judge asked them if they had anything to say that had not been said in their first trial. The old man bowed and smiled and said he had been forced to be head of the puppet government. Kan answered him:

"No man has to do anything but die."

"I am unfortunate," the old man mumbled.

"You shore are!" Kan replied, dryly.

The spy began to speak: "I am only a little traitor and I have a large family to support. I am poor and not like the big sitting traitor, Tien Hwa-lung. We do all the work, he gets the money."

One of the witnesses gave a short snort like a curse, and the judge turned and looked at the spy for a long time, but he said nothing. Then he turned to me and said: "Do you want to ask the prisoners any questions?"

"Where do you get your opium and drugs?" I asked the spy.

The judge looked at me, surprised, and replied: "From the Japanese, of course." Then he remembered to ask the spy to reply to the question, and the spy said:

"I get it from the Japanese, from the Special Service Department. But they charge too much for it."

The judge looked at him for a long time, in silence, again, then announced: "It is a crime, punishable by death, to be a spy for the enemy, or to sell opium or drugs."

The spy sighed heavily. "I am poor and have a large family."

"We are all poor and we all have families, but we do not sell our country!" Kan said in a voice of such deadly hatred that the head of the puppet government bowed very low and smirked. He seemed to be forced down by the violence of Kan's tone.

The judge looked up from writing in his notebook and ordered the guards to take the prisoners away.

"What are you going to do with me?" the spy wailed.

"Shoot you," the judge answered in a level voice, giving him another long

look. Then he began writing again. "Any news about Tien Hwa-lung?" someone asked Kan.

"He has a hundred bodyguards around his place."

"How's that hand of yours?"

Kan looked ruefully at his bandaged hand. "It won't get well. Three of my fingers are stiff. Yet I feel no pain. It will be all right later on, I suppose."

"It's good it's your left hand," the judge remarked. Turning to me, he asked: "Can you cure his hand?"

"Nothing like that. If Kan could go to Hankow, I can send him to a foreign doctor there." Then to Kan I said: "Can you go through the Japanese lines into Hankow and live there for a week or two some place?"

"I could but I can't spend a week or two. There's too much to do out here."

He thought of this for a few seconds, then he turned to the judge.

"This pistol you gave me is something. Wonder how many Chinese it has killed. Or how many Japanese and traitors it will kill."

"You might do what Americans used to do—cut a little notch in the handle for each one you get—or make a scratch." I was trying to be helpful. Then all the men turned and went out through the courtyard.

"There go the Chinese people," I thought.

The author: After twelve years in China as war correspondent, lecturer, and investigator for the Chinese Red Cross Medical Corps, Agnes Smedley is back in the U. S., where she has been on her first lecture tour of her native country. Since the Sino-Japanese War began, she had been at the front with Chinese troops as a special writer for "The Manchester Guardian." She is a graduate of San Diego State College, and for five years, before Hitler, taught English at the University of Berlin. Her books include "Chinese Destinies," "China's Red Army Marches," and "The Red Army in China."

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guerrilla warfare. In those four years he had learned things that would have taken him decades to learn otherwise. He could almost tell a Chinese traitor by his walk.

The courtroom was a peasant hut of mud walls and packed earthen floor, with no windows at all. Its light came in by the front door; but the door had been burned by a Japanese raiding column two weeks before, so there was plenty of light in the room. That was about all that could be said in its favor. The roof had been burned at that time also, but was now repaired. The square table around which we sat had had its legs burned off and the top had big black craters in it. It now had new legs, which toppled, of course. Everything you saw, felt, or thought reminded you of the Japanese. The hut itself was in a village along the dikes, six miles from Fengshuiji, a Japanese garrison town on the Han River near Hankow. There were Japanese garrisons along the Han River and others along the motor highway not far away. The guerrillas traveled on the lakes in the small fishing boats of the people and slept on the boats or in the mud villages along the dikes. The civilian secret society, the Ten-Man Group, was their ears and eyes, and its members manned the boats when the guerrillas landed near a Japanese garrison along the river or the highways. Sometimes they set up machine guns along the Han River and ordered junks flying the Japanese flag to come to shore or be sunk. They generally came, and the guerrillas took all their cargo and used it for themselves. That is why they were clad in uniforms of almost every color except white and red; it all depended on what color cloth they captured. If they landed near a highway, they generally blew out bridges or they and the civilians got out of boats with picks and spades and turned the roads into a beautiful mess while fighting units attacked Japanese garrisons. After killing all the Japanese they could, including reinforcements that could not pass the highway, they then moved back to their small boats on the lake and disappeared in the darkness.

So the Ten-Man Group was an arm of the guerrillas in their war on the Japanese invaders. In Japanese-occupied towns, the organization was secret, and in the country it was supposed to be. But like most Chinese secrets, everyone knew all about it. Even in Japanese-occupied towns many people knew its members. Even some members of the puppet government knew them. If these mortal enemies ever met in the streets, the puppets walked away rapidly as if afraid they might get a bullet or a knife in their backs any minute. But they did not betray them to the Japanese, for then they would most certainly get the bullet or the knife. Instead, some of the puppets even gave money to the Ten-Man Group, and when members of the Group asked them, "What moves are the Japanese making or planning to make?" the puppets would speak right up like little men. Their replies were a kind of life insurance.

Contemplating these many problems and sidelights on China's struggle, I turned to listen to the talk of the young judge and his assistants. The judge was examining a cheap Japanese fountain pen in his hand. It was part of a haul the guerrillas and the Ten-Man Group had just got along the Han River.

"Their pens look well on the outside," the judge was remarking, "but their insides are rotten. They last about a couple of weeks."

"Maybe it's the ink," one of his as-

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sociates replied, laconically. "Everytime we capture ink, I think it might really be American because it has American trademarks. But it rots pens right out; so it's Japanese."

"With or without ink, the pens are rotten," the judge insisted. "But their notebooks are good." He examined the gray-backed notebook on the charred table. It was filled with small handwriting of former trials. He reached over for my pen and began examining it.

He asked the price and when I told him, he gasped. "I earn a dollar and a half a month. I'll never be able to buy an American pen."

We all arose and walked into an adjoining room, which was piled to the door with captured Japanese goods. It was the new haul. There was every conceivable thing: Japanese cigarettes bearing British and American trademarks, sacks of sugar, tins of kerosene; flashlights and batteries, combs, mirrors, fountain pens, paper, notebooks; "comfort" tea and tinned meats and fruit for Japanese garrisons; bolts of

cotton cloth of many colors, and even one phonograph and some Japanese phonograph records.

WE HEARD A NOISE in the courtroom, and returned. The two prisoners had been brought in. Their arms were tied behind them with thin ropes, and a guard held the ends of each rope. One prisoner was a short, degenerate-looking fellow about thirty years of age, with the marks of opium on his sallow face and lean body. In his first hearing he had admitted that he was a spy for the Japanese in Fengshuiji, but argued that he was too insignificant to be shot. He had worked on the piece system, he said, and the Japanese paid him only five dollars for each piece of accurate information, yet sometimes they refused to pay anything. He was therefore one of the oppressed, he argued. He had also admitted that he and his brother kept a shop where they sold opium and heroin.

The other prisoner was also short and thin. He was in the middle forties and had a scraggly, dirty black beard.

PHOTOS BY JEROME ZERBE



The Red Cross reaped the benefit of a gala night at Mrs. Cornelius Vanderbilt's house, whose gala nights are numbered. A thousand guests danced, supped, played gin rummy, or looked at the décor. Top, Mrs. Cornelius Bliss, A. Conger Goodyear; center, Mmes. James Polk, Lloyd Griscom; below, Mmes. Lowell Weicker, George Roosevelt

He looked as if he had not taken a bath since the year before. On his head was a little round black silk cap, and he wore a long blue silk gown liberally decorated with grease spots that had dribbled off his beard in eating. He bowed and smiled repeatedly, showing some black rotten teeth. He would have made an ideal model for a statue entitled "Spirit of Servility." This was undoubtedly the reason the Japanese had chosen him as head of their local puppet government.

In his first hearing, this bearded puppet had tried to make himself valuable and important. He had, he told them, been a "doctor" before he became head of the "Peace Maintenance Committee" of the Japanese garrison town. It seemed that he could cure almost everything with a mixture of herbs, tiger's bones, coffin nails, toad or snake skins. He was also an expert with the puncturing needle and could cure paralysis and nervous diseases. In addition, he modestly added, he was an "injection expert"—he could "renew youth" or cure dysentery and typhoid, and other ailments, by injecting men with quack spermine mixtures; or he could cure syphilis by giving one injection of the powder labeled 606, which anyone could buy for five or ten cents in any village market town. By boasting of his importance and extensive knowledge, the old puppet indicated that he was too valuable to be shot as a traitor, and that the best thing would be to take him into the guerrilla medical service.

The guerrillas knew nothing of medicine, modern or ancient, but they were men from the common people—peasants, fishermen, artisans, salt miners—and they knew their exploiters. And step by step they dragged out of this puppet the extent of his property. Since becoming a puppet chief, he had accumulated enough crumbs of loot from the Japanese table to become what was known as "rich." Some guerrillas said he must have at least \$10,000, others gaped at the magnitude of the sum. He also admitted that he had come into possession of many houses, and that he now held deeds to considerable land which he took over from the peasants to whom he had loaned money at 12 per cent per month—though of course, if men were too poor to furnish a guarantee he had to charge a higher interest. He admitted the house taxes, the "good-man certificates" which each person had to buy and change monthly in Japanese-occupied regions; he admitted the many other taxes, including those the peasants had to pay on vegetables in the Fengshuiji market. He admitted the many opium and drug dens, and the brothels filled with Chinese girls and young women captured from the civilians.

"The trouble is that there are not enough prostitutes to go around," he explained, "so we have had to take family women. If I refused to do this, the Japanese would kill me—so what could I do?"

He then had offered money to the guerrillas if they would release him. Because they were badly dressed and came from the common people, he began with \$1,000, then gradually raised it to \$10,000. But they were unusually hard-hearted men, without a spirit of moderation and virtue. When they told him he had to cough up everything he possessed, including the land deeds, and sell all his houses, and give everything to the guerrillas and the Ten-Man Group so that the people in the lake regions could rebuild their burned homes, he looked at them sadly and realized that he must be in the hands of "Communist-bandits." (The