

jailers were found innocent of any wrongdoing in Chen Caiyu's death of illness in prison, as was the acting magistrate under whose jurisdiction the malefactor died. Because he alone had received property stolen during a murder, however, Chen Caiyu was sentenced to beheading.⁵ His debt to Luo Yaosheng's father for the stolen chain and shirt was passed on to the son Chen Sanzi to repay.

The emperor's decision, written in red on the cover of the file, reads:

"In accordance with the recommendation, Chen Yuanjue and Li Shiguang are to be sentenced to strangulation and imprisoned until execution after the autumn assizes. All others shall be sentenced as recommended."

NOTES

Source: *Neige Xingke tiben* [Grand Secretariat Office of Scrutiny routine memorials] 2-34-2334-7, Yongzheng 6.8.21 (September 24, 1728), Guangdong.

1. Brokaw, in *Commerce in Culture*, traces book trade routes that began in western Fujian and extended in all directions. It would seem that the kidnappers followed a similar route from Guangdong through Fujian to Jiangxi. The activities of these criminals contrast sharply with fanciful tales of heroic outlaws so frequently presented on the stage and in novels such as *Outlaws of the Marsh* (Shuihu zhuan).

2. After a similarly callous multiple murder in Kansas in 1959, a psychiatrist diagnosed the perpetrators as having "schizophrenia, simple type," meaning that the murderers had suffered no delusions while committing acts of violence but had simply divorced their thinking from all feelings. See Capote, *In Cold Blood*, 315.

3. Rowe describes Yinjishan (1696-1771) as a "highly sinified Manchu of minor noble origin" and a favorite of the Yongzheng emperor. A man of many talents, he held numerous important posts. See Rowe, *Saving the World*, esp. 52-53, 55, 61-62, 67-68; and *Eminent Chinese*, 920-21.

4. The complaint here alludes to a line from a text in the civil service curriculum (*The Zuo Chronicles* [Zuo zhuan], Duke Xuan 15), *xian huan jie cao*, "to express gratitude."

5. See Jones, *Great Qing Code*, 268.

CASE 10

Wang Azhen: Murder for Extortion (Guangdong, 1779)

The perpetrators in this case are represented as having committed a brutal murder with neither mercy nor remorse. Instead, they expressed only their own urgent need

to find some relief from their constant financial difficulties, even though the case report gives no details to substantiate their claims. In fact, there are very few details of any kind beyond those required by law and ordinary judicial practice. This case does suggest, however, the vulnerability of the handicapped in late imperial China.

The following selection is from the beginning of the report, the initial investigation and testimony the magistrate takes at the inquest. The final memorial was presented by Defu after the provincial judicial review, relaying a report by the governor-general of Liangguang, concurrently acting governor of Guangdong, based on the judicial commissioner Liang Dun's report on the case, which was presented initially by Xu Xian, Magistrate of Chenghai, in Guangdong.

... On Qianlong 43.5.13 [June 7, 1778], a petition was filed by Gao Lai, a *jiansheng*, stating that when he arose and opened his door early on the morning of the twelfth of the fifth month of the current year, he discovered a dead body lying on the ground outside his door, covered with blood.¹ He recognized that it was a local man, Lu Ayu [Simpleton Lu]; he had wounds on his right temple, the occipital bone of his skull, the lower neck, and the throat. There were no bloodstains on the ground. He then cried out for the local warden Wang Tingbao to inform the deceased's next of kin Lu Ajiang to come and identify the corpse. He did not know who had killed him but reported the matter as is only right, and he entreated the court to investigate.

That same day, accompanied by Wang Tingbao, the warden of the aforementioned area came to the district court. Together with coroner and constables, I proceeded in person to the place where the corpse lay in order to investigate. Gao Lai's testimony there was identical with his petition.

According to the testimony of Lu Ajiang: "Lu Ayu is my own younger brother, but he is dull-witted. Every night, he goes down to the seashore to catch crabs to sell in order to earn a living. During the second watch of the night of the eleventh of the fifth month of this year, he went out the door carrying a bamboo cage to go down to the shore to catch crabs. But by morning of the twelfth, he had not returned. Thereafter, the local warden Wang Tingbao said that somebody had killed my brother at the *jiansheng* Gao Lai's gate. At once, I rushed over there to examine him, and it was indeed my brother. He had wounds on his right temple, the skull above the temple, his neck, and his throat. I don't know who killed him. I beg you to investigate and find out—that's the thing."

Thereupon, I instructed the coroner to conduct the examination of the corpse in accordance with the law. The coroner called out his report: "I have determined that the deceased Lu Ayu was twenty-five *sui* in age. Facing

upward, he has a lethal wound extending laterally from the right temporal to the right frontal area of his head, 2.3 *cun* long, 6 *fen* in breadth, and down to the bone; the bone is damaged to the point that brain fluid exudes from the wound; the edges of the skin are even, curled, and drawn back and stained with blood. A lethal wound laterally across the right temporal bone 2.6 *cun* long, 7 *fen* in breadth, revealing the bone; the bone is damaged to the point that brain fluid exudes from the wound; the edges of the skin are even, curled, and drawn back and stained with blood. Both are knife wounds. A nonlethal wound across the lower neck 3.1 *cun* long, 1 *fen* in breadth; the edges of the skin at the mouth of the wound are even, not drawn back, and have no bloodstains. Incidental lethal wound to the throat 2.5 *cun* long, 8 *fen* in breadth, and 1.2 *cun* in depth, severing both the trachea and the esophagus; the edges of the skin at the mouth of the wound are even, not drawn back, and without blood. These were incidental knife wounds inflicted after death. Beyond these, there were no further causes of death. Indeed, there were wounds inflicted while he was alive, and further cutting wounds inflicted after death." This humble magistrate personally inspected the body and found no discrepancies. Thereupon, I deputed constables to make inquiries and to apprehend the primary culprits.

Thereafter, just as I was filling out my request for permission to proceed with the investigation, my constable Chen Long announced that while making inquiries about the culprits who slew Lu Ayu, he discovered that on the night of the eleventh of the fifth month, Xu Aping, a resident of this village, had seen Wang Azhen and Wang A'ang, the two of them, outside the village, carrying a body and resting under a tree. Furthermore, on this night, Chen Apin heard his dog barking and opened his gate to find Wang A'ang hiding behind the wall of his outhouse with a knife in his hand. Thereupon, I deputed constables to apprehend these two.

On Qianlong 43.5.25 [June 19, 1778], my constables having apprehended Wang Azhen and Wang A'ang, I also summoned Xu Aping and Chen Apin to court for examination.

Xu Aping testified: "Around midnight on the eleventh of the fifth month of this year, I was on my way to the seashore to go fishing. I had just gone out of the village when I ran into two men carrying a corpse who were resting under a tree. I went up to take a look and recognized the two as Wang Azhen and Wang A'ang. Wang Azhen shouted and cursed at me, and I didn't dare go closer. Instead, I went on to the shore. The next day, I heard that the corpse of somebody who had been killed had been left at the gate of the *jian-sheng* Gao Lai, and I knew that this was the business that Wang Azhen and

Wang A'ang had been up to. Because they are so vicious, I didn't dare be the first to file a complaint. But later, I ran into the constable and informed him about it."

Chen Apin testified: "I make my living as a farmer. At cockcrow on the eleventh of the fifth month of this year, my dog started barking, and I was afraid there was a thief. So I took a light and opened my gate to look around. I saw Wang A'ang standing beside the wall of my outhouse with a sharp knife in his hand. I called out to him, but he cursed me, saying that I'd better mind my own business. I could see the knife in his hand, and he is so vicious that I was afraid. I closed my gate and went back to bed. The next morning, when I heard that there was a corpse of somebody who'd been killed at Gao Lai's gate, I figured it was Wang A'ang's doing. Because I was afraid he'd drag me into it, I didn't dare make a complaint. But later, when I ran into the constable, I informed him about it."

Wang A'ang testified: "Usually, I pole boats to earn a living. On the afternoon of the tenth of the fifth month of this year, I ran into Wang Azhen, my older distant relative, outside the village. We were enjoying the cool shade under a tree and were talking about how hard it is to bear being poor [*pinku nandu*] when Wang Azhen came up with an idea. He said that two families in the village, Lu and Yao, had pooled their resources and opened a pawnshop. But both are afraid of trouble. 'So why don't we find a corpse and carry it over to scare them and extort some money from them that we can use?' I agreed. On the eleventh, Wang Azhen said he'd looked all around but couldn't find a corpse. 'But that Lu Ayu goes down to the seashore every night to catch crabs, and he's really stupid. Why don't we kill him and carry him over and use him for the extortion?' And I agreed. We decided to make our move that night. At the time we'd agreed on, Wang Azhen came to my house to get me, and together we went down to an out-of-the-way place in the Shamu Landing area to wait. That place was along the route Lu Ayu took on his way down to the sea.

"We waited until about midnight, when we saw Lu Ayu walking along with a bamboo cage in his hand. Wang Azhen knocked Lu Ayu to the ground, and I went up and held his feet down. Lu Ayu began to cry out, so Wang Azhen took out the butcher knife he had brought along and gave him a big cut down across the temple and the side of the head. After that, Lu Ayu couldn't make a sound, but when Wang Azhen handed the knife over to me, Lu Ayu began to struggle, so I gave him a cut from his temple across the front of his head. That's when he stopped breathing and died.

Wang Azhen and I picked up the body to carry it over to the pawnshop

run by the Lu and Yao families in order to scare them and extort some money. We had carried him to the edge of the village and were resting under a tree when we ran into Xu Aping walking along. He wanted to come up close and take a look, but Wang Azhen yelled at him and cursed him, and Xu Aping went away. We carried the corpse farther, all the way to Gao Lai's gate, but we were still a long way from the pawnshop when we heard a cock crow. I said, 'It's a waste of strength to carry a corpse; let's cut off his head and take that to scare them into bribing us.' Wang Azhen agreed.

"I was agitated in mind and reckless with my hand; I took the knife and hacked at the base of Lu Ayu's neck on the right side and across his throat. I was just about to cut off his head when I saw a light down the lane and heard somebody's voice. I was afraid we'd be seen, so Wang Azhen and I split up to hide. I hid behind the wall of an outhouse at the end of the lane. I never thought a dog would start barking and that Chen Apin would open up his gate and come out to look around. He hailed me, but I cursed him and told him he'd better mind his own business. Then Chen Apin closed the gate and went inside. By then, it was nearly the fifth watch. I was afraid that the villagers might get up early, so I didn't try to cut off his head anymore. I gave the knife back to Wang Azhen, and each of us went home. It's a fact: we never tried to extort any money from the pawnshop."

Concealing nothing, Wang Azhen confessed to plotting the murder of Lu Ayu with Wang A'ang in order to use the corpse to extort money from a pawnshop, but they failed in this attempt. Thereupon, I had both of the culprits taken to the jail and completed in good order my request to proceed with the investigation. When approval was received, I proceeded with the examination.

The next section is the report of Fang Yingyuan, the prefect of Chaozhou, who records that the trial was delayed in Chenghai District because Wang Azhen had fallen ill in prison on the twenty-first of the seventh month (September 11) and was only sufficiently recovered by the twenty-second of the eighth month (October 13). At the formal trial, the next of kin and the witnesses gave testimony unchanged from that collected at the inquest, as was Wang A'ang's deposition (he adds the fact that he is twenty-nine sui in age). Since the testimony of Wang Azhen was not recorded on that occasion, it is included at this point.

Upon interrogation, Wang Azhen testified: "I am a resident of this district, and I am thirty sui in age this year. Usually, I slaughter pigs for a living, but my business failed, and I lost my income. On the tenth of the fifth month of

Qianlong 43, I happened to run into my younger distant relative, Wang A'ang, outside the village. We sat under a tree to enjoy the shade. . . ."

The rest of his testimony is identical to that of Wang A'ang. The magistrate and all the judicial reviewers agreed that Wang Azhen, as the ringleader, should be sentenced to decapitation and that, as an accomplice who also participated in the murder, Wang A'ang should be sentenced to strangulation. Both should be incarcerated until after the autumn assizes.² The emperor agreed with this sentence, concluding, "Let the sentences be carried out after the autumn assizes," seemingly precluding any reduction of punishment for such a heinous crime.

NOTES

Source: *Neige tiben Xing* [Grand Secretariat routine memorials, (Board of) Punishments] 268, Liangguang, Qianlong 44.5.20 (July 3, 1779).

1. The *jiansheng*, a purchased degree, was generally equivalent to the lowest of the three regular civil service degrees; in total, the Qing sold hundreds of thousands for millions of *liang* of silver. See Ho, *Ladder of Success*, 34. Holders could bypass the preliminary examinations required for the regular *shengyuan* (licentiate), the lowest degree, but they did not have the same status as those who earned their degrees.

2. These sentences are in accordance with Article 282 of the Qing penal code, "Plotting to Kill Another." See Jones, *Great Qing Code*, 268.