

Justice in China--- Queer Court Customs

(Copyright, 1900, by Frank G. Carpenter.)
SHANGHAI, Sept. 12.—(Special Correspondence of The Bee.)—This war will make the mixed courts a feature of every big Chinese city. They will be established to try all disputes between foreigners and natives. The Chinese in the foreign concessions will be subject to them and foreign judges will be needed.

The foreign concession of Shanghai is now three times as large as the native city. It has 400,000 population, of whom only 5,000 are Europeans. It has a mixed court, with Chinese and foreign judges. The American judge is the consul general, although he is usually represented by the interpreter of the legation. The native judge is a mandarin of the seventh order named Wang. The law and punishments used for cases in which Chinese only are interested are practically Chinese, the Chinese judge being allowed to have his own way except where Europeans are interested.

I visited this mixed court the other day. Consul General Goodnow went with me and introduced me to Mandarin Wang. Dr. Barchet, the interpreter of our consulate, who also acted as judge, translated for me, and flattery, that touch of nature which makes the whole world kin, greased the wheels of our conversation. We had a cup of tea together before going into the court room, and Judge Wang, seeing my camera, said he hoped I would take a photograph of him on the bench. I replied that I would be glad to do so if there was to be any bambooning. Bambooning is the most common punishment here. Witnesses are bambooned to make them confess, and if this does not serve more terrible punishments are adopted.

Judge Wang replied that he would be delighted to oblige me, but that the usual hour for bambooning was 4 in the afternoon, when he hoped I would return.

"I am sorry, your honor," said I, "but I have an engagement at 4."

"Ah!" said the old Chinese mandarin, as he reflectively sipped his tea, "in that case perhaps I can fix it up this morning to suit you. I have an old thief here who has not confessed. I will have him brought in near the close of the session and give him 200 blows to loosen his tongue. It will be just before noon and you will have a fairly good light for your picture."

At this moment the officers told us that the court was ready and the old mandarin invited me to sit on the bench with him. For two hours I watched thieves, burglars, kidnapers, pirates and others dragged in by policemen. They were pulled along in chains, jerked about by their queues and made to get down upon their knees before us. While there the judge examined them and the detectives and policemen gave evidence. Sentences were quickly passed. Some got as much as 200 blows of the bamboo, some were sentenced to the canque, others to imprisonment in chains and some to hard labor.

Bambooned Before the Camera.

At last the end of the docket was reached and my victim was brought in. Two villainous-looking policemen in tall red hats and long red gowns pushed him forward, holding him by the queue. He trembled as he entered the room and fell on his knees in front of the judge, who fiercely demanded his confession. The man protested his innocence, but Judge Wang, in what must have been to the prisoner a terrible tone, said:

"You are not telling the truth; you are guilty!" And then to the policeman: "Give him the bamboo and make him confess."

Upon this, two tall Chinese in red coats seized the prisoner and laid him flat on his face on the floor. They pulled down his trousers. One held him firmly by the shoulders and another by the calves, so that his fat thighs showed in all their nakedness.

"There is your picture," said the judge, as he ordered a policeman to move a little teakwood table to the opposite end of the room and clear out the visitors between it and the man. I fixed my camera on the table, stepped off the distance between it and the criminal and set the shutter. The bambooner knelt down behind him and raised his rod and at the first blow the picture was taken.

It proved to be a success and I used it as one of the illustrations of this letter.

After the bambooning began I would have stopped it if I could, but it was in court, and this was impossible. It took four men to give the 200 blows, each man bringing down the bamboo fifty times on the bare thighs of the victim. The bamboo was a strip of cane about two inches wide and five feet in length. It was as lithe as sole leather, but so springy that it seemed to fly back upon touching the flesh. The executioners held it in both hands, bringing it down with a noise like a pistol crack upon one single spot on the man's thighs. They never left this spot, hitting it exactly again and again, as they counted the strokes aloud. In the first ten strokes there was no change of color, although the man howled and groaned. After the twenty-fifth the flesh was red, and at the end of the second fifty it had turned black. When 125 were reached it was bleeding slightly, the black line having extended out to a ring about the size of your palm. At the end the flesh to the depth of an inch was a jelly.

By Chinese law no criminal can be pun-

ished until he has confessed his guilt. This causes all sorts of tortures. The Inquisition was mild in comparison with the Chinese courts of the present. I once saw an alleged pirate brought into the native court at Amoy. The man protested his innocence. He had been so tortured that he was not able to walk and he was carried in a basket. He had an iron chain about his neck and another about his feet and hands. He was spilled out of the basket upon the floor in front of the judge. His chains were taken off and he was assisted to his knees. The judge asked him if he were guilty. He replied "No," and he was ordered away for more torture.



CHINESE POLICEMAN—THIEF CHAINED FOR STEALING DRUGS.

side of the court room. They took a bench—much like a carpenter's sawhorse—and, forcing him upon his knees, put this sawhorse against him so that the board of the bench rested against his back between the shoulders. There was a hole in the top of the board. Through this his queue was pulled and his head tied by it tight against the board so that his neck was stretched to its utmost. His arms were bent back and tied to the upper legs of the horse. The man was barefooted. The officials pulled up his wide pantaloons to the thighs and, bending his legs, tied them to the upper legs of the horse by strings fastened around his big toes, so that the whole weight of his body rested on his bare knees on the stone. Now an iron chain with ragged links as sharp as though filed was coiled up and put under his bare knees. He was then told that he would be let down when he confessed. I cannot describe the torture. The man's eyes almost started from their sockets, his face twitched and his moaning made me sick.

A Tortured Pirate.

Here is another pen picture as I took it in the native court at Canton a few weeks ago. I give the notes just as I wrote them. "I am in a Chinese court room. A yellow-faced judge in a gorgeous gown, with a peacock feather in his cap, sits behind a red-covered table. Beside him are clerks in silks and satins. The officers of the court, dressed in livery, with tall sugar-leaf hats, stand about with instruments of torture in their hands. "The floor is of stone and upon the cold granite in front of the bench upon his bare knees is a Chinese criminal. His arms are stretched out at right angles to his body. They are bound by ropes, twisted round and round them, to a long bar which rests upon his shoulders, just back of the neck, throwing his yellow agonized face to the front. The bar is fastened to uprights on each side, and it serves as a frame to keep the man in position and prevent him from falling if he should faint. His head is tied to the bar by his queue.

"Now, at the direction of the judge, two of the court officials take a round stick eight feet long and of the thickness of a telegraph pole. They lay it down upon the man's legs just back of the knees. They then catch hold of the bar to which the criminal's arms are fastened and step with both feet upon the stick. They are fat and the two must weigh at least 350 pounds. Their weight is pressing the man's bare legs into the stones. He cries and they in-

crease the torture by rolling the pole under their feet back and forth upon his calves. His toes have been pulled out so that the shins and the whole front of his feet are in contact with the stones and the men are grinding them into the granite.

"I ask the man's crime. The judge tells me he is accused of piracy, but that he claims to be innocent. The judge tells me he will be tortured until he confesses. He seems to laugh at the pain, and he is smoking a big water pipe and languidly putting his questions as to the case between the puffs.

"At last flesh and blood can stand it no longer. The prisoner nods his head in token of confession and the officials step off. They loosen his hands and he drops in a heap on the floor. They then smear a little ink over each of his palms and press them flat down upon a sheet of paper, above which some writing in Chinese has been printed. These form his signature to the confession. If he should escape he

so that when they attempted to rest their toes they hung by the neck. The man had been sentenced to death in the cage for robbery and outrage. Pasted on the outside were placards which warned all persons not to give them food or drink. This was in the middle of July, when the heat was intense. Three days after that I learned they were dead."

The Growing Bamboo.

"The ordinary punishment of the bamboo is very severe," continued Dr. Hykes, "and when more than 200 blows are given it sometimes results in the victim's being maimed for life. There is considerable science in giving the strokes and the policeman can make them heavy or light, as he pleases. In many cases the prisoners bribe the policemen to let them off easy and as a rule it is only the man who has no money who receives the full sentence.

"Speaking of the bamboo, I have heard of a punishment in which the living plant is made the executioner. I have never seen this punishment and I am told that it is not permitted by the laws of the land. The bamboo grows very fast. It jumps upward several inches in a night and its stalk has a sharp point which will force its way through anything. In the growing bamboo punishment the criminal is fastened to stakes over one of these sprouts and the plant grows slowly through him, causing his death.

"While I was living at Kukiang," said Dr. Hykes, "a young man in one of the villages near by was buried alive as a punishment for murder. The criminal was noted for his violent temper and general wickedness. Among his other faults was the lack of filial piety, which is one of the greatest of sins in China. He quarreled with his father and he usually failed to give him a present of a mess of pork on the 15th of every month, as is the custom with good sons. One day his father took him to task for this neglect. The son became angry and killed his father with a hoe.

"The murder caused great excitement for parricide is here considered the most terrible of crimes. If a man kills a parent not only himself, but all his neighbors and relatives, are punished. The parricide is tied upon a cross and slowly sliced to death. The officials of the province are degraded and the crime is an injury to the district for years to come. When the above murder occurred the leading men of the community hushed it up and asked the family to perform the punishment. There was a meeting of the murderer's clan and the result was a sentence that he be buried alive. His own relatives dug the grave and his mother threw the dirt into the hole upon him and tramped it down with her feet."

Punishments for Parricides.

No one but those who have studied the Chinese can realize the horror with which they look upon parricides and matricides. Nothing will excuse the killing of father or mother by the child. In the Peking Gazette I find numerous instances of lunatics who have killed their parents and been sliced to death. In this slicing not only is the flesh cut away bit by bit, but the victim is, to a large extent, skinned alive. One of the first cuts is across the middle of the forehead, after which the executioner takes the skin and rips it off. Next the cheeks are torn off, then the arms, breasts, thighs and calves, all cut by cut, the skin being torn away until the man is dead.

Accidents are no excuse for such killing. It was only two years ago that a boy of 8 living in a little town about twenty miles from Shanghai was playing with a stool. He was tossing it up in the air when his mother ran out of the hut and it accidentally fell upon her head and killed her. According to the law the oldest age at which the punishment of slicing to death can be inflicted is 16. You would think they would have let the boy free. They did not. He was put at once in prison and will be kept there until he reaches 16 when the punishment will be inflicted. He has six years more to wait.

I have never seen a Chinese execution and do not envy any one the sight. The brutality of the executioner is beyond conception. A missionary told me how he recently saw the heads of five robbers cut off.

"There were two executioners," said he, "one an expert, the other an amateur. The sword of the expert went through the human necks as though through cheese, but the amateur bungled his work. The robbers were placed on their knees with their heads outstretched. As the sword cut through the necks the heads fell to the ground, some rolling twenty feet away. The blood spurted out in great jets from the bodies, which, strange to say, still remained on their knees.

"When all the heads were off I asked if I might not go inside the line and look. The magistrate said, 'Of course; why not?' and I went in. I pointed to one body and

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