

silver. Each lot was worth seven or eight coppers; they varied. I also taught them the four-line password: 'Heaven and Earth are as they are; The Jade Vapor has spread around; So many kinds of Mysterious Space, Brown [Earth] and Bright [Heaven] are the Great Mystery.'² I gave them each a block-printed card and told them to go to Gou Family Mountain. I never thought that I'd be rounded up by government runners when I got to Gongchang.

"As for Liu Wuxun, I don't know him, nor have I heard anyone mention him.³ So surely I can't tell you where he is. This is the truth."

NOTES

Source: *Lufu zouzhe* 3.166.8807.50, dated Jiaqing 18.12.12 (January 3, 1814).

1. The temple is dedicated to the memory of the great Tang period poet Li Bai (701–762), whose name is sometimes romanized as Li Po.

2. "Tian Di ziran, Yuqi fen san; Zhongzhong xuanxu, Huang lang Taixuan." This is more a spell or mantra than a statement of fundamental beliefs.

3. Liu was apparently another secret society leader whom the authorities were seeking in this region.

PART VI

SOCIAL MOBILITY AND CRIME

Widespread economic and demographic changes during the Qing period produced a fairly large number of dislocated people who often traveled long distances to find work. Several are featured in part V. The two cases in this section feature a family and its probably unwanted follower—precisely the sort of unattached and wandering unskilled laborer that became so common during the eighteenth century as to constitute a worry for central bureaucrats—and an imposter whose successful assumption of false identities depended on the extensive travel generally required for official service. China's transportation routes were undoubtedly crowded with all sorts of people—merchants, religious seekers, criminals, and fugitives as well as those driven by more personal needs.

CASE 18

Jin San: A Spurned Lover (Sichuan, 1728)

In this case, desire changed to hatred, and an outraged lover killed his paramour because she ended the relationship. The recorded testimony is rich in the many voices enlisted to corroborate the facts and the detail with which the judges explored the motivations behind the crime. The case also exemplifies the internal migrations of the poor who journeyed from one region of China to another in the hope of finding

work; some of the neighbors as well as the principals of the case had moved there from Hunan.

Your subject Xiande, Provincial Governor of Sichuan, Territorial Military Superintendent, and Right Assistant Censor-in-Chief of the Censorate, and other offices, respectfully submits this MEMORIAL to report on a matter:

Hereafter, the report submitted by You Qing, acting assistant judicial commissioner serving on the Sichuan Transport and Salt Control Circuit, on Yongzheng 6.9.26 [October 28, 1728], concerning his investigation of one Jin San, twenty-six sui, originally of Longyang District, Changde Prefecture, in Huguang, currently a resident of Suining District [Sichuan]. The complaint acknowledges that this Jin San is by nature violent and depraved [*fixing xiongyin*] and utterly lawless. To wit: Both he and the former Ms. Zhang, murdered by Jin San, were residents of Chu.¹ When her husband Luo Er, previously but not currently in custody, came to Sichuan in search of his father, Jin San then established an illicit relationship with this woman. By Yongzheng 5, the mother of Luo Er, who has never been in custody, together with his elder brother Luo Da, brought the woman to Suiyi and lived in the village with his father. Luo Er supported himself by selling incense. Soon thereafter, he again moved the woman to a separate residence in his shop. Because Jin San could not forget his feelings for her, he also followed her soon afterward to Suining, ostensibly in order to carry on their affair.

At that time, they resumed their former relationship, but Luo Er knew nothing of it. It happened that his father Luo Qisheng, previously but not currently in custody, got wind of it first and twice confronted Jin San in his residence. Consequently, he was angry and cursed his son. Knowing that the affair had been discovered, the woman resolutely rejected his attentions, but Jin San was bewitched by desire. Then on Yongzheng 6.4.22 [May 30, 1728], he discovered that Luo Er had gone away to market. That night, he pushed open the woman's back door, but the woman cried out and awakened the neighbors to drive him away. Consequently, Jin San nourished hatred in his breast. The following day after breakfast, wrongfully carrying a concealed dagger, he entered the front door and went directly to the woman's chamber, where he accused her of rejecting him, and he questioned her about the reason for her calling out the previous night. When the woman sat there paying no attention to him, he became even more enraged and yet more wrongfully drew out the knife he was carrying. With it, he savagely hacked at Ms. Zhang's throat and neck. She instantly expired. Jin San then fled through the back door. Because the woman's child was outside crying, Yang Shangda, the

young nephew of a neighbor, Yang Gongyi, previously but not currently in custody, picked him up and carried him home, where he discovered the woman murdered in her bed. He called the local warden and the neighbors to go see. They then proceeded to the district *yamen* to report. The criminal Jin San likewise of his own volition turned himself in at the jail.²

Having reviewed the said district's examination of wound form and his complete report, I forwarded the brief to request authorization to investigate the case here at this court. On Yongzheng 6.5.16 [June 23, 1728], I received the authorization to proceed from the appropriate Censorate office.

Hereafter the detailed report of Xu Ren, Magistrate of Suining. On Yongzheng 6.4.23 [May 31, 1728], local warden Chen Yaosheng submitted a report, which reads:

"The neighbor to the east Zhang Yuanbin and the neighbor to the west Hu Gongshan reported an event that had recently transpired. They reported the details as follows:

"Yesterday afternoon, Luo Er left his home to go to today's market in Ximei. This morning, after breakfast, Luo Er's child was in the street crying. Yang Shangda, the young nephew of the neighbor one door over, Yang Gongyi, picked him up and carried him home. Finding the front door tightly fastened, he took him in through the back door. Upon entering, he saw Luo Er's wife, Ms. Zhang, fallen over onto the bed; blood covered the mat. He cried out. Neighbor Hu Gongshan heard him and went to the back door to look. He then called the neighbors along the street and opened the front door. Thus, they all saw Luo Er's wife murdered on her bed, her body covered in blood, but they did not know by whom she had been killed.' I report this to Your Honor that you might carry on the investigation."

Accordingly, in my humble capacity [as district magistrate], as I was ordering the arrest of the criminal, the jailer brought in Jin San and reported, "Just now as I was on duty in the jail, this Jin San, all nervous and flustered, came to the door, yelling for me to open up, saying he wanted to turn himself in. I didn't dare take responsibility for this myself, and so I brought him here to report and to ask you to question him."

Thereupon, I interrogated Jin San. "Where are you from? For what reason have you come to turn yourself in at the jail?"

He testified: "I am from Huguang. Previously, in Huguang, I had an illicit sexual relationship with Ms. Zhang, the wife of Luo Er. Last year during the intercalary third month, Luo Er's elder brother and his mother brought Ms. Zhang to Sichuan because his father and younger brother Luo Er were already here. I set out in the fourth month [May 1728] and arrived here myself

on the twenty-eighth of the eleventh month [December 28]. Then I went to her house, and we often had illicit sex as before.

"But lately, this woman has turned her back on me. Last night, because her husband wasn't at home, I went to her back door and pushed it open. At that, Ms. Zhang started screaming about there being a thief. She woke up the neighbor Hu Gongshan, and he got up and came to chase me away. So I left; I never even went in. Today, after I ate breakfast, I went into her house through the front door. The only other person I saw was Hu Gongshan standing at the door of his own shop. After I went in, I fastened the front door tight and went into her room. There was nobody else there; all I saw was Zhang sitting on the bed, making shoes.³ So I said, 'Last night, you knew very well it was me—why'd you start screaming that there was a thief so Hu Gongshan would get up and chase me away? What's the matter—are you turning your back on me? Did you take up with somebody else?' When she wouldn't confess, I momentarily went berserk [*yishi qimi le*]. With my right hand, I took out the dagger I was carrying by my side and cut her a couple of times on the left side of her neck, across the collar line. Then she fell back on the bed, and I could see she was dead. So I wiped the blood off my knife onto her quilt, put it back at my side, and went out the back door. When I got home, I stuck the knife into the eaves on the upper floor. I was afraid that I'd implicate somebody else, so I came to turn myself in at the jail."

On this basis, I at once ordered that the knife be found and, at the same time, escorted the criminal, the local warden, the neighbors, and the coroner, riding alone and with few assistants, to the place of the corpse. I summoned the father-in-law of the deceased to carry Ms. Zhang's corpse out to a level spot. There, I personally examined it in accordance with law.

Hereafter the oral report delivered on the spot by the coroner Zheng Lun: "I have examined the corpse of Ms. Zhang, deceased. On her [upper] body, she is wearing one plain old cotton unlined blouse; below, she is wearing one pair of blue cotton unlined pants; on her feet, she is wearing blue cotton wraps and a pair of black cotton shoes. Her clothing is orderly. The father-in-law of the deceased Luo Qisheng reports that Ms. Zhang is twenty-four *sui* in age and that she is a native of Longyang District in Changde Prefecture, Huguang. I observe that her hair bun is orderly. Her body is 4 *chi*, 2 *cun* tall, she measures 4.5 *cun* through the chest, and she is 9 *cun* across the shoulders. One wound on the left side of the throat, slanting, length 2.1 *cun* long, width 4 *fen*, a knife wound, lethal. She is pregnant. One wound at the neckline, toward the right side, length 2.2 *cun*, width 4 *fen*, a knife wound, non-lethal; I conclude that she was alive when the lethal wound was inflicted.

Nowhere else on her body are there any other causes of death." Furthermore, I sent an aide to bring the recovered weapon, one knife, to the inquiry, to compare it with the wound; it corresponded. Then, on the spot, he filled out the inquest report and I received it. Coroner Zheng Lun has not concealed any wound; I entered his report into the record. I had a coffin prepared and the corpse enshrouded, ordering the local warden and the neighbors to safeguard it.

Later that afternoon, the husband of the deceased Luo Er arrived at the court. Subsequently, I interrogated him. "Luo Er, where were you today that you should return only now? Did you know that your wife has been murdered by Jin San? For what reason did he murder her? Answer with all of the facts."

He testified: "Today, I was in Ximei for the market.⁴ It was yesterday afternoon that I went there. Today, a person came to the marketplace to tell me that somebody had murdered my wife, so I hurried back. It's a long way—that's why it took until now for me to get here. When I got inside the wall, I heard people say that Jin San had confessed. I don't know what the reason could have been for him to murder her. I think he must have tried to rape her and my wife wouldn't go along with him, so he murdered her."

Further interrogation: "Jin San just now confessed to having had an illicit sexual relationship with your woman for a long time. How could you not know about it?"

He testified, "I've never seen them, and that's a fact. My poor wife—she had a baby in her belly and we wanted to have it, but now she's been murdered by Jin San. I beg you to right this wrong!" This and other testimony were disclosed before my court.

On these grounds, I authorized the criminal Jin San to be taken to the district jail for incarceration while I carry out further interrogation.

Magistrate Xu then completed the legal procedures required at this stage of the review process. He proceeded with his formal investigation on Yongzheng 6.9.5 [October 7, 1728], having received authorization from the provincial judicial commissioner, in the presence of the warden, relatives of the murdered woman, her neighbors, and the murderer, who had been fetched from the jail.

Interrogation of Luo Qicheng: "Where are you from? The murdered Ms. Zhang—which of your daughters-in-law was she? Did you share a residence or did you reside separately? Might you know the reason why Jin San murdered your daughter-in-law? Testify."

He testified: "I am from Longyang District of Changde Prefecture in Huguang. The murdered Ms. Zhang was my second daughter-in-law. I live separately from my son Luo Er. During Kangxi 59 [1720], I came here by myself from Huguang to rent fields to farm. My wife, along with my sons and daughters-in-law, all stayed in Huguang and didn't come. The year before last, my son Luo Er came here to find me. I had heard that Ms. Zhang had had some dealings with Jin San in Huguang that smelled bad. So I sent my son Luo Er back, and I instructed him, 'Your woman's getting a bad reputation. You had better go back and look into it.' In the second month of last year, my son Luo Er came back again all by himself. It was only on the fourth of the intercalary third month that my older son moved my wife here along with this second daughter-in-law. They didn't get here until the first of the seventh month. In the eighth month, my second son rented a store in town and opened an incense shop.⁵ At that time, daughter-in-law Zhang moved into the shop to live, and I live outside the city wall with my wife and my older son. But I often go into town to spend some time with them.

"In the twelfth month of last year, I didn't expect to bump into Jin San in my son's house. So then I scolded my son: 'How can you let that kind of person hang around, even sit down in your house and talk?' My son said, 'He came to get some money because I owe him some. But I'll pay him off and not let him come again, and that will be that.' In the first month of this year, I ran into Jin San again sitting in my son's house. I lost my temper and cursed him a good one. After that, I never saw him come again. On the twenty-second of the fourth month, my son went to the Ximei market. Only the daughter-in-law and a three-*sui*-old grandson were at home. It was on the twenty-third that Yang Shangda came to me, screaming that my daughter-in-law had been murdered. I hurried inside the city to where the corpse was. I took my grandson and went to see with my own eyes. Earlier that day, Jin San had come to turn himself in at the jail and had already been questioned. On the spot, he had confessed straight out that he was the one who did the killing. And now, I can only beg you to right the wrong done to my daughter-in-law!"

Further interrogation: "Do you know why Jin San murdered your daughter-in-law Zhang?"

He testified: "I really have no idea why she was murdered. I beg you to question Jin San severely, and then you'll find out."

Interrogation of Luo Er: "Where are you from? Where did you go on the twenty-third of the fourth month? Why was your Ms. Zhang murdered by Jin San? Do you know whether or not they regularly carried on an illicit sexual relationship? Tell the truth now."

In his formal testimony, Luo Er repeated all that he had initially told the magistrate, using nearly the same words. As before, he speculated that Jin San had tried to rape his wife, and mentioned that she was pregnant.

Further interrogation: "According to what your father said, your Ms. Zhang had a sexual relationship with Jin San in Huguang, and he told you to keep an eye on her. After you came here, you should not have let her have any more contact with him. How could you let him come and go all the time, even to the point that he murdered your wife?"

[Luo Er] testified: "My father told me about it, but I really never had seen with my own eyes my Ms. having any such kind of smelly business with him. This Jin San came to my house because I borrowed some money from him when we were in Huguang. Two times when he came to collect, Father bumped into him and cursed him—this did happen. Later, I gave him a straw hat, some shoes, some incense, and some tobacco leaves, so I figured he was paid back. I said to him that the money was all paid back and told him never to come again. I never thought that he would come back again on the twenty-third of the fourth month and murder my wife. I beg you to interrogate Jin San strenuously [*yanxun*] and get to the bottom of it."⁶

Interrogation of the local warden Chen Yaosheng: "You are the local warden. What is the reason that Ms. Zhang was murdered by this Jin San? Did you or did you not know that he was regularly carrying on an illicit sexual relationship with Ms. Zhang? Testify."

He testified: "I am the warden for this area, but I live a long way from Ms. Zhang's house. That day, I had eaten breakfast and was in my house when I heard somebody in the street screaming about how Luo Er's woman Ms. Zhang had been murdered. At once, I went out and saw a group of people in Luo Er's house looking. I went in and discovered that in fact Ms. Zhang had been murdered in her bed. At that time, I did not know who it was that killed her. At once, I came with the neighbors to report. Afterward, Jin San came to turn himself in at the jail and was interrogated. Only then did I find out that he was the one who killed her. But I don't have any idea why he murdered her. As for whether or not he was regularly carrying on illicit sex with Ms. Zhang, I don't know. I beg you to interrogate Jin San, and then you'll find out."

Further interrogation: "On that day when Jin San murdered Ms. Zhang, how could there have been not even one person at home?"

He testified: "Her mother-in-law lives outside the city wall. Her husband Luo Er had gone to the market in Ximei. The only person left was a three-*sui*-old child, nobody else at all. That's a fact."

Interrogation of the neighbor on the right, Hu Gongshan: "You are Ms. Zhang's neighbor to the west. Surely you know the reason why this Jin San murdered Ms. Zhang. Tell the court the facts."

He testified: "I am Ms. Zhang's neighbor to the right. At first, that Ms. Zhang and her husband Luo Er lived outside the city wall with his parents. In the eighth month of last year, Luo Er came next door and opened an incense shop, and that's when he moved Ms. Zhang here to live with him. Later, Jin San, who said he was a relative, often came to her house to hang around. This is a fact. On the twenty-third of the fourth month of this year, Luo Er went to the market in Ximei Town, and he didn't come back. When it got dark, I went to sleep. Suddenly, I heard Ms. Zhang screaming, saying there was a thief at her back door. When I heard that, I got up quick, and I hurried to her back door, taking a shoulder pole with me for self-protection. But the thief had already left; I could see that there was nobody outside her back door. I cursed the thief a couple of times, and then I went back inside and went to sleep.

"The next day, just after breakfast, I was standing in front of my shop when I saw Jin San go into Ms. Zhang's house. Because he came and went so often, I didn't pay any particular attention. Just then, somebody came to buy some fruit and things, so I went to wait on him. When he murdered Ms. Zhang, I didn't hear any scream. In fact, I didn't even know about it. Afterward, it was Yang Gongyi's nephew Yang Shangda who saw Ms. Zhang's baby walking down the street crying, and he picked him up and took him home. He pushed at her front door, but it wouldn't open, so he took the baby in through the back. Suddenly, I heard him yelling, saying Auntie Luo Er was murdered in her bed. I hurried over and saw that in fact Ms. Zhang had been murdered. The bed mat had blood all over it. All I knew was that if there was breath, we might save her. So I went up and touched her neck, but the skin was all cut open. I quickly backed away and cried out. The neighbors from down the street, Zhang Yuanbin and the rest of them, came and pushed in the front door and came in to have a look. Then, all of us went to report it. I didn't have any idea that she had been murdered by Jin San. Afterward, Jin San turned himself in at the jail and confessed that he had murdered Ms. Zhang, and he brought up the murder weapon. Only then did I know that Jin San had killed her. I hadn't known the details until then. That's a fact."

Further interrogation: "Previously, Jin San testified that he had had an illicit sexual relationship with Ms. Zhang. Did he?"

He testified: "Whether Jin San had illicit sex with Ms. Zhang or not, I

never saw. But I regularly heard Luo Er's father Luo Qisheng cursing about how that daughter-in-law of his had no sense of shame—that did happen."

Interrogation of the neighbor to the left, Zhang Yuanbin: "For what reason was this Ms. Zhang murdered by Jin San? You're a neighbor. Tell the court the facts about the cause."

He testified: "I am Ms. Zhang's neighbor to the left, but I'm separated from her house by a big alley. After breakfast on that day when Ms. Zhang was killed, I didn't know anything about it. When I heard the neighbor to the right Hu Gongshan shouting, I went outside, and all of us went to see. That's when I found out that Ms. Zhang had been murdered in her bed. So we all went to report it. It was only afterward, when Jin San came to turn himself in at the jail, that I learned that he committed the murder. But I don't know anything about the details."

Further interrogation: "The night before, when Ms. Zhang screamed and Hu Gongshan chased away the thief, you must have heard that, didn't you?"

He testified: "That night when Ms. Zhang screamed and Hu Gongshan chased away the thief, I was worn out because I had cut tobacco all day, and I went right to sleep. In my tired-out dreams, I heard somebody scream, and it woke me up. But I didn't hear anything going on, so I didn't get out of bed. This is the truth."

Interrogation of neighbor down the street Yang Gongyi: "How far are you from the place where Ms. Zhang lived? On the twenty-third of the fourth month, whom did you see go into Ms. Zhang's house? For what reason did somebody murder Ms. Zhang? Why didn't you even try to save her? Tell the court the facts in detail."

He testified: "The place where I live on this street is two houses away from Ms. Zhang. Because I'm getting old, I sit quietly in my house and don't go out into the street much. On the twenty-third of the fourth month, I didn't see anybody go toward Ms. Zhang's house. I don't know why it was that somebody murdered her. It was just because my nephew Yang Shangda saw Ms. Zhang's child walking along the street crying. . . ."

The rest of his testimony repeats what others had said about his nephew's discovery of the murder. He continued:

"Since Luo Er had gone away, I told the nephew Yang Shangda to go and tell her father-in-law Luo Qisheng to come. At that time, I had no idea who had killed her—so you tell me how I could have gone to save her?!"

Interrogation: "Might you have known that Jin San was having an adulterous affair with Ms. Zhang?"

He testified: "I never saw it with my own eyes. In the past, I heard Luo Er's father Luo Qisheng cursing that his daughter-in-law was apparently having a secret affair of this sort. That is a fact."

Interrogation of Yang Shangda: "How old are you this year? On the twenty-third of the fourth month, you screamed to Hu Gongshan that Ms. Zhang had been murdered. How did you know that?"

He testified: "I am just fourteen *sui* this year. I'm Yang Gongyi's nephew. We are originally from the same place as the Luo family. That day, I didn't know anything about Ms. Zhang being murdered. It was because I saw her baby on the street crying, and I saw he was so young, and his father Luo Er had gone to Ximei Market and wasn't back yet, so I went and picked up the baby and took him home. I saw that the front door of her house was fastened tight, and I couldn't push it open, so I went around to the back door to drop him off. I saw Ms. Zhang had fallen over on the bed, and the bed was covered with blood. I got scared, and I yelled to the next-door neighbor Hu Gongshan that Auntie Luo Er had been murdered in her bed. When Hu Gongshan came to see, then I ran home to tell my uncle Yang Gongyi. He told me to go tell Luo Qisheng."

Further interrogation: "When you entered the room, did you see anyone else in the house?"

He testified: "At the time when I went in, there was nobody else at all in her house. All I saw was Ms. Zhang dead on the bed. This is a fact."

Interrogation of Jin San: "Where are you from? How old are you this year? On the twenty-third of the fourth month, for what reason and how did you conceive the notion and with what sort of weapon did you murder Ms. Zhang? Did you or did you not have an accomplice? Tell the court all the facts."

He testified: "I'm from Longyang District in Changde Prefecture of Huguang. I'm twenty-six *sui* this year. When I was still at home in Huguang, I lived in the same place and on the same street as Luo Er, the husband of Ms. Zhang. During the eighth month of Yongzheng 4, Luo Er came to Sichuan, and that Ms. Zhang had nothing to eat. I often lent her things, and that's how I started having illicit sex with her. Luo Er returned in the twelfth month, but he didn't know anything about it. Then in the first month of last year, he came back to Sichuan. And again, this Ms. Zhang borrowed quite a lot of money from me in order to get by. In the intercalary third month, Luo Er's mother wanted to come to Sichuan because his father was in Suining.

Luo Er's older brother and his mother then brought Ms. Zhang with them. Ms. Zhang had already made promises to me before that. Seeing as how I had spent a lot of money on her, she made a secret agreement with me that I should follow her to Sichuan.

"So I set out in the fourth month for Sichuan, but once I got on the road, I didn't have any money to pay my traveling expenses. So I worked as a day laborer along the way to earn a little. I finally arrived here on the twenty-eighth of the eleventh month, and I found a place to live not far from Ms. Zhang, inside the east gate at the foot of Stone Slab Tower. When I went to Ms. Zhang's house to collect some money, her husband Luo Er brought out a straw hat, shoes, incense, and tobacco leaves and added it up for me. But it wasn't enough to pay me off, so I often went to her house to collect some money and to talk. Once, I ran into Luo Er's father, who cursed at me. Later, I found out that Luo Er went to market on every third, sixth, and ninth day.⁷ When he wasn't at home, I went over to Ms. Zhang's house and had illicit sex with her like before, and Ms. Zhang had no objection at all. Luo Er didn't know anything about it either. I never thought that on the nineteenth of the first month of this year, I'd be at Ms. Zhang's room, talking with her, when Luo Er's father happened to come in again. He got real mad and really cursed at me and wouldn't let me go to her house again. Afterward, when I saw that there was nobody home, I quietly went back in to scout it out. Then Ms. Zhang told me, 'My father-in-law made a big fuss because of you. Don't you ever come back again. If you do come back again, I will certainly scream and call people to arrest you. Now get out of here.' There was nothing for it but for me to leave.

"On the night of the twenty-second of the fourth month, I knew that Luo Er wouldn't be home, so I went to his house to have illicit sex with Ms. Zhang.

His narrative of the rebuff he had received the night before and the events of the day of the homicide corresponded precisely with the first account he gave when he turned himself in, except for the details of the crime.

"But she wouldn't confess anything. I momentarily lost my temper [*yishi qifen*], and I went up to her and, with my left hand, pulled on her skein of thread, but she turned her head to the right. With my right hand, I took out my knife and cut her once on the left side of her neck. She dropped her head, and I cut her again across the neckline. Then she fell over. I pushed her back up, but she fell faceup on the bed. I could tell she was dead. I wiped the blood

off my knife onto her quilt, put it back at my side, and went out through the back door. Not a single person knew about it. When I got home, I took the knife and stuck it in the eaves upstairs. But I was afraid that I'd involve somebody else, so right then, I came to turn myself in at the jail. These are the true facts."

Further interrogation: "That day when you went in, might there not have been someone who saw you? At the time that you killed her, why did Ms. Zhang not scream? How was it that the neighbors didn't know anything about it? Furthermore, Ms. Zhang was pregnant—how could you have killed her?"

He testified: "That day when I went in, the only person I saw was Hu Gongshan standing in the doorway of his own shop; I don't know if he saw me or not. At the time when I killed Ms. Zhang, there was nobody else at home. I killed her because I was so mad—what did it matter to me whether she was pregnant or not? All it took was two cuts and she was dead—how could she scream after that? So none of the neighbors knew about it. This is something I did all by myself. I confessed on my own; nobody else had anything to do with it."

Further interrogation: "Is this the knife you used to kill Ms. Zhang?"

He testified: "That is the knife I killed her with."

Further interrogation of Luo Er: "The facts concerning the murder of your woman by this Jin San have already been established by this court, as you have heard. Do you wish to be remanded to the upper courts to hear the investigation there?"

He testified: "I have a three-*sui*-old child at home, and my parents are old. I don't want to be dragged into this; I beg you to be merciful and release me from custody."

Here follows Magistrate Xu Ren's generally predictable summary of the facts of the case. His interpretation in several places is worth noting, however:

... Because during the eighth month of Yongzheng 4, her spouse Luo Er came to Sichuan in search of his father, leaving Ms. Zhang to pass her days in poverty, Jin San made loans to her, and in their communications, they established a sexual relationship of great emotional depth. ... Contrary to expectation, Jin San was reluctant to part from her and thus, on the eleventh month of that year, likewise came to Suiyi and, using the pretense of collecting on her debt, had frequent interactions with her. ... Seeing that the

affair had been discovered, Ms. Zhang tried to break it off, without success. ... Jin San harbored resentment in his heart. On the following day, the twenty-third, after breakfast, armed with a knife ... [s]eeing Ms. Zhang on her bed making shoes and, upon inspection, seeing no one else, he asked her why she had screamed on the previous night and chased him away. In addition, he accused her of fickle feelings and of turning her back on their previous vows. Because Ms. Zhang paid no attention to him, he conceived a murderous plan. Thus, he took up the knife at his side. ...

The magistrate concluded with his recommendation:

Jin San fits the category of intentional homicide and should be beheaded.⁸ He is to be held in prison in accordance with the regulations; his execution is to be delayed and not carried out until after the autumn assizes. In such serious matters, the law allows little leniency for the criminal. Consequently, I request that, in accordance with regulations, he be tattooed, that the local warden Cheng Yaosheng and the neighbors Hu Gongshan, Zhang Yuanbin, Yang Gongyi, and Yang Shangda, who have been interrogated but who know nothing of the matter, should all be released. In accordance with precedent, they have already been released at the provincial level.

Father-in-law of the deceased Luo Qisheng and spouse of the deceased Luo Er wish not to proceed in person as this investigation goes forward. In accordance with regulations, I have dismissed them. I have commanded the husband of the deceased, Luo Er, to take custody of the coffin and to bury it. The weapon with which the crime was committed, one knife, has been forwarded with the investigation; whether or not it is relevant, I dare not decide on my own. Together with the person and the documents, I await your judicial review at the prefectural level.

Other summaries followed as the case moved up through the judicial review process. All agreed that Jin San was of the category of criminal that "cannot be pardoned" (nan kuanyou) whose crime should be tattooed on his cheek. Jin San was held in prison at the capital. By Yongzheng 6.10.20 (November 21, 1728), the case report had been submitted to the Throne in the form of a memorial requesting that the Three Judicial Offices give one final review and confirm the death sentence as recommended initially by the investigating magistrate. The emperor's conclusion, written on the cover of the report in red ink, directed the Three Judicial Offices to indicate the appropriate sentence in a further memorial.