

Source: *Neige tiben Xingfa anjian* [Grand Secretariat routine memorials, Crime and Punishment case records], *juan* 73, "Marriage and Adultery," Jiaqing 8 (1803).

1. For an extensive examination of the system and the essays it required, see Elman, *Cultural History*.
2. Sorghum at that time of the year would have been nearing maturity and would have been taller than an adult person, thus making a convenient hiding place for the intended crime.
3. Huang Liuhong, in his 1694 handbook for magistrates and their legal advisers, strongly endorsed the importance of these initial interrogations. See Huang Liuhong, *Complete Book*, 325. In the presence of the victim (in this case, her corpse) and very soon after the crime was committed, emotions run very high. Consequently, it is much more likely that the perpetrator of the crime will confess on the spot rather than later, in the yamen, after he has had time to make up a story. Likewise, witnesses' memories will never be fresher than at this moment.
4. Her ripped clothing is mentioned repeatedly throughout the report as evidence of attempted rape; for a translation of the standard commentary on the penal code regarding such evidence, see Sommer, *Sex, Law, and Society*, 89.
5. As opposed to a different level of punishment for the murder of a close relative.
6. Several laws in the Qing penal code seem relevant here: Article 316, "Relatives of the Same Surname Who Strike One Another," stipulates that if there is intentional killing, the penalty is beheading. Article 290, on intentional homicide, stipulates that the penalty should be beheading but with delay. See Jones, *Great Qing Code*, 301, 268.
7. For a detailed discussion of the problems created as women who died to maintain their chastity were given imperial recognition, see Theiss, *Disgraceful Matters*.
8. The text is missing a clause here.

INTERROGATION TECHNIQUES

Although clever interrogation formed a central part of the highly romanticized contemporaneous fiction about crime and detection, these case reports represent working magistrates as taking their investigative duties very seriously. As we have seen in the preceding section, some forensic examinations could be extremely detailed and interrogation extensive before all relevant details could be discovered. During the middle of the eighteenth century, pressures to streamline crime reports forced magistrates and their superiors to include only the most essential testimony. Even so, in the cases presented in this section, magistrates sought to establish the culprit's motivations beyond doubt, through repeated interrogation and threats, in order to ascertain the appropriate punishment.

CASE 6

Du Huailiang: Adultery That Brought Disaster
(Shandong, 1696)

In this case, relationships within a household, especially between a grown son and his mother, had been strained beyond the breaking point. A distraught lover (Du Huailiang) killed the husband (Chen Wenxian) of his paramour (Ms. Li) and then his own wife (Ms. Zhang) in the vain hope that with these people out of the way, he

and Ms. Li would be free to live together. But the report presents him as so immersed in his own personal feelings that he ignored the role of his mother and even the feelings of his lover. Each level of judicial review carefully preserved an extraordinary amount of oral testimony. Virtually all was originally collected and edited by Magistrate Jin Yingdou of Liaocheng District in Shandong. These depositions are remarkable not only for their air of authenticity but for the active role allotted to the magistrate in examination: here, the magistrate relies on probing questions and apparently only the threat, not the application, of torture to bring out the final admission of guilt and the curious complications of this twisted tale. As a result, the characterization of the principals in the case is also unusually detailed.

[Magistrate Jin initially interrogated Du Huailiang as follows:] "How old are you, and what is your native place?"

Du Huailiang testified: "Your humble servant is twenty-six *sui*, and I am from this district."

Further interrogation: "How did you know that Chen Wenxian was twenty-seven *sui* in age? Why did you kill him and your wife, Ms. Zhang? Tell the truth."

Du further testified: "He and I have been on good terms ever since he moved into my house to live during Kangxi 31 [1692]. That's how I know how old he is. Often, he and my wife Zhang made eyes at each other [*meilai meiqu*]. I was suspicious in my heart, but I didn't have any proof, so I couldn't say anything to him about any 'smelly business' between them. During the fifth month, I told him to get out, and he found a room at Widow Wei's place. He moved out on the seventh of the fifth month of this year [June 18, 1695]. On the fourth of the sixth month [July 14], I took a hatchet with me to sleep in the courtyard to guard the cattle. My wife closed the door and went to sleep inside our room. About the second watch of the night, I heard a sound at the door, like somebody pushing it open and then closing it. Very quietly, I got up, picked up the hatchet, and went over to the door, where I stood for a good long time listening. Inside the room, two people were talking in whispers. I kicked open the door, and there was Chen Wenxian, naked, trying to get away. I blocked the door and chopped at him with my hatchet. He turned back toward the *kang*, where he collapsed on the floor. I caught up with him and gave him a couple more chops, and he died. My wife was sitting on the *kang*. With one chop, I killed her, too. I called the warden and the neighbors to bear witness, and they came along with me to report the matter."

Further interrogation: "According to the complaint filed by Ms. Li, you were suspicious about her husband Chen Wenxian, and you tricked him into

coming to your house to drink so that you could kill him. Fearing that you would be found out, you murdered your wife and made it look like illicit sex to deceive us. What do you have to say about that?"

Du further testified: "I never did have any grudge against Chen Wenxian or bad feelings about him. It was just that he came to have illicit sex with my wife, and I happened to catch them at it. So I killed him and my wife as well. It wasn't at all that I was suspicious of him and lured him over to kill him."

Interrogation of Ms. Li: "What's your age? What bad feelings did your husband Chen Wenxian and Du Huailiang have about each other? Why did he trick your husband into coming over so he could kill him? Tell the truth."

She testified: "Your humble servant is twenty-six *sui* this year. In Kangxi 31, my husband Chen Wenxian and I moved into Du Huailiang's house and lived there for three or four years. On the sixth of the fifth month of this year [June 17, 1695], they squabbled with us about the child, and on the seventh, we moved into Widow Wei's house to live. Then on the fourth of the sixth month [July 14], in the evening, my husband went out, saying that he was going to Du Huailiang's house to drink wine with him. When he got to his house, Du Huailiang killed my husband, but I don't know why."

Further interrogation: "According to Du Huailiang's testimony, your husband really went there in order to have illicit sex with his wife. He happened to catch them at it, and he killed them. How can you say that he tricked your husband into going there in order to kill him?"

Ms. Li further testified: "But Du Huailiang did trick my husband into going there in order to kill him. He was afraid that he'd be found out, and he made it look like my husband was having illicit sex with his wife in the hope that he could cover it up. If you'd just question the two neighbors, you'd find out."

Interrogation of Du Weiyuan: "What relation is this Du Huailiang to you? Why did he kill Chen Wenxian and his wife, Ms. Zhang? You're a neighbor—tell the truth."

He testified: "Du Huailiang is a younger member in my father's generation in our lineage. I am his neighbor to the west, but there's a vacant lot between our houses. In the past, Chen Wenxian and Ms. Li lived in the western room of Du Huailiang's house. During the fifth month of this year, Ms. Li got into a squabble with Du Huailiang's mother, and she moved into Widow Wei's house along with her husband Chen Wenxian. Then on the evening of the fourth of the sixth month, around the second watch, I heard Du Wenwu shouting that Du Huailiang had killed somebody. I went over to his house to see, and Du Huailiang said that Chen Wenxian had come to have

illicit sex with his wife and he had taken his hatchet and killed both Chen Wenxian and his own wife in their room. I was afraid that he'd run away, so I tried to calm him down. I said, 'Since he came to have illicit sex with your wife and you killed them, there's no problem.¹ We'll just go tomorrow morning and report it to the magistrate.' And at daylight, we did come in to make the report. I don't know why he killed Chen Wenxian and Ms. Zhang."

Further interrogation: "Is it true that Chen Wenxian and Du Huailiang's wife, Ms. Zhang, were having illicit sex?"

He further testified: "As a person, Ms. Zhang was extremely respectable. It was just that her legs were crippled. Chen Wenxian was also an honest man. When he went to work for the Wei house, he often didn't get home at night. I've never ever heard tell that the two of them were having illicit sex."

Further interrogation: "According to Ms. Li's complaint, Du Huailiang had some bad feelings about her husband Chen Wenxian and tricked him into going there in order to kill him. If they had any old suspicions about each other, you're the neighbor, and you would naturally know."

He further testified: "Chen Wenxian lived in Du Huailiang's house for a good many years, and they never squabbled. Only this year, on the sixth of the fifth month, there was a squabble in the house, and on the seventh, Chen Wenxian moved into the Wei house. There were no bad feelings, and that's the truth."

Interrogation of Sun Erchen: "You're a neighbor: Tell me the circumstances behind Du Huailiang's killing of Chen Wenxian and his wife, Ms. Zhang."

He testified: "On the sixth of the fifth month of this year, around noon, Du Huailiang hit his wife because the meal wasn't ready yet. His mother said that Ms. Li had put her up to it, and she said some nasty things about her. Ms. Li heard her, and she got into a squabble with Du Huailiang's mother. My wife made peace between them. But the next morning, Chen Wenxian was all ready to move someplace else. Du Huailiang told me to try to make him stay, but I couldn't talk him out of it, so he moved into Widow Wei's house. About the second watch of the night, on the fourth of the sixth month, I heard Du Wenwu shouting that Du Huailiang had killed somebody. I went to see, and I saw Chen Wenxian dead on the floor and Ms. Zhang dead on the kang. Du Huailiang said that Chen Wenxian had come to have illicit sex with his wife, and he had killed the both of them. I don't know why it was that Du Huailiang killed Chen Wenxian and his wife, and I wouldn't dare make something up."

Further interrogation: "Were Chen Wenxian and Du Huailiang's wife having illicit sex—do you know?"

Sun further testified: "Chen Wenxian worked for the Wei family. Most days, he didn't even have a chance to get home. Ms. Zhang was an extremely respectable person. I never ever heard it said that Chen Wenxian was having illicit sex with Ms. Zhang."

Interrogation of Du Huailiang: "In previous interrogations, you said that you were sleeping in the courtyard when Chen Wenxian came to your room to have illicit sex with your wife. You heard someone talking inside, and you went into the room and killed them. If you were sleeping in the courtyard, Chen Wenxian naturally would have seen you when he came in. How did he dare to go into your room to have illicit sex? How did he dare to talk aloud in your room? Clearly, you're just making this up. Tell the truth about why you killed Chen Wenxian, and you can avoid the instruments of torture."

Du further testified: "You don't need to squeeze me—I'll tell the truth, that's for sure! Chen Wenxian and Ms. Li lived with me ever since they moved into my house in Kangxi 31. Later, Chen Wenxian went to work for the Wei family as a farmhand. When he was busy with farmwork, he often didn't come home to sleep. In the eighth month of Kangxi 31 [late September, 1692], during the time for preparing jujubes, I don't remember the date, Chen Wenxian didn't come home.² About the first watch of the night, Ms. Li came into my room to get a light from the fire. I saw that there was nobody else around, so I pulled her to me and wanted to have some illicit sex. She went along with it, and we had illicit sex on the kang where the jujubes were being prepared. After that, she had illicit sex with me either in her room or in mine. I don't remember how many times we got together.

"This year, my mother figured it out. On the sixth of the fifth month, about noon, I came home from the slope where I'd been cutting wheat, and because my wife didn't have the meal ready, I gave her a couple of slaps. My mother saw me slap my wife, so she came after me and hit me; she said that Ms. Li had put me up to it, and she cursed her, calling her a slut and a bitch. Ms. Li heard her, and she went into the back room and started a squabble with my mother. Sun Erchen's wife and Du Weiyuan came over to make peace between them. When Chen Wenxian came home that evening and heard they'd been squabbling, he beat Ms. Li for a while. Then on the morning of the seventh, Chen Wenxian was getting ready to move out. I told Sun Erchen to try to get him to stay until we had finished cutting the wheat and then he could move, but Ms. Li said she was too ashamed to stay there, so they moved away.

"After they moved, I couldn't get together with her at all, but because I had been having illicit sex with Ms. Li, I thought about her all the time. On

the fourth of the sixth month [July 14], I invited Chen Wenxian over to drink wine. He said, 'I don't have any free time in the daytime, but in the evening after I've fed the cattle, I'll come over to your house to have a drink.' That made me think about how I feel about his wife and about how I can't even see her now that they've moved away. The best thing would be to take advantage of his coming over to drink in the evening to say that he was having illicit sex with my wife and then kill him along with my crippled wife so that I could get back together with his wife. When I'd made up my mind, I went home and got a hatchet and put it in my room and waited for him.

"About the time of the second watch, Chen Wenxian came over. I showed him into the room; he sat on a plank stool, and I brought out something for him to smoke.³ When he was good and drunk, I took out my hatchet and aimed a good chop at his head. He cried out once, and then he fell down on the floor. I gave him a few more chops, and then he died. My wife was sleeping on the *kang* there. Then I immediately chopped her to death, too. My mom and the old man both live in the back. I went into the back and shouted for my dad to get up. I told him that the Chen Wenxian who had lived in our house for three or four years and who had moved out for good had come back looking for trouble, so I killed him and my wife as well, and that I wanted to go to the magistrate's court to turn myself in. My old man called Du Weiyuan to come to the house and take a look. I told Du Weiyuan that Chen Wenxian had come to have illicit sex with my wife, and so I had killed him and my wife as well. Du Weiyuan said, 'Since you killed them, there's no problem. You can go report it at the district tomorrow.' After daylight, I went along with the neighbors to turn myself in at the magistrate's court. These are the true facts."

Further interrogation: "Since you had already killed Chen Wenxian, why did you also kill your own wife?"

Du further testified: "Since I'd had illicit sex with Ms. Li, I was afraid there'd be a murder investigation if I killed her husband Chen Wenxian. My wife was crippled, and also homely, so I killed her as well. I hoped that if I killed them while they were committing adultery, I wouldn't be charged with a crime."

Further interrogation: "When you were killing Chen Wenxian, where was your wife that she didn't scream?"

Du further testified: "My wife was on the *kang* all that time. She was about to scream, but I told her, 'If you scream, I'll kill you, too,' so she didn't dare scream. This is the truth."

Further interrogation: "How many times did you strike Chen Wenxian

with your hatchet, how many times did you strike Ms. Zhang, and where on their bodies did you strike them? Speak."

Du further testified: "I was in a big hurry at that time, so I chopped once at his head, and after that, I just hit him a few times wherever I could. I can't remember how many times I hit him or where I wounded him. Yesterday when they inspected the corpse, toward the left side of his chin, on the left shoulder blade, on the left side of his back, on the right side of his back—there were ax cuts on all those places. Ms. Zhang had ax cuts on the left side of her throat, on her left upper arm, on her left and right breasts, on her ribs on the left side, and on her left wrist. I made all of those cuts."

Further interrogation: "Since Chen Wenxian came to your house to drink wine and you killed him, how did he come to be naked day before yesterday, when I examined the body?"

Du further testified: "Chen Wenxian was wearing a short jacket and pants when he got there. He took the jacket off himself while he was smoking, and he put it on the stool. The pants—I took them off him myself after I had killed him to make it look like he had come to have illicit sex with my wife."

Further interrogation: "You had illicit sex with Ms. Li for three years. How could it be that Chen Wenxian did not know about it?"

Du further testified: "Chen Wenxian was working for the Wei house, and there were lots of nights when he never came home. He never ever found out about it."

Further interrogation: "Did you discuss killing Chen Wenxian with Ms. Li?"

Du further testified: "Ms. Li moved into the Wei house west of town to live, more than ten houses from here. I never went to her house. And she never came to my house either. I never ever discussed it with her. It was something that I did all by myself. Really, Ms. Li didn't know anything about it."

Further interrogation: "If you did not discuss it with Ms. Li, how did you expect to be able to marry her?"

Du further testified: "Since I killed her husband, if she wanted to get married again, then I'd have a good chance of getting back together with her. That's the truth."

Further interrogation: "In her charges, Ms. Li said that you had some bad feelings about her husband Chen Wenxian and that you had tricked him into going there in order to kill him. You claim to have had illicit sex with Ms. Li—you are obviously trying to frame her."

Du further testified: "If I had had bad feelings toward Chen Wenxian, then how could he have lived in my house for three or four years? Really, it

was just because I couldn't even see Ms. Li that I killed Chen Wenxian. I'm not just trying to frame her."

Further interrogation: "Since Chen Wenxian had a squabble with you on the sixth of the fifth month and moved away on the seventh, why was he willing to come to drink wine with you when you invited him over on the fourth of the sixth month?"

Du further testified: "That day, it was Ms. Li who had the squabble with my mother. I had no squabble with Chen Wenxian. Chen Wenxian and I were still on good terms."

Interrogation of Ms. Li: "This Du Huailiang killed your husband all because of his passion for having illicit sex with you. When you moved away, he could no longer have any contact with you, and that's why he killed your husband. Du Huailiang has now confessed to all of this. Now you hurry up and tell the truth."

Li further testified: "If Du Huailiang has already confessed to all of it, then I dare not dispute it. I'll tell the truth, and that will be that. My husband Chen Wenxian and I moved into Du Huailiang's house to live in Kangxi 31. Afterward, my husband went to work for the Wei family west of town, and when he was busy with farmwork, he didn't even come home to sleep. In the eighth month of Kangxi 31 [late September 1692], around the time for preparing jujubes, I don't remember what day it was, one evening, my husband didn't come home. About the first watch of the night, I went to Du Huailiang's room to get some fire. When he saw that nobody else was around, Du Huailiang dragged me in and wanted to have illicit sex. I struggled, but I couldn't get free, and he raped me. Later, we often had illicit sex. I didn't expect that his mother would figure it out."

"On the sixth of the fifth month of this year, Du Huailiang hit his wife a couple of times because she didn't have the meal ready. His mother then said I had put him up to it, and in her room in the back, she cursed me for a slut and a bitch and things like that. When I heard her, I got so mad that I said a few things back until Sun Erchen's wife made peace between us. That evening, when my husband got home and heard we had squabbled, he beat me for a while. I was ashamed to live in their house, so I told my husband to find a house someplace else so that we could move away. My husband found a room at his master's place, and on the morning of the seventh, we moved to the Wei house. On the evening of the fourth of the sixth month, I was sick with malaria and was sleeping. After he fed the cattle, my husband went out, saying that he was going to go drinking at Du Huailiang's house. I went to sleep with the child. I don't know why Du Huailiang killed my husband."

Further interrogation: "You had illicit sex with Du Huailiang for three years, and after you moved away, he then killed your husband. Clearly, you plotted with him to kill your husband because it was no longer convenient for you to see each other. What else do you have to say about that?"

Li further testified: "I don't know anything about how Du Huailiang killed my husband, and I never made any plot with him."

Further interrogation: "According to Du Huailiang, he did it because of his feelings of longing for you. He wanted to be able to be with you. If he hadn't worked it all out with you, how could he kill your husband and then be willing to kill his own wife as well? You say you don't know anything about the circumstances. How can you go on giving false testimony? If you do not speak truthfully, I'll start using the instruments of torture on you."

Li further testified: "On that one day, I lost control, and he raped me. After we moved away to live by ourselves, I felt so ashamed that I could not bear it. How could I willingly get together with him again?! Furthermore, my husband and I had been married for ten years. Seeing that we'd recently had a child, our feelings for each other were very deep. There's no way I would get somebody to kill him. Now I have charged Du Huailiang with killing my husband—I hate that Du Huailiang so much! If I had been in on it with Du Huailiang, how could I not testify to it? I just beg you to get all the facts of the case."

Further interrogation: "If you were not in with Du Huailiang on killing your husband, you should have filed your complaint at the time. Why did you wait two or three days and only then file it?"

Li further testified: "I am a woman left all by myself. And at that time, I also had a fever from malaria. When I finally could get in to file the complaint, Your Honor had gone out to examine the corpses. And because I took the wrong route, I did not meet you along the way. This is why it was only on the third day that I filed the complaint."

Further interrogation: "You were having illicit sex with Du Huailiang. Did your husband know about it or not?"

Li further testified: "My husband often did not return home at night; he never knew anything about it."

Interrogation of Du Wenwu: "Why did your son Du Huailiang kill Chen Wenxian and his own wife, Ms. Zhang? Tell the truth."

Du Wenwu testified: "Your humble servant lives in the back. Du Huailiang lives in the front. On the night of the fourth of the sixth month of this year, about the second watch, Du Huailiang came and got me up, saying that he had killed Chen Wenxian and his wife. I shouted to rouse Du Weiyuan to

come and talk to him. When daylight came, we went to report it. I don't have any idea why he killed them."

Further interrogation: "Du Huailiang and Ms. Li were having illicit sex. Did you know about it?"

He further testified: "Originally, Du Huailiang and Chen Wenxian and his wife shared a courtyard in front. Lots of days, Chen Wenxian spent the night at his employer's house and didn't come home. I don't know whether the two of them had illicit sex or not."

Further interrogation: "On the sixth of the fifth month, why was it that your wife got into a squabble with Ms. Li?"

He further testified: "On the sixth of the fifth month, my wife hit Du Huailiang a couple of blows because he had hit his wife. Under her breath, she cursed Ms. Li, so Ms. Li came around to the back, and they bumped heads and got into a squabble. A neighbor made peace between them. The next day, Ms. Li moved away."

This marks the end of the interrogation by Magistrate Jin Yingdou. His summary follows, and then the text outlines the steps taken in the judicial review process, first by Dongchang prefect Hou Juguang and then by the provincial judicial commissioner Su Changchen. Both Hou and Su questioned the principals again, but there was no change in the testimony; their answers were copied verbatim from the magistrate's records, with a few minor variations. When asked again whether he had plotted with Ms. Li to kill her husband, Du Huailiang responded,

"Killing Chen Wenxian was something I did all by myself. Never did I plot together with Ms. Li. She didn't know anything at all about it. O Heaven above—how could I wrong her?!"

Then Ms. Li offered details in her own defense that further reveal her disposition.

"... One evening, I went over to his house to get a light from the fire. When Du Huailiang saw that there was nobody around, he tried to seduce me into having illicit sex with him. I tried to get away, but I couldn't, and he made me have illicit sex with him. It's true that sometimes we had illicit sex afterward. But I didn't expect that his mother would figure it out. On the sixth of the fifth month of last year, around noon, the two of them got into a fight because his wife didn't have the meal ready. Du Huailiang's mother said it was because I was stirring up trouble. And under her breath, she made some

pretty dirty remarks about me. So I quarreled with her for a time. That evening, when my husband came home and found out we'd had a squabble, he beat me for a while. . . . That one time in the past, I wasn't careful and had illicit sex with Du Huailiang. But after I had quarreled with his mother and we moved away, I felt so ashamed that I could not bear it. Even now, I regret it so much—how could I even think of doing that thing with him again?! Talking about feelings—my husband and I were married for more than ten years, and we had a child. How could it be that I had so little feelings for him that I would have been willing to have somebody kill him? If I had any feelings for Du Huailiang, then I would cover up for him. Why would I be willing to file a complaint against him? But I've charged Du Huailiang with killing my husband—I hate that Du Huailiang so much!"

In response to another question about her delay in filing the formal complaint against Du Huailiang, she protested,

"I am a woman left all alone. And at that time, I also had a fever from malaria. And my son is also small. Who could I get to take care of it for me? When I finally could get in to file the complaint, the magistrate had gone out to examine the corpses. And because I took the wrong route, I did not meet him along the way. This is why it was only on the third day that I filed the complaint."

All the officials agreed that the appropriate punishment for Du Huailiang and Ms. Li was execution: beheading for Du for having committed premeditated murder, and strangulation for Li for having been engaged in an illicit sexual relationship that ended in murder.⁴ However, judicial review officials in Beijing agreed that Ms. Li was covered by an imperial amnesty and could be pardoned.⁵ The emperor concurred. Du, however, was beheaded.

NOTES

Source: *Neige tiben Xingfa lei* [Grand Secretariat routine memorials, Crime and Punishment] 518–46, Kangxi 35.5.17 (June 16, 1696).

1. According to the Qing penal code, Article 285: "Whenever a wife or concubine commits adultery with another, and (*her own husband*) catches the adulterous wife and the adulterer at the place [in the very act of] adultery and immediately kills [both of] them, there is no punishment" (Jones, *Great Qing Code*, 271). (The italicized words

are later clarification by Qing period legal scholars; the bracketed words were supplied by the translator). Clearly, Du Huailiang—and his neighbor—knew of this statute and hoped to use it as justification for the murders.

2. Jujubes are a common fruit in northern China. They can be dried or made into a paste and other confections; it is not clear what “preparing jujubes” (*zuozaos*) means in this context.

3. The reference here is ambiguous: *yan* could designate either tobacco or opium. Although its effect on the hapless victim suggests that it might have been the latter, more likely he was exhausted from work and sleepy because of the wine.

4. Du’s sentence is in accordance with Article 282, and Li’s with Article 285 of the Qing penal code. See Jones, *Great Qing Code*, 268, 271. It is likely that being a widowed mother of the only heir of her husband’s family was a factor in this decision for leniency. See Buoye, “Suddenly,” 68–70.

5. In his 1694 guide for magistrates, Huang Lihong notes the important difference between adultery that begins through intimidation or enticement by the man and “those cases in which the parties indulge in carnal knowledge as a result of mutual admiration” (Huang Liu-hung, *Complete Book*, 439–40). Especially because Ms. Li’s report on how her adulterous relationship began was repeated several times, with greater detail after the first iteration, one may surmise that the officials involved in this case considered her willing participation to have been a function of her suitor’s pressure on her. Ms. Li’s life was saved by the Kangxi emperor’s announcement of a general amnesty in the twelfth month of the thirty-fourth year of his reign, early in 1695. Because he had committed premeditated murder, Du Huailiang’s life was not spared; he was to be executed in accordance with Article 282 of the Qing penal code. See Jones, *Great Qing Code*, 268.

CASE 7

Rui Meisheng: Manslaughter over an Outhouse (Anhui, 1722)

The matter that led to blows here was not merely the foul smell of an open latrine; it also involved crucial matters of respect between neighbors. The family of the defendant saw it as “inappropriate” that Rui Mian’s outhouse should face their front door; worse yet, when asked to correct the problem, Rui Mian adamantly refused. Even so, the matter did not escalate to violence until one day when Rui Meisheng had too much to drink. We should not imagine that the two doors were separated by a wide

boulevard. Most likely, the alley between them was really quite narrow, perhaps so narrow that it was difficult to pass when the outhouse door swung open.

In the report excerpted here, the essential interrogation is conducted by Jingde District Magistrate Wang. The final pages of the report are missing, including the date that it was forwarded to Beijing for final review. According to the cover, the imperial decision was to send the case back to the Three Judicial Offices for reconsideration of the sentence.

The detailed memorandum submitted by Judicial Commissioner Zhu Zuoding of the Anhui Judicial Commission states that he had examined a certain individual named Rui Meisheng, twenty-nine *sui* in age, of middling height, with pockmarked face and thin whiskers, a native of Jingde District of Ningguo Prefecture in Jiangnan. The complaint contends that this Meisheng, an utterly lawless country bumpkin [*xiangye yumin*], together with Rui Jiu, who has fled, beat in an affray resulting in death the late Rui Mian, a distant relative in an older generation of no recognized degree of mourning who was his near neighbor and against whom he bore no previous enmity.

To wit: when Rui Mian repaired his outhouse, he changed its door to face the outside. Rui Meisheng claimed that it faced the main door of entry and exit from his house and instructed him to return it to its previous orientation. Contrary to expectation, Rui Mian maintained that it was a matter of his own convenience, and he refused to accede to the request.

Late in the day on Kangxi 60.10.2 [November 20, 1721], after drinking, Rui Meisheng happened to go to his front door, where he was struck by a noxious odor. Thereupon, he wrongfully started an argument. Rui Mian was about to strike Meisheng, when Meisheng became enraged and pushed the outhouse over. At that time, Rui Jiu arrived, having heard the commotion; furthermore, he wrongfully took the initiative to injure Rui Mian’s nose with his fist. Thereupon, Rui Mian took up a beam from the latrine and was about to strike Meisheng when Meisheng again wrongfully snatched away the beam and struck him. It happened that he injured Rui Mian on the crown and the right temporal lobe; the wound was grievous, and before long he expired. Magistrate Song [Tingzuo] of Nanling District, who was temporarily in charge of Jingde District matters, submitted the following report:

On Kangxi 60.10.3 [November 21, 1721], Constable Rui Fan of the Twenty-second Battalion, Second Section [Ershierdu Ertu Lianbao], submitted his report on this event. His report states that one Rui Renju had filed a complaint that on the second, his father Rui Mian had been beaten, was injured,