THE QIN SLIPS AND BOARDS FROM WELL NO. 1, LIYE, HUNAN: A BRIEF INTRODUCTION TO THE QIN QIANLING COUNTY ARCHIVES*

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Introduction

The site where the documents that are the subject of this essay in honor of Professor Li Xueqin 李學勤 were discovered was first found in 1996 in the small town of Liye 里耶, Longshan 龍山 County, in the Tujia and Miao zu Autonomous *zhou* 土家族苗族自治州, in western Hunan, right on the border with Chongqing 重慶 municipality. It is located on the north bank of the You River 酉水, one of the main tributaries of the Yuan River 沅水 that flows into the Yangzi. Between April and November 2002, an extensive salvage excavation and survey was carried out.[1] The earliest town in the region seems to have been founded in the middle of the

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I am honored to contribute this small essay in celebration of the eightieth birthday of one of the giants of twentieth and twenty-first century scholarship on China, Professor Li Xueqin. I first met Professor Li back in the late nineteen-seventies, when he was invited to Harvard University by the late Professor Kwang-chih Chang (Zhang Guangzhi 張光直), under whose direction I was studying for the doctoral degree. Throughout out my career, Professor Li has been a steadfast and generous supporter of my researches in China. I cannot thank him enough for his mentorship, advice and assistance. Without it, I would never have been able to achieve much in the study of excavated texts and documents. I am profoundly grateful and appreciative of his efforts on my behalf.

1. Hunan sheng wenwu kaogu yanjiusuo 湖南省文物考古研究所, Xiangxi Tujia zu Miao zu zizhizhou wenwuchu 湘西土家族苗族自治州文物處, and Longshan xian wenwu guanlisuo 龍山縣文物管理所, "Hunan Longshan Liye Zhanguo–Qin dai gucheng yihaojing fajue jianbao" 湖南龍山里耶戰國——秦代古城一號井發掘簡報, *Wenwu* 文物 1 (2003), 4–35; Hunan sheng wenwu kaogu yanjiusuo, "Hunan Longshan xian Liye Zhanguo Qin Han chengzhi ji Qin dai jiandu" 湖南龍山縣里耶戰國秦漢城址及秦代簡牘, *Kaogu* 考古 7 (2003), 15–19 (591–95); Guojia wenwuju 國家文物局, ed., *2002 Zhongguo zhongyao kaogu faxian* 2002 中國重要考古發現 (Beijing: Wenwu, 2003), 62–69; Li Xueqin 李學勤, "Chudu Liye Qin jian" 初讀里耶秦簡, *Wenwu* 1 (2003), 73–81; Hunan sheng wenwu kaogusuo, *Liye fajue baogao* 里耶發掘報告 (Changsha: Yuelu, 2006); Wang Huanlin 王煥林, *Liye Qin jian jiaogu* 里耶秦簡校詁 (Beijing: Zhongguo wenlian, 2007); Zhongguo shehui kexueyuan kaogu yanjiusuo 中國社會科學院考古研究所, Zhongguo shehui kexueyuan lishi yanjiusuo 中國社會科學院歷史研究所 and Hunan sheng wenwu kaogu yanjiusuo, eds., *Liye gucheng, Qin jian yu Qin wenhua yanjiu: Zhongguo Liye gucheng, Qin jian yu Qin wenhua guoji xueshu yantaohui lunwenji* 里耶古城・秦簡與秦文化研究——中國里耶古城・秦簡與秦文化國際學術研討會論文集 (Beijing: Kexue, 2009).

https://doi.org/10.1017/S0362502800000523 Published online by Cambridge University Press

Warring States period and two towns have been discovered, the earlier Chu 楚 and Qin 秦 town, and the Western Han 西漢 town. The Qin town was originally square in shape and oriented almost towards the cardinal directions, with its walls protected by a moat. The northern wall was originally 235 meters long and what remains of the eastern and western walls are approximately 150 meters long, the southern sections having been washed away by the You River.[2] The site has been determined to be approximately 20,000 square meters; at least that is the area that still survives; the rest of the original site has been obliterated by erosion.

In the process of the survey, in the grounds of the local Primary School, several old wells were discovered, of which two have been cleared so far. About 3 meters below the present surface of Well no. 1, in the section designated by the archaeologists T9, an extensive hoard of Qin slips and boards was discovered. There were eighteen levels to the well and documents were discovered in levels 5 through 17. Altogether more than 36,000 boards and slips were retrieved. Half of them were blank, and the approximately 17,000 to 18,000 boards and slips with writing on them contain about 100,000 graphs.[3] These consist mostly of Qin government records and of these, some of those that are correspondence between different levels of administration are precisely dated to the hour, from the 25th year of King Zheng 政 of Qin (222 B.C.E.), later the First Emperor, Qin Shihuangdi 秦始皇帝,[4] to the first year of the Second Emperor (209 B.C.E.); in other words, from just before the establishment of the Qin Empire by King Zheng after his defeat of the last of the Warring States, Qi 齊, to the year after his death. Several fragmentary bamboo slips with Chu script were recovered from the topmost level, level 5, which suggests that they were thrown in last, whereas all of the Qin documents so far reported by the excavators were written on wooden boards or slips of wood. As a consequence, Liu Rui 劉瑞 has suggested that it is inappropriate to identify the hoard as consisting of "slips" (*jian* 簡),[5] rather, they should be designated "boards" (*du* 牘), the difference being that boards usually contained several lines of text, whereas slips were

2. It is possible that originally the You River formed the moat on the southern side of the town. However, given that this town was situated in a strategic area fought over by the Qin and Chu states in the early third century B.C.E., it is more likely that all four sides of the town were walled.

3. Information kindly provided the author by one of the archaeologists responsible for the excavation, Zhang Chunlong 張春龍, in a conversation with the author and Anthony Barbieri-Low in Changsha, December, 2007.

4. As the dating system of the Qin did not change with the founding of the empire in 221 B.C.E., for ease of reference, I refer to King Zheng throughout this article, rather than to the First Emperor or Qin Shihuangdi.

5. Liu Rui 劉瑞, "Liye Qin dai mudu lingshi" 里耶秦代木牘零拾, *Zhongguo wenwubao* 中國文物報 (May 30, 2003).

https://doi.org/10.1017/S0362502800000523 Published online by Cambridge University Press

usually made of wood or bamboo containing only a single line of text (or at most two lines). However, the name of the museum that the Liye county authorities have established to house and display the documents uses the word *jian*. The Museum is called the *Liye Qin jian bowuguan* 里耶秦簡博物館 (Liye Museum of Qin Slips).

The Significance of the Discovery and Publication of the Documents

Liye Well no. 1 contains by far the largest hoard of Qin documents discovered to date and surpasses by many times the total of all other Qin slips and texts excavated elsewhere combined.[6] Unlike many excavations of texts and manuscripts, where we have had to wait years, sometimes decades, for publication,[7] after the initial discovery of the Liye hoard about one hundred slips and boards were published in various formats and locations: in journal articles, an initial site report, conference presentations, a book, and online articles.[8] The larger boards that were initially published are, for the most part, readable and decipherable, although Hsing I-tien (Xing Yitian) 邢義田 noticed that there were a number of errors and omissions in the transcriptions.[9] The first of the projected five

6. Chen Wei 陳偉, "Guanyu Qin jiandu zonghe zhengli yu yanjiu de jidian sikao" 關於秦簡牘綜合整理與研究的幾點思考, *Jianbo* 簡帛 4 (2009),1–10; Li Ling 李零, "Qin jian de dingming yu fenlei" 秦簡的定名與分類, *Jianbo* 6 (2011), 1–11.

7. The first volume of the Yinqueshan 銀雀山 texts discovered in 1972 was published in 1975: Yinqueshan Han mu zhujian zhengli xiaozu 銀雀山漢墓竹簡整理小組, ed., *Yinqueshan Han mu zhujian* 銀雀山漢墓竹簡 (Beijing: Wenwu), and the second only in 2010, *Yinqueshan Han mu zhujian (er)* 銀雀山漢墓竹簡 (貳) (Beijing: Wenwu). We are still waiting for the rest to be properly published. See Robin D. S. Yates, "Texts on the Military and Government from Yinqueshan: Introductions and Transcriptions," in *Xinchu jianbo yanjiu* 新出簡帛研究 (Studies on Recently Discovered Chinese Manuscripts), ed. Ai Lan 艾蘭 and Xing Wen 邢文 (Beijing: Wenwu, 2004), 334–87.

8. In addition to the reports and works cited in note 1 above, see also Hunan sheng wenwu kaogu yanjiusuo, Xiangxi Tujia Miao zu zizhizhou wenwuchu, "Xiangxi Liye Qin dai jiandu xuanshi" 湘西里耶秦代簡牘選釋, *Zhongguo lishi wenwu* 中國歷史文物 1 (2003), 8–25. For a review of scholarship on the material published up through 2008, see Fan Guodong 凡國棟, "Liye Qin jian yanjiu huigu yu qianzhan" 里耶秦簡回顧與前瞻, *Jianbo* 4 (2009), 37–57. A number of the Liye slips and boards were on display in the Hunan Provincial Museum, but I do not know whether these are the same or different from the ones that have been published. Japanese scholars have also contributed substantially to the study of the Liye documents. See especially, Riya Shinkan kōdokukai 里耶秦簡講讀會, "Riya Shinkan yakuchū" 里耶秦簡譯註, *Chūgoku shutsudo shiryō kenkyū* 中国出土資料研究 8 (2004): 88–137.

9. I wish to thank Professor Xing Yitian 邢義田 (Hsing I-tien) of the Institute of History and Philology, Academia Sinica, Taiwan, for sharing with me the initial draft of his research notes on the documents that were initially published with photographs, "Hunan Longshan Liye Qin jian shiwen duji—jianlun wenshu biji goucheng cunfang

volumes of photographs and transcriptions, *Liye Qin jian (yi)* 里耶秦簡 (壹), in which the entire corpus of the inscribed documents will appear, was released at the beginning of this year, 2012.[10] This has been followed immediately by a volume edited by Chen Wei 陳偉 of Wuhan University that revises some of the transcriptions, proposes readings of obscure graphs that were not previously visible, reconstructs and combines fragments into larger wholes, and provides some commentary.[11] So there are differences in transcriptions between the documents published in *Liye Qin jian (yi)*, Chen Wei's *Liye Qin jiandu jiaoshi (diyijuan)* 里耶秦简牍校释 (第一卷), and what is recorded in the Liye museum displays. It is not entirely clear to me why *Liye Qin jian (yi)* did not adopt the transcriptions of Chen Wei's team, given that the two books were published so close in time to each other. Nevertheless, as more scholarship is devoted to these materials, a scholarly consensus will, no doubt, emerge. Overall, the Chen Wei edition is definitely the most reliable and its transcription should be preferred over that of the *Liye Qin jian (yi)*. Further, the publications use different systems to identify individual boards, rendering identification of individual boards that much more complex.[12] In the present review, I am also much indebted to Brian Lander of Columbia University and Maxim Korolkov, formerly of Peking University, who have kindly shared their photographs, taken in 2011, of the documents that were on display in the Liye Museum of Qin Slips mentioned above. These photographs contain images of documents not included in any of the afore-mentioned publications, precious data on various topics related to the interpretation of the documents in the form of captions to the materials in the display cases, and other objects, such as pottery vessels, that were excavated both from Well no. 1 and other locations around the ancient Qianling 遷陵 county town.

(chugao)" 湖南龍山里耶秦簡釋文讀記——兼論文書筆跡構成存放 (初稿), as well as his published article, "Hunan Longshan Liye J1 (8) 157 he J1 (9) 1–12 hao Qin du de wenshu goucheng biji he yuandang cunfang xingshi" 湖南龍山里耶 J1 (8) 157 和 J1 (9) 1–12 號秦牘的文書構成、筆迹和原檔存放形式, in Xing Yitian, *Zhiguo anbang: fazhi, xingzheng yu junshi* 治國安邦: 法制、行政與軍事 (Beijing: Zhonghua, 2011), 473–98.

10. Hunan sheng wenwu kaogu yanjiusuo 湖南省文物考古研究所, ed., *Liye Qin jian (yi)* 里耶秦簡 (壹) (Beijing: Wenwu, 2012).

11. Chen Wei et al., eds., *Liye Qin jiandu jiaoshi (diyijuan)* 里耶秦简牍校释 (第一卷), (Wuhan: Wuhan daxue, 2012). I am most grateful to Professor Chen for sending me a copy of this book.

12. The archaeologists initially cited the slips and boards by placing the mark "J1" before each item, implying that they thought that the other wells also contained discarded documents. But this mark does not appear in *Liye Qin jian vol. 1*, suggesting that they do not now believe more documents will be discovered in the other wells. An alternative was to use the rubric "⑧134," for example. This has now changed to 8-134 for the archaeological number for board no. 134 from level 8 of Well no. 1. For the photograph numbers, which do not correspond to the archaeological numbers, see below.

While a large percentage of the documents published in *Liye Qin jian (yi)* are small fragments, some showing evidence of having been burned, others are quite large and long; some have blocks of ink at the top; some are pointed at the bottom, like tent pegs; and others have various shapes, regular and irregular. In addition, in level 8, there are twenty-two boards which are apparently the covers or labels of boxes that originally contained or stored the documents in the Qianling county archives before they were thrown into Well no. 1. They take the form of rectangular boards of wood, with a half-moon shaped top that is filled in with black ink.[13] However the archaeologists do not provide the size or dimensions of these covers or labels, and thus it is not clear just how large the boxes were and whether the boxes were full when they were tossed into Well no. 1. All types of boards and slips yield important information.

Before turning to a discussion of the nature of the Liye documents, let me first outline some of the problems in the *Liye Qin jian (yi)*.

1. There is no finding list correlating the transcriptions and the photographs with the archaeological numbers of the boards and slips. The transcription follows the number of the photograph, and the archaeological numbers, by which the documents published so far have been identified, are only provided at the bottom of each page of the black-and-white photographs. This lack makes the book very inconvenient to use, as the reader has to constantly go back and forth between transcription and photograph.

2. Further, the Chen Wei edition follows the number of the transcription in *Liye Qin jian (yi)*, and, unlike the latter text, adds to this transcription number the numbers 5-, 6-, and 8- to designate the layers, which is the same format as that of the archaeological number. Thus we now have a large number of slips and boards with two different numbers, making for confusion and adding to the difficulties in working with these materials. A full and correct listing of archaeological numbers, and a chart correlating the different numbers with the numbers of the photographs, is therefore imperative.

3. No sizes and dimensions of the boards and slips are given, thus it is difficult to determine the relative size of one document versus another.

13. In this essay, I will use the archaeological number to identify a slip, with the photograph number in brackets, if the slip or board is published in *Liye Qin jian (yi)*. The boards are numbered as follows: 8-18 (16); 8-97 (94); 8-215 and 8-281 (214); 8-284 (284); 8-285 (285); 8-501 (500); 8-502 (502); 8-534 (531); 8-613 (612); 8-774 (776); 8-775 (777); 8-905 (906); 8-1203 (1200); 8-1206 (1201); 8-1418 (1428); 8-1547 (1536); 8-1784 (1775); 8-1783 (1776); 8-1785 (1777); 8-1879 (1868); 8-1878 (1874); 8-1939 (1931). See the conclusion below for a transcription and translation of one of these box covers.

4. Some boards and slips obviously, from the notes given in the transcription, have grooves or notches—the editors use the word *chi* 齒 'teeth'—carved into the sides which represent numbers, weights, and measures. No photographs of examples are presented. Many of the blank boards and slips are also notched. A full description and analysis of these blank materials would be welcome.[14]

5. Some slips obviously have more sides to them than just recto and verso. The photographs of these multi-angled slips and boards are not adequately shown in the published photographs.

6. There are no photographs of the original positions of the boards in the well. Had there been, this could have helped the task of linking slips and boards together in a series, in the same way that the figure providing the relative position of slips in situ in the early Han Zhangjiashan 張家山 Tomb No. 247 help in identifying possible connections between those slips.[15] Nevertheless, the team led by Professor Chen Wei has done an impressive job reconstructing documents and linking slips and boards that have been broken and the two books have to be read and consulted in conjunction.

7. Some slips are so long that the photographs have been divided into two sections, with the result that some graphs at either side of the division are shown twice.

In brief, the *Liye Qin jian (yi)* consists of a very useful preface which gives a breakdown of the types of documents found in the book. These are separated into ten different categories, namely: correspondence, divided into four sub-categories; statutes and ordinances, with three sub-categories; records and inventories, with three sub-categories; reports and registers, with five sub-categories; tallies and contracts; labels and plaques, with four sub-types; calendars; a mathematical nine times nine table and medical prescriptions; and practice slips and boards. This is followed by an explanation of the organization and conventions used in the book (*fanli* 凡例), sixteen pages of colored photographs of selected documents, a complete set of black and white photographs and transcriptions of all the documents with inscriptions from three layers

14. Zhang Chunlong, in a private conversation with the author and Anthony Barbieri-Low in December, 2007, in Changsha, suggested that he might write such a study. For an enlightening analysis of similar notched boards and slips of Han date, see Momiyama Akira 籾山明, "Kokushi kantoku shotan—Kankan keitairon-no tameni" 刻歯簡牘初探——漢簡形態論のために, *Mokkan kenkyū* 木簡研究 17 (1995), 165–87.

15. See Zhangjiashan ersiqihao Han mu zhujian zhengli xiaozu 張家山二四七號漢墓竹簡整理小組, ed., *Zhangjiashan Han mu zhujian (Ersiqihao mu)* 張家山漢墓竹簡 (二四七號墓) (Beijing: Wenwu, 2001).

from Well no. 1, Liye, layers 5, 6, and 8,[16] a postscript, and an appendix listing some fragments and slips that the archaeologists have been able to reconstitute or link together into larger documents. Of these, layer 5 contains thirty-five boards and slips, layer 6 forty boards and slips, and layer 8, two thousand five hundred and forty-two.

Since many of the slips and boards were broken into small pieces, and/or were burned, the archaeologists, technicians and epigraphists who excavated the documents, cleaned them, and then produced the transcriptions, were faced with a very difficult task of reconstruction. They, and the team led by Chen Wei, are to be congratulated for their efforts in preparing the material for publication and for making it available in such a relatively short time.

Nature of the Documents

Many of the boards containing correspondence between different government offices, or reports from lower-level offices to higher ones, or orders from higher offices to their subordinates, are written, quite frequently on both sides, with the names of the scribes responsible for writing, transcribing, opening, or reviewing the documents added after one or more entries. They provide extremely detailed records of the day-to-day business of the Qin government at the local level. Specifically, it appears that Liye Township ("Liye" apparently means "agricultural fields" in the local Tujia language), was the ancient county town (*xian* 縣) of Qianling 遷陵 under the Qin, at the end of a long line of communications and subordinate to the commandery (*jun* 郡) of Dongting 洞庭.[17] There is no record

16. According to the explanation of conventions, p. 1, volume 2 will contain the documents in layer 9; volume 3 will contain the documents from layers 7, 10, 11, and 13; volume 4 will contain those of layers 12 and 14; and volume 5 will contain the remainder, documents from layers 15, 16, and 17, and the boards excavated in December, 2005, from pit no. 11 in the Liye moat. However, there are numbers of documents on display in the Liye Museum that do not seem to correspond with those given in this explanation and have not as yet been published or reported.

17. Board 16.52 is a record of the distances between Qianling and other regional towns:

"Yan to Xiao: 184 *li*" 鄢到銷百八十四里 (line 1); "Xiao to Jiangling 240 *li*" 銷到江陵二百四十六里 (line 2); "Jiangling to Chanling: 110 *li*" 江陵到孱陵百一十里 (line 3); "Chanling to Suo 295 *li*" 孱陵到索二百九十五里 (line 4); Suo to Linyuan 60 *li*" 索到臨沅六十里 (line 5); Linyuan to Qianling: 910 *li*" 臨沅到遷陵九百一十里 (line 6); □□ thousand four hundred and forty four *li*" 【凡四】千四百四十四里 (line 7). Such a record of distances might have been used to calculate how long it would take to transport an official document from one administrative unit to another and/or how long an official would take from one administrative center to another. Delays in forwarding documents and being late for a rendezvous were punished under both Qin and Han law.

in the transmitted historical documents of Qin ever having established a Dongting Commandery, but the Liye documents very clearly reveal that the Qin did establish such a regional administrative unit.[18] According to slip # 8-758 (757), line 2, Qianling was constituted as a county (*xian*) in the 25th year of King Zheng of Qin, just before the unification and establishment of the Qin Empire, i.e., 222 B.C.E. Beneath Qianling County were three cantons or districts (*xiang* 鄉), Du 都 *xiang*, Qiling 啟陵 *xiang*, and Erchun 貳春 *xiang*, beneath which were a few "posts" (*ting* 亭)[19] and a number of villages or wards (*li* 里).[20] "Duxiang," or the "metropolitan" canton, probably referred to the county town of Qianling itself.

This bears on a question that has perplexed scholars since the discovery of the Shuihudi 睡虎地 tomb no. 11 legal materials back in the mid-1970s.[21] What was meant by the term *duguan* 都官 in Qin legal documents? Scholars have proposed different interpretations, such as branch offices in the commanderies and counties of metropolitan administrative units in the capital region (*neishi* 內史) in and surrounding the Qin capital of Xianyang 咸陽.[22] One of the documents in the Liye hoard, 8-650 (649) recto line 1, which seems to be quoting from a statute or ordinance, refers to the situation when the armies of the *bangwei* 邦尉 and the *duguan* are within the borders of a county (the rest of the board is broken). Chen Wei correctly notes that the *bangwei* was a new name for the Commandant of a Commandery (*junwei* 郡尉) created after the establishment of the

18. Li Xueqin, "Chudu Liye Qin jian," 76–77; Chen Wei, "Qin Cangwu, Dongting erjun chulun" 秦蒼梧、洞庭二郡芻論, in *Yanshuo ji* 燕說集 (Beijing: Shangwu, 2011), 353–61; first published in *Lishi yanjiu* 歷史研究 2003.5: 168–72. I am grateful to Professor Chen for sending me a copy of his book. Cf. Wang Huanlin, "Liye Qin jian yudi shiyi (yi) Dongting jun" 里耶秦簡輿地釋疑 (一) 洞庭郡, *Liye Qin jian jiaogu*, 204–11.

19. A "post" was a sub-county unit with postal, police, and hostelry functions. The man in charge of a "post" was a "constable" (*ting xiaozhang* 亭校長). Both terms appear in recently excavated texts, including the *Zouyan shu* 奏讞書 found in tomb no. 247 Zhangjiashan. For the Zhangjiashan documents, see *Zhangjiashan Han mu zhujian (ersiqihao mu)*, 211–31, and Ikeda Yūichi 池田雄一, ed., *Sōgensho—Chūgoku kodai no saiban kiroku* 奏讞書——中國古代の災裁判記錄 (Tokyo: Tōsui shobō, 2002). For the Qin system of posts, see, *inter alia*, Zhang Jinguang 張金光, *Qin zhi yanjiu* 秦制研究 (Shanghai: Shanghai guji, 2004), 587–94.

20. For the ward or village system under the Qin, see Zhang Jinguang, *Qin zhi yanjiu*, 594–602; for the control of cantons and wards/villages under the Qin and Han, see Wang Aiqing 王愛清, *Qin Han xiangli kongzhi yanjiu* 秦漢鄉里控制研究 (Ji'nan: Shandong daxue, 2010).

21. Shuihudi Qin mu zhujian zhengli xiaozu 睡虎地秦墓竹簡整理小組, ed., *Shuihudi Qin mu zhujian* 睡虎地秦墓竹簡 (Beijing: Wenwu, 1990; rpt. 2001); A.F.P. Hulsewé, *Remnants of Ch'in Law: An Annotated Translation of the Ch'in Legal and Administrative Rules of the 3rd Century B.C. Discovered in Yün-meng Prefecture, Hu-pei Province, in 1975* (Leiden: E.J. Brill, 1985).

22. Yu Zhenbo 于振波, "Han dai de duguan yu liguan" 漢代的都官與離官, *Jianbo yanjiu 2002-2003* 簡帛研究 2002-2003 (2005), 221–27.

empire and that *duguan* must have referred to the armies of the central government, in other words, the imperial court.[23] Thus this particular terminological and administrative problem has been solved.

The documents also make passing mention of other Qin administrative units and villages or wards, some very far away,[24] and some individuals, now inhabitants or sojourners in Qianling, are specifically mentioned as having originated in territories conquered by the Qin, such as the former states of Wei 魏[25] and Zhao 趙.[26]

Previous discoveries of Qin slips, such as those made in 1975 at Shuihudi, Hubei, cite items from the statutes (*lü* 律) of the Qin state and empire, among other legal and religious materials.[27] These were the legal prescriptions of how the bureaucratic system was supposed to work in theory. The Liye slips reveal how the system actually did work. So we can compare the prescriptions in the statutes with the actual day-to-day activities and performance of the officials. For example, in the Shuihudi Qin statutes it appears that it is prescribed that male and female bondservants (*lichenqie* 隸臣妾) (either, most likely, three-year hard-labor convicts or types of slave),[28] or other unreliable types, are not to be entrusted with

23. Chen Wei, *Liye Qin jiandu*, 190.

24. For example, Xiangcheng 襄城, which Chen Wei, *Liye Qin jiandu*, 255, identifies as belonging to Yingchuan Commandery 潁川郡 in modern Henan province: see no. 8-975; and Chengfu 城父 that appears in documents 8-981 (980); 8-997 (1000); and 8-1111 (1109). This county belonged to Pei Commandery 沛郡 in the Han, and is located in modern Anhui Province. Chengfu is sometimes written as 成夫 in the Liye documents, e.g., as in 8-26 (26), which Chen Wei, *Liye Qin jiandu*, 35, links with 8-749 (752)—the photographs of the broken ends of these two documents do not reveal that such a linking is appropriate. If they were originally joined, there must be a missing fragment between them. Other counties mentioned were located as far away as the Beijing region, Inner Mongolia, and modern Shanxi, Shaanxi, and Gansu Provinces.

25. For example, an approximately 70-year-old woman in slip no. 8-2107 (2098); and a forty-year-old individual alluded to in 8-2140 (2133). Both of these slips are severely damaged. Chen Wei, *Liye Qin jiandu*, 429 and 435, claims that the graphs for Wei should be transcribed as *wei* 巍, which is the same as *wei* 魏, and that in slip 8-2107 (2098), the first occurrence of the word Wei is as a surname. This is unlikely. He also states that the last three graphs in line 2 of 8-2107 should be transcribed as *wei ji li* 巍箕李, instead of *wei qi xiao* 魏其孝. Here he claims that *ji* 箕 is the same as *qi* 其, and that Weiqi was a county in Langye Commandery 琅邪郡 to the southwest of modern Lin'yi 臨沂, Shandong, while Li was the name of a village, ward, or hamlet (*li* 里).

26. An adult male with the given name of Wusao 吳騷 is said to have come from the Hanshen ward 韓審里 of Handan 邯鄲, the former capital of the state of Zhao captured by the Qin in 228 B.C.E. (no. 8-894).

27. *Shuihudi Qin mu zhujian*; Hulsewé, *Remnants of Ch'in Law*.

28. These bondservants have been the subject of a great deal of controversy. See Robin D. S. Yates, "Slavery in Early China: A Socio-cultural Perspective," *Journal of East Asian Archaeology*, 3.1–2 (2002): 283–331; Li Li 李力, '*Lichenqie' shenfen zai yanjiu* "隸臣妾" 身份再研究 (Beijing: Zhongguo falü, 2007); Li Li, "Lun 'tuli' de shenfen—cong xinchutu Liye Qin jian rushou" 論 "徒隸" 的身份——從新出土里耶秦簡入手, *Chutu*

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conveying government documents.[29] The Liye slips reveal that this was a very common practice (for example, slips 8-127 verso line 3; 8-1154; 8-1520; 9-984 verso line 2; 16-5 verso line 3; 8-1892; 9-1867 verso line 2, etc.). What accounts for the difference? The Shuihudi statutes may have been used by the owner of the tomb, Xi 喜, when he was trying cases in 235 B.C.E. and the statutes may have been emended, allowing the practice of using bondservants to transmit official government documents by the time that the Liye boards were written under the empire. Alternatively, Qianling (Liye) may have been so lacking in sufficient numbers of legally qualified personnel that it resorted to extra-legal means to carry out its business. Such bending of the bureaucratic rules was practiced in later times, as Bradly Reed has shown in his excellent study of yamen 衙門 clerks and runners under the Qing.[30] Nevertheless, the Qin statutory requirement that documents being forwarded by the courier service have "the day and month, morning or evening of their dispatch and arrival"[31] written on them together with an acknowledgement of their arrival, is followed in the Liye documents.[32] In some urgent cases (e.g., no. 8-1531), it was ordered that documents be transmitted through the night, although this was not normal practice. In fact, usually additional information is provided: the year of the document is given at the beginning and often the hour in which the document was received together

wenxian yanjiu 出土文獻研究 8 (2007): 33–42, reprinted in his book, *Zhangjiashan 247 hao mu Han jian falü wenxian yanjiu ji qi shuping (1985.1–2008.12)* 張家山 247 號墓漢簡法律文獻研究及其述評 (1985.1–2008.12) (Tokyo: Tōkyō Gaikoku daigaku Ajia Afurika gengo bunka kenkyūjo, 2009), 425–34. *Lichenqie* also appear in the early Han statutes discovered at Zhangjiashan, Jiangling 江陵; see Yang Jiehui 楊頡慧, "Zhangjiashan Han jian zhong 'Lichenqie' shenfen tantao" 張家山漢簡中隸臣妾身份探討, *Zhongyuan wenwu* 中原文物 1 (2004), 57–61.

29. *Shuihudi Qin mu zhujian*, Statutes concerning the Forwarding of Documents 行書律, 61; Hulsewé, *Remnants of Ch'in Law*, A 96, 86. The writing at the end of slip 184 ends at "are not to be 勿 . . ." The Shuihudi editors suggest that the next slip, no. 185, follows immediately thereafter with the word *ling* 令, thus bondservants are not to be ordered (to transmit official documents). Hulsewé suggests, *Remnants of Ch'in Law*, 86n.4, that a slip is missing after *wu*, although the injunction against using bondservants and other untrustworthy individuals may well have been in the original provision (note that the numbering of the slips is different between Hulsewé's work and the re-edition of the Shuihudi texts, being off by two slips).

30. Bradly W. Reed, *Talons and Teeth: County Clerks and Runners in the Qing Dynasty* (Stanford: Stanford University Press, 2000).

31. Hulsewé's translation of the first part of this Statute on the Forwarding of Documents, *Remnants of Ch'in Law*, 86.

32. Both the Qin and the Han promulgated "Statutes on the Forwarding of Documents" *Xingshu lü* 行書律. Some of the Qin statutes have been found in the looted Yuelu hoard. See Chen Songchang 陳松長, "Yuelu shuyuan cang Qin jian zhong de xingshu lüling chulun" 岳麓書院藏秦簡中的行書律令初論, *Zhongguoshi yanjiu* 中國史研究 2009.3 (123): 31–37.

with the name of the scribe who wrote each section of the document. This latter practice no doubt was to ensure that the scribes in the various offices up and down the chain of command took responsibility for the conduct of business according to the statutes and ensured that each level of the bureaucracy was fulfilling its legal obligation. Three scholars, Li Xueqin, Liu Rui, and Xing Yitian, have all studied this aspect of the system. Li has also analyzed the dates to determine precisely the calendar officially in use under the empire and when intercalary months were most likely inserted to keep the calendar working properly,[33] while the Liye Museum displays a chart correlating the ancient names and times of the day and night with their modern equivalents (see Table 1).

Because, in many examples, the Qin scribes recorded their given names after the sections of the documents for which they had been responsible,[34] the documents provide much new information on Qin writing styles and variations in the forms of graphs from individual to individual and we can begin to determine which part of a document was written by which scribe. Xing Yitian has been studying this aspect of the documents, but I do not have the space to discuss these matters further in this paper.

I would note, however, that Li Xueqin has determined that the Qianling bureaucrats used both the official postal system and individual postmen to transmit and deliver their documents on time to the right office.[35] Furthermore, a number of issues that were unclear in both the Shuihudi and the Zhangjiashan tomb no. 247 legal documents can now be explained in the light of the Liye materials.[36]

Dating

The earliest boards and slips are dated to the 25th year (of King Zheng [222 B.C.E.]) (8-1038 [6th month]; 8-537 [9th month]); and the latest, the first year (*yuannian* 元年) of the Second Emperor (209 B.C.E.) [5-1; etc.].[37]

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33. Li Xueqin, "Chudu Liye Qin jian," 73–74.

34. This comment refers to documents that were being sent up and down the chain of command: there are many slips and boards that consist solely of the name of an office; these were used as covers for communications, for example.

35. Li Xueqin,"Chudu Liye Qin jian," 75, quoting board 8-154.

36. Chen Wei points out some examples in his introduction to *Liye Qin jiandu*, 2–5.

37. 9-2273

line 1 元年遷陵隸臣妾積二百人倉守士五敦狐…

First Year (of the Second Emperor): The total of male and female bondservants in Qianling was two hundred persons;
The Temporary (Official in Charge) of the (Bureau of) Granaries Dunhu of Commoner Rank . . .

Line 2 …視事三□□…

. . . oversaw the matter. Three . . .

https://doi.org/10.1017/S0362502800000523 Published online by Cambridge University Press

Table 1: Time Schedule for Officials in the Qin Dynasty

Chrono-nym	Name	Qin Time for Work	Modern Time	Activity
zi 子	*yeban* 夜半		23:00–01:00	
chou 丑	*jiming* 雞鳴		01:00–03:00	
yin 寅	*pingdan* 平旦		03:00–05:00	
mao 卯	*richu* 日出	*Shuixia yi zhi erke* 水下一至二刻[a]	05:00–07:00	Office open
chen 辰	*shishi* 食時	*Shuixia san zhi sike* 水下三至四刻	07:00–09:00	Morning meal
si 巳	*yuzhong* 隅中	*Shuixia wu zhi liuke* 水下五至六刻	09:00–11:00	
wu 午	*rizhong* 日中	*Shuixia qi zhi bake* 水下七至八刻	11:00–13:00	
wei 未	*riyi* 日昳	*Shuixia jiu zhi shike* 水下九至十刻	13:00–15:00	
shen 申	*bushi* 晡時	*Shuixia shi zhi shiyi ke* 水下十至十一刻	15:00–17:00	Office closed; Evening meal
you 酉	*riru* 日入		17:00–19:00	
xu 戌	*huanghun* 黃昏		19:00–21:00	
hai 亥	*rending* 人定		21:00–23:00	Bedtime

Table taken from the chart on display in the Liye Museum of Qin Slips.

a. Note that Qin officials followed the double-hour system of time-keeping and used a water-clock to keep time. Each "quarter" (*ke* 刻) was divided into ten parts or sections that were "marked" (*ke* 刻) on the side of the water-clock, so that a document arriving or leaving an office would be identified by the closest mark (*ke* 刻) to which the water had fallen corresponding to the scale marked on the side of the water-clock. An example (board no. 9-1594) is: 水十一刻 = (刻) 下三; if the water had not fallen, i.e., it was at the beginning, it was called *qi* 起 (board no. 12-1799: 水十一刻 = (刻) 下起); and if it had fallen to the bottom of the scale it was called *jin* 盡 (board no. 9-1867: 水十一刻 = (刻) 下盡).

Curiously, I have not as yet identified any documents dated to the 36th year (211 B.C.E.) of (King Zheng/Qin Shihuang), and only two documents dated to the 37th year, the year that King Zheng died, that were found in layers 7 and 9, are displayed in the Liye Museum: none were found in layers 5 and 6, and only a few in layer 8, as far as I can tell.[38] All the other years are represented. Therefore, it is not the case that the documents were pulled out of the Qianling County archives in temporal sequence or reverse order at a specific point of time (e.g., at the fall of the Qin): if they had been, one might have expected the latest documents to be

38. Presumably those documents dated to the 37th year were composed before King Zheng died, or before this news had been brought to Qianling County—it should be remembered that his death was covered up until the Second Emperor was able to seize the throne.

found at the bottom of the well, and the earliest, with the Chu script, at the top.[39] Why they were disposed of in this way by the county officials or, possibly, townsmen or rebels, who might have been ransacking the archives, remains a mystery.

In no case is the name of King Zheng (the First Emperor) or of the Second Emperor mentioned; only the year is specified, 25th year, 26th year, first year, etc. There are examples of the use of both *duanyue* 端月 and *zhengyue* 正月 for the first month of the year: 8-525 (522) for the former,[40] and 8-213 and 8-281 (213), for the latter.[41] Other boards reveal that the Qin did not observe the taboo on the personal name of the First Emperor, Zheng 政, with as much rigor as such taboos were observed in later dynasties: the term *zheng* 正 is tabooed in the phrase "Village Chief," where *lizheng* 里正 is changed to *lidian* 里典 (8-157, 32nd year of King Zheng; 8-663; 10-1157 33rd year; 9-2350; 8-127; 8-552; 8-1451; 8-1545), but the taboo is not always observed in the name of the first month, *zhengyue* 正月, even in the same document where *zheng* is tabooed in the title of the village chief (8-157); but sometimes it is, as in line 3 of 8-525, which is dated the 26th year of King Zheng (221 B.C.E.).[42] This practice is also seen in the Shuihudi legal documents. It is likely that the taboo of *zheng* in the name of the first month was more rigorously enforced after the First Emperor's death.

Military Logistics

The documents provide much information on the military logistical system of the Qin and it would appear that Qianling distributed weapons, including crossbows and their parts, from the Qianling Armory to other

39. 5-7 (5) appears to be written in Chu script and refers to the magistrate in charge of Qianling using a Chu designation. Chen Wei, *Liye Qin jiandu*, 8, transcribes the graphs as 鼂麥公. The first two graphs in Qin script are 遷陵, and the title of a magistrate under the Chu regime was *gong*; the latter was changed to *ling* 令 under the Qin.

40. This is a legal order listing the times magistrate's scribes ("foremen clerks" in Hulsewé's translation, *lingshi* 令史) were to visit *miao* 廟,either a place-name or a local temple (see below). Chen Wei, *Liye Qin jiandu*, 78–80, reconstructs this document as consisting of 8-137 (138) + 8-175 (174) + 8-525 (522) + 8-526 (523).

41. This is a box cover or label, broken into two pieces, that designated the records of law cases from the end of the eleventh month, 33rd year of King Zheng (214 B.C.E.) and first month of the following year, 213 B.C.E.

42. Another document records that the Qianling Assistant Chang 遷陵丞昌 took very quick action when it appeared that two individuals had been appointed on the recommendation of the Qiling District Bailiff 啟陵鄉 (嗇) 夫 twice over to the positions of Village Head (*lidian* 里典) and Postman (*youren* 郵人) (8.157) not in conformity with the ordinances and statutes. Here we see that county authorities were responsible for confirming the appointment of local village officials, indicating that the Qin state penetrated even lower into the population than we had previously realized.

counties that had need of them (8-147 [151]).[43] In addition, it seems as though Qianling was an important location for the gathering of feathers. These feathers were obtained both as a form of tax on the population, bought on the open market, or acquired through the efforts of convicts who were sent out to gather them from the birds, specifically wild pheasants and chickens, in the surrounding forest. It seems as though the Qin had need of immense numbers of these feathers. The reason was that they were attached to the ends of arrows to ensure balance and accuracy in the flight of the projectile when they were fired. The Qin authorities were in constant need of these supplies throughout their period of rule because they were never able to repress opposition entirely: documents in both the Liye and the Zhangjiashan hoards reveal constant ongoing skirmishes between the Qin forces and what they called gang robbers and bandits.

Similarly, lacquer seems also to have been an important Qianling product, and it may have been one of the items that were demanded from the population as part of the tax quota. Lacquer was applied to all sorts of military equipment, including weapons, chariot parts, and crossbows, in order to preserve and strengthen them: it was not only used for the production of vessels, such as cups and bowls, although, of course, these would have been important, too.

The government possessed boats that they used to transport supplies for the army or loaned out to ordinary citizens to enable them to transport goods from one city to another. One government boat is said to be 33 Chinese feet long (approximately 7.62 meters). In this case (6-134 recto), the individual who borrowed the boat had used it to transport tiles from "former or old Jing" 故荊, possibly one or more Chu cities that the Qin had previously destroyed, revealing one way in which the victors despoiled their former enemies.[44] The name of the boat is given in the document in apparent conformity with the regulations recorded in the Shuihudi "Statutes on Artisans" (*Gong lü* 工律).[45]

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43. In the 32nd year of Qin Shihuangdi, the name of the official in charge of the Qianling Armory was appropriately named Wu 武 (8-1528 [1520], among other documents).

44. The Qin general Bai Qi 白起 had captured the former Chu capital of Ying 郢, modern Ji'nan city 紀南城, Jiangling, in 278 B.C.E. and the Qin commandery of Nan 南 had been established there. The final campaign against Chu took place in 224–223 B.C.E. There has been much archaeological work done at Ji'nan: for example, see Guo Dewei 郭德維, *Chu du Ji'nan cheng fuyuan yanjiu* 楚都紀南城復原研究 (Beijing: Wenwu, 1999) and Yang Quanxi 楊權喜, *Chu wenhua* 楚文化 (Beijing: Wenwu, 2000), 34–45. Which site is meant in the Liye documents awaits further research.

45. *Shuihudi Qin mu zhujian*, 44, slip no. 102; Hulsewé, *Remnants of Ch'in Law*, A 57, 60.

The Legal System

Fines and Punishments

One of the main differences between the Qin and the Han with respect to punishments in the form of fines was that the Qin categorized such punishments in terms of shields, sets of armor, and, at the lowest level, in strings used to tie sets of armor, while the Han categorized them in terms of amounts of gold. There is a great amount of information in the Zhangjiashan Tomb no. 247 relating to these fines. However, how the figures correlated to the Qin value of the fines is not known, and neither is the cash value of the Qin fines, although scholars have speculated about them. Recently retrieved data allows us to gain a better understanding of this problem.

First, Yu Zhenbo has analyzed two of the looted Yuelu Qin slips. These read:[46]

0957

貲一甲，直錢千三百卌四，直金二兩一垂 (錘)。一盾直金二垂
贖耐，馬甲四，錢七(?) 千六百八十

The fine of one set of armor is worth 1344 cash, which is worth 2 *liang* 1 *chui* of gold. One shield is worth two *chui* of gold. Redeemable shaving: four sets of horse armor, seven(?) thousand six hundred and eighty cash.

0970

馬甲一，金三兩一垂，直千□ (九) 百廿。金一朱 (銖) 直錢廿四。
贖入馬甲十二，錢二萬三千卌

One set of horse armor: three *liang* one *chui* of gold, worth one thousand [nine] hundred and twenty (cash). One *zhu* of gold is worth 24 cash. When entering a fine of twelve sets of horse armor: 23,040 cash.

Yu calculates that 1 *chui* equals 8 *zhu*; 1 *zhu* equals 24 cash; 1 *liang* equals 24 *zhu*; therefore 1 *liang* equals 576 cash (24 × 24). In addition, on the basis of slip no. 0970, Yu calculates that one set of horse armor, a Qin fine which does not appear in any other transmitted or excavated text, was the equivalent of 3 *liang* 1 *chui* or 1920 cash, yielding Table 2:

The cash equivalent of the fine of one set of armor in the Qin is confirmed by a document in the Liye hoard, no. 8-60 (60) (recto line 2), where

46. Yu Zhenbo, "Qin lü zhong de jiadun bijia ji xiangguan wenti" 秦律中的甲盾比價及相關問題, *Shixue jikan* 史學集刊 2010.5: 36–38.

https://doi.org/10.1017/S0362502800000523 Published online by Cambridge University Press

Table 2: Qin Fines according to Yu Zhenbo

Fine	Gold	Cash	Working off fine @ 8 cash/day	Working off fine @ 6 cash/day
2 sets of armor	112 *zhu* (14 *chui*; 4 *liang* 2 *chui*)	2688	336	448
1 set of armor	56 *zhu* (7 *chui*; 2 *liang*1 *chui*)	1344	168	224
2 shields	32 *zhu* (4 *chui*; 1 *liang*1 *chui*)	768	96	128
1 shield	16 *zhu* (2 *chui*; ⅔ *liang*)	384	48	64

it is stated that Ting 亭, a man from West Village in Bo March 樊道, of *gongshi* 公士 rank was to be fined three sets of armor which was 4032 cash □公士樊道西里亭貲三甲為錢四千卅二 . . .[47] This correspondence has been noted by Chen Wei.[48] A second piece of corroborating evidence, similarly cited by Chen Wei, is the document that he has reconstructed from two fragments, 8-1592 (1583) and 8-887 (890). The text reads, in Chen's revised transcription:

8-1592 (1583) AND 8-887 (890)

LINE 1

卅年九月庚申，少內守增出錢六千七百廿，環 (還) 令佐朝、義、佐盍貲各一甲，史犴二甲。

30th year, ninth month, on the day *gengshen*, Temporary Lesser Treasurer Zeng disbursed 6720 cash to repay Magistrate's Assistant Chao and Yi, Assistant Gu(?) for the fine of one set of armor each, and Scribe Yu(?) two sets of armor.

LINE 2

九月丙辰朔庚申，少內守增敢言之：上出券一。敢言之。/欣手。九月庚申日中時，佐欣行。

9th month, on the day *gengshen*, *bingchen* being the first day of the month, Temporary Lesser Treasurer Zeng ventures to state: I submit to higher authority one contract for disbursement; I venture to state. By the hand of Xin. Forwarded by Assistant Xin in the ninth month, on the day *gengshen* at noon.[49]

47. Bo March was located in modern Sichuan province and was called a "March" (*dao* 道) because people of the Bo tribes lived there.

48. Chen Wei, *Liye Qin jiandu*, 4–5.

49. The *Liye Qin jian (yi)* editors state that there are notches on the left-hand side of the slip which indicate the sum of 6820, which does not match the sum stated in the text.

Here the fine of five sets of armor is the same as 6720 cash and 6720 ÷ 5 = 1344; so one set of armor was worth, in the thirtieth year of King Zheng (217 B.C.E.), the same amount of cash as calculated by Yu Zhenbo from the Yuelu evidence, although it is not stated why the Lesser Treasurer reimburses the three fined officials: perhaps their fines were overturned by a review of the case at a higher level of the administration. So, as the cash equivalents of the fines are the same, the Yuelu slip and this reconstructed Liye slip may date from roughly the same time period, i.e., approximately the thirtieth year of King Zheng. However, Chen Wei has not noticed another fragment which states:

8-2082 (2073)
…貲一盾二百卅□…

The fine of one shield: two hundred thirty . . .

Unfortunately the rest of the slip is broken above and below, so the entire number and the context are not recoverable. Still, it is clear that this figure does not match the calculations of Yu Zhenbo. It is actually closer to the figures provided by the mathematical text called *Suanshu shu* 算數書, also found in the Zhangjiashan Tomb no. 247 hoard, which gives a different rate of exchange between a *liang* of gold and cash. Slip no. 46 states:[50]

金賈 (價)　金賈 (價) 兩三百一十五錢，今有一朱 (銖)，問得錢幾何。曰得十三錢八分 [錢] 一。

The value/price of gold: the value of 1 *liang* of gold is 315 cash. Now there is 1 *zhu*. The question is how much cash is obtained? The answer: you get 13⅛ cash.

Using this rate of exchange, a fine of one shield (16 *zhu*) would be worth 208 cash. Further, it is clear from one of the Statutes on Finance in the Zhangjiashan hoard that the rate of exchange between cash and gold fluctuated from year to year and from place to place. The passage reads:[51]

50. *Zhangjiashan Han mu zhujian (ersiqihao mu)*, 255; Zhangjiashan ersiqi hao Han mu zhujian zhengli xiaozu 張家山漢墓竹簡整理小組, ed., *Zhangjiashan Han mu zhujian (Ersiqihao mu) (shiwen xiuding ben)* 張家山漢墓竹簡 [二四七號墓] (釋文修訂本) (Beijing: Wenwu, 2006), 138; Peng Hao 彭浩, *Zhangjiashan Han jian* Suanshu shu *zhushi* 張家山漢簡《算數書》註釋 (Beijing: Kexue, 2001), 60–61.

51. *Zhangjiashan Han mu zhujian (ersiqihao mu)*, 190; *Zhangjiashan Han mu zhujian (Ersiqihao mu) (shiwen xiuding ben)*, 67; Zhu Honglin 朱紅林, *Zhangjiashan Han jian* Ernian lüling *jishi* 張家山漢簡二年律令集釋 (Beijing: Shehui kexue wenxian, 2005), 248, Slips 427–28.

有罰、贖、責，當入金，欲以平賈入錢，及當受購、償而毋金，及當出金、錢縣官而欲以除其罰、贖、責，及為人除者，皆許之。各以其二千石 427 (C158)[52] 官治所縣十月金平賈予錢，為除。 428 (C163)

When (a person) has a fine, redemption (fee) or debt which matches entering gold, and he wishes to enter/submit cash at the fair market price, as well as when he matches receiving a reward or indemnity, and (he does) not (wish for) gold, as well as when he matches having gold or cash disbursed (to him) by the state government (*xianguan*) and he wishes to use it to remove his fine, redemption or debt, as well as remove them (sc. a fine, redemption, or debt) for another, in all cases permit him. In each case, give him cash using the gold at the fair market price in the tenth month from the 2000-bushel office that governs his county, and thereby remove (the fine, redemption fee, or debt).

The Zhangjiashan Tomb no. 247 texts provide additional data. Slip no. 119 reads as follows:[53]

贖死，金二斤八兩。贖城旦舂、鬼薪白粲，金一斤八兩。贖斬、府，金一斤四兩。贖劓、黥，金一斤。贖耐，金十二兩。贖千(遷)，金八兩。有罪當府者，移內官，內官府之。

Redeeming the death (penalty): 2 *jin* 8 *liang* of gold. Redeeming wall-building or grain-pounding, and gathering fuel for the spirits or sorting white rice: 1 *jin* 8 *liang* of gold. Redeeming cutting off (of the feet) and castration: 1 *jin* 4 *liang* of gold. Redeeming cutting off of the nose and tattooing: 1 *jin* of gold. Redeeming shaving: 12 *liang* of gold. Redeeming exile: 8 *liang* of gold. As for those whose crimes match castration, transfer them to the Inner Office (*neiguan*); the Inner Office is to castrate them.

And slip nos. 55–56 read:

盜臧直過六百六十錢，黥為城旦舂；六百六十到二百廿錢，完為城旦舂；不盈二百廿到百一十錢，耐為隸臣妾；不 55 (F164) 盈百一十到廿二錢，罰金四兩；不盈廿二錢到一錢，罰金一兩。56 (F180)

52. The first number refers to the slip number assigned by the Zhangjiashan editors; the second number is the archaeological number of the slip.

53. *Zhangjiashan Han mu zhujian (ersiqihao mu)*, 150; *Zhangjiashan Han mu zhujian (shiwen xiuding ben)*, 25; Zhu Honglin, *Zhangjiashan Han jian* Ernian lüling *jishi*, 94–96.

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> The illicit profit (*zang*)[54] from a robbery is more than 660 cash:[55] tattooing and being made a wall-builder or grain-pounder.[56] From 660 to 220 cash: "intacting" and being made a wall-builder or grain-pounder. Not a full 220 (cash) to 110 cash: shaving and being made a male or female bondservant. Not (55) a full 110 cash to 22 cash: a fine of 4 *liang* of gold. Not a full 22 cash to 1 cash: a fine of one *liang* of gold.

Since 1 *jin* equals 16 *liang*, were the rate of cash to *liang* the same in the early Han as in the Qin Empire, we would be in a position to calculate the cash equivalents for fines and redemption charges for crimes. For example, Yuelu shuyuan Qin slip no. 0957 reads, "Redeemable shaving: four sets of horse armor, seven(?) thousand six hundred and eighty cash," whereas in the early Han, redeemable shaving was punished with a fine of 12 *liang* of gold. If we were to convert both values to their cash equivalents, then the crime that was punished with redeemable shaving would have been worth 7680 cash in the Qin, whereas in the early Han it would have been 6912 cash, a reduction of 768 cash. The Shuihudi "Falü dawen" no. 7 reads as follows (adapted from Hulsewé's translation):[57]

> 司寇盜百一十錢，先自告，可 (何) 論？當耐為隸臣，或曰貲二甲。

> A robber-guard steals (goods worth) 110 cash, (but) he makes a prior self-denunciation. How is he to be sentenced? He matches having his facial whiskers shaved off and being made a bondservant; another opinion is: he is to be fined two suits of armor.

We now know, on the basis of Yuelu shuyuan slip no. 0957, that, at one point during the Qin Empire, the fine of two sets of armor was the equivalent of 2688 cash, much less than what Hulsewé believed (see note

54. *Cang*/*zang* 臧 is an alternate form of *zang* 贓, which Hulsewé, *Remnants of Ch'in Law*, D 1, 121n.7, translates as "illicit profit" and explains as "the profit obtained from any illegal act: theft, robbery, extortion, embezzlement, fraud, bribery." The word appears frequently in Han documents, both in transmitted texts and in those newly discovered, for example, *Zouyan shu* case no. 15.

55. The editors of both editions of the Zhangjiashan legal materials note that calculating value on the basis of decimal multiples of 11 was also a feature of Qin law as evidenced in the Shuihudi statutes. The reason was that in Qin law there was a fixed rate established by statute to convert rolls of cloth to cash: in the Statutes on Finance, one roll of cloth was specified to be eight (Chinese) feet long and two foot five (Chinese) inches wide, which was the equivalent of 11 cash (Hulsewé, *Remnants of Ch'in Law*, A 43 and A 44, 52–53; *Shuihudi Qin mu zhujian*, 36, slip no. 67.

56. This statute is quoted in the *Zouyan shu* case no. 15, where an ordinance is also quoted that provides further details on how to treat an official guilty of such theft.

57. Hulsewé, *Remnants of Ch'in Law*, 122–23; *Shuihudi Qin mu zhujian*, 95, slip no. 8.

5 to his translation), but we did not know what the cash equivalent of redeemable shaving and being made a bondservant was, although we now know that at one point redeemable shaving was the equivalent of 7680 cash. In the early Han, the punishment for stealing 110 cash was the same as in the Qin as is evidenced in the Statutes on Robbery, slip nos. 55–56 quoted above. Thus the cash equivalents of the two lowest crimes, "stealing not a full 110 cash to 22 cash" and "not a full 22 cash" at one point could have been in the Qin 4 *liang* (2304 cash) and 1 *liang* (576 cash) respectively at one rate of exchange.

Second, the largest fine appearing in the Shuihudi Tomb no. 11 legal documents is that of two sets of armor. The Liye documents contain many examples of registers of the fines imposed on officials working in the Qianling County administration and other individuals. These clearly indicate that fines larger than two sets of armor were quite common. For example, board no. 8-148 (149), which Chen Wei has linked to 8-490 (489)—8-490 is the top part of the board, 8-148 is the bottom part—lists a large number of fines, of which the smallest was twenty cash (perhaps the equivalent of laces for armor, as that fine appears in the Shuihudi legal documents),[58] and the largest two "redeemable shavings" with the next highest fine seven sets of armor. It seems as though a fine of seven shields is also included in this list as well as the fine of "redeemable exile" (*shuqian* 贖遷).[59] Altogether twenty-seven men are listed with their various fines. If this list of punishments in the form of fines derived from a single law case, then there had to have been a serious breach of discipline in the Bureau of the Director of Works in Qianling County. Similarly, board no. 8-300 (300) lists a fine of fourteen sets of armor for the Temporary Canton administrator by the name of Lü 履, where his assistants (*zuo* 佐) Jiu 就 and X (graph indecipherable) were fined one set of armor and six sets of armor, respectively. One further note: the technical term for submitting an administrative fine that was paid on the spot in cash and not paid back by working extra for the government seems to have been *gui* 歸 (literally, "return"), as in the following document:

8-559 (565)

LINE 1

尉廣貲[60] 四甲　校長舍四甲…

Commandant Guang: a fine of 4 sets of armor　Constable She: a fine of 4 sets of armor

58. Hulsewé, *Remnants of Ch'in Law*, C11, 110.

59. Chen Wei, *Liye Qin jiandu jiaoshi*, 90n.8.

60. The graph *zi* 貲 was indecipherable in the first transcription: it has been supplied by Chen Wei, *Liye Qin jiandu*, 180.

https://doi.org/10.1017/S0362502800000523 Published online by Cambridge University Press

LINE 2
佐犴四甲貲已歸 …

Assistant Yu(?): 4 sets of armor; the fine already returned.

In short, until further evidence is available, we may conclude that, first, the Qin began the process of converting fines in the form of shields and sets of armor into their cash equivalents, based probably on a gold standard, a standard that had existed in the state of Chu, and that this change was adopted and confirmed by the Han government. Second, fines increased dramatically in size under the Qin Empire and this trend continued into the Han. It was not the case that the Han reduced the severity of Qin punishments. Needless to say, this data should be taken into consideration when new studies of the economic changes that took place under the Qin and early Han are undertaken.

Rewards

Data on rewards in the Liye material published so far is much scantier than the data on fines and convicts. Rewards in the form of cash were given to those who arrested runaways and violators of the law, as in the following examples:

8-1581 (1572)
LINE 1
錢三百五十 卅五年八月丁巳朔癸亥少內沈出以購吏養城父…

350 cash. 35th year, eighth month, on the day *guihai*, *dingsi* being the first day of the month, the Lesser Treasurer Shen disbursed [350 cash] to reward . . . the food provider for officials of Chengfu (County) . . .

LINE 2
令史華監

Magistrate's Scribe Hua superintended.[61]

8-1020 (1018)
…購釶五百七十六一人

. . . reward Bi(?) 576 (cash) per person.

61. The editors note that the left-hand side of the slip is notched to indicate the number 350.

https://doi.org/10.1017/S0362502800000523 Published online by Cambridge University Press

8-992 (992)
LINE 1
…□出錢千一百五十二購隸臣于捕戍卒不從…

. . . disbursed 1052 cash as a reward to the bondservant Yu for the arrest of garrison conscripts not following . . .

LINE 2
令史華監

Magistrate's Scribe Hua superintended.

Evidently, the reward of 350 cash cited in the first quotation was one of, if not the lowest of, the rewards handed out by the Qin authorities. According to another document reconstructed by Chen Wei out of three fragments, slip nos. 8-1540 (1532) +8-1016 (1008) + 8-1469 (1461), the crime that was punished with redeemable shaving was rewarded with 1052 cash,[62] and so in slip no. 8-992 the bondservant Yu must have arrested either one garrison conscript wanted for committing a crime warranting the punishment of redeemable shaving, or two garrison conscripts who had committed a crime that was considered half that serious. That rewards were given by the Qin state for the arrest of criminals accords with principles enunciated in the "Statutes on Arrest" (*Bu lü* 捕律) in the Zhangjiashan Tomb no. 247 legal documents, where the size of the reward, calculated in amounts of gold, not cash, as here in the Qin, depended on the seriousness of the crime committed by the arrested criminal.

Rations for Convicts

The Statutes on Granaries in the Shuihudi laws specified the rations that were to be issued to convicts of wall-building status (*chengdan* 城旦). Hulsewé translates the relevant statute as follows: "*Ch'eng-tan* engaged in building walls as well as in other tasks where the hardship is equal to that of building walls (will receive a food ration) of half (a *dou* 斗) in the morning and of one third (of a *dou*) in the evening."[63] He works out that a normal ration would have been ⅔ of a *dou* per day, with ⅚ of a *dou* per day for heavy work.10 *sheng* 升 made 1 *dou*, thus ⅔ of a *dou* was the equivalent of 6.67 *sheng* and ⅚ of a *dou* was the equivalent of 8.33 *sheng*. One board in the Liye hoard provides information on the rations issued to wall-building convicts:

62. Chen Wei, *Liye Qin jiandu*, 261.
63. Hulsewé, *Remnants of Ch'in Law*, A 15, pp. 32–33.

8-1901 (1894)

LINE 1

…城旦卻等五十二積五十二日 = 四升六分升一

. . . Wall-builder Que and others, 52 (men): a total of 52 days; 4⅙ *sheng* per day.

LINE 2

得手

By the hand of De

This daily ration is considerably below that specified in the Qin statutes and confirms the suspicions Hulsewé expressed as to whether Qin convicts actually received the prescribed quantities.[64]

Status Distinctions and the Purchase of Rank

The newly available Liye documents confirm that the lowest rank in the meritocratic ranking system in the Qin was the *gongzu* 公卒 (9-12; 8-1571(1563); 12-2301), a rank which appears also in the Zhangjiashan legal documents, but is unknown from traditional historical sources. When it passed out of usage is not known. As for the Qin system of meritocratic ranking, there are two documents cited below which allude to the purchase of rank, but they are too fragmentary to base any conclusions on. It is to be hoped that more documents were found relating to both the *gongzu* rank and the purchase of rank in the other layers of Well no. 1.

8-427 (420)

LINE 1

…□甲二買爵…

. . . two sets of armor; bought rank . . .

LINE 2

…□甲廿四未歸 …

Twenty-four sets of armor; not yet returned . . .

LINE 3

…□甲八未歸 …

. . . eight sets of armor; not yet returned . . .

64. Hulsewé, *Remnants of Ch'in Law*, 33n.8.

https://doi.org/10.1017/S0362502800000523 Published online by Cambridge University Press

LINE 4

…二未歸 …

. . . two [sets of armor]; not yet returned . . .

8-1114 (1112)

…買爵卅二年二月戊寅出

. . . for buying (a degree of) rank. 32nd year, 2nd month, on the day *wuyin*, disbursed . . .

Forms for Writing up Documents

As Liu Rui has pointed out, the Liye boards appear to have been of roughly the same length, and were chosen to permit the writing up of a single case on a single piece of wood. The width varied according to length of the document, permitting different numbers of lines but similar numbers of graphs per slip. This conforms to the legal requirement specified in the Statutes concerning the Director of Works (*Sikong lü* 司空律) found at Shuihudi.[65] In addition, it is clear that the officials had worked out a standard form for writing up a case, depending on its nature, using standardized language to indicate whether the document was being sent up from a lower level of the hierarchy to a higher, being transmitted down the chain of command, or was being exchanged between equals.

This standardization confirms the practice evident in the so-called "Forms for Sealing and Investigating" (*Fengzhen shi* 封診式) which contain transcripts ("replacing documents" *yuanshu* 爰書) found at Shuihudi, that appear to have been sent down from the central authorities to show lower officials the correct form in which documents should be composed.[66] The Liye documents also contain examples of "transcripts" as well as documents transmitted to higher authorities for decision (*Zouyan shu* 奏讞書), examples of which were found at Zhangjiashan.

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65. Hulsewé, *Remnants of Ch'in Law*, A 77, 76. I would note that the text's *fang* 方 should be interpreted as "rectangular," not "square" as Hulsewé has it; also I think there is some problem with the identification of the type of wood specified in the statute. Hulsewé interprets the wood as being "willow" and other soft wood, but the Liye documents are on hard wood, which makes better sense, for hard wood would be more difficult to alter.

66. Katrina C. D. MacLeod and Robin D. S. Yates, "Forms of Ch'in Law: An Annotated Translation of the *Feng-chen shih*," *Harvard Journal of Asiatic Studies* 41.1 (1981), 111–163. Hulsewé, *Remnants of Ch'in Law*, 183, translates *yuanshu* as "reports"; see also Derk Bodde, "Forensic Medicine in Pre-imperial China," *Journal of the American Oriental Society* 102 (1982), 1–15 and Ōba Osamu 大庭修, "Enshokō" 爰書考, *Shinkan hōseishi-no kenkyū* 秦漢法制史の研究 (Tokyo: Sōbunsha, 1982), 165–98.

This is evidence that this type of document was not invented by imperial fiat at the beginning of the Han dynasty in 200 B.C.E., as had previously been thought, on the basis of the claim made by Ban Gu 班固.[67] We also find examples of several other types of legal documents.

Thus we now know that much official jargon, and standardized phrases, and many of the forms of official documents known previously from discoveries of Han examples in the forts in the Gobi desert, derived from Qin precedent.[68] Without developing such standardization, it is hard to see how the Qin would have been able to keep reliable records of the population that it acquired from its rivals after its conquest and the founding of the empire. It needed to keep standardized records in order to tax, control and exploit the population. One such record is preserved on board no. 16-9, dated to the *gengzi* day of the fifth month (*xinsi* being the first day of the month) of the 26th year (of King Zheng of Qin) (221 B.C.E.), that indicates that He 劾 and seventeen other households wished to move their official household registration from Duxiang to Qiling cantons, but Qiling had not yet received official confirmation of the year of birth of the migrants. Such information was essential for the officials overseeing the location of their new residence to determine their tax, corvée labor, military, and other legal obligations. This document was written by the Qiling canton officials requesting that the Duxiang officials provide the necessary information and, since the document was found at Qianling, it would appear that a copy of the request was kept in the archives of the county, their superior administrative unit. Of note here is that the Qin officials did not rely on or trust He and the other families to provide the correct information: only the responsible officials in the other jurisdiction were deemed capable of providing trustworthy information. In addition, although the transcripts found at Shuihudi indicate that the government required a person's surname to be recorded, in only a very

67. *Han shu* 23.1106 (Beijing: Zhonghua, 1962, rpt. 1975); see Li Xiaoying 李曉英, "Han dai zouyan zhidu bianxi" 漢代奏讞制度辨析, *Henan daxue xuebao (shehui kexue ban)* 河南大學學報 (社會科學版) 2010.5, 104–11. Examples of *yanshu* have also been discovered in the looted Yuelu hoard: see Chen Songchang, "Yuelu shuyuan suocang Qin jian zongshu" 嶽麓書院所藏秦簡綜述, *Wenwu* 2009.3, 75–88.

68. For some recent studies of the forms of official government documents in Han China, see Li Junming 李均明 and Liu Jun 劉軍, *Jiandu wenshu xue* 簡牘文書學 (Nanning: Guangxi jiaoyu, 1999); Li Junming, *Qin Han jiandu wenshu fenlei jijie* 秦漢簡牘文書分類輯解 (Beijing: Wenwu, 2009); Li Tianhong 李天虹, *Juyan Han jian buji fenlei yanjiu* 居延漢簡簿籍分類研究 (Beijing: Kexue, 2003); Wang Guihai 汪桂海, *Han dai guan wenshu zhidu* 漢代官文書制度 (Nanning: Guangxi jiaoyu, 1999); Wang Guihai, *Qin Han jiandu tanyan* 秦漢簡牘探研 (Taibei: Wenjin, 2009).The most recent publication of this type of document is: Gansu jiandu baohu yanjiu zhongxin 甘肅簡牘保護研究中心 et al., ed., *Jianshui Jinguan Han jian (yi)* 肩水金關漢簡 (壹), 3 vols. (Shanghai: Zhongxi, 2011).

few of the Qin documents discovered to date is a surname recorded and there are none in Qin inscriptions: only the personal name, the rank, and (sometimes) the village or official post is given, suggesting that this latter information was considered sufficient to identify an individual. The practice of using surnames as a means of identification obviously had not yet become common or legally necessary.[69]

Qin Ordinances

One of the significant discoveries in the Liye documents is that they reveal that the Qin definitely already had ordinances (*ling* 令) by the time of the establishment of the empire.[70] For example, document 8-1512 (1514) contains the clause: "The ordinance of the Chief Prosecutor states" 御史令曰, while 8-159 (159) verso, 32nd year of King Zheng (215 B.C.E.), mentions the ordinance promulgated by the Assistant to the Chief Prosecutor, Quji and the Chancellor 御史丞去疾丞相令. This is presumably the same official, Feng Quji 馮去疾, referred to in the *Shi ji* 史記 in the 37th year of King Zheng when he was Right Chancellor while Li Si 李斯 was the Left Chancellor.[71] There is a very good chance that the Chancellor referred to in this Liye document no. 8-159 is indeed Li Si: the reference to Feng Quji is dated five years before he appears in the transmitted historical record in the *Shi ji*.[72] This ordinance derived from a decree (*zhishu* 制書) and there are several other citations to such decrees in the

69. See the one example mentioned above of the record of a man's surname. The large number of personal names recorded in the Liye hoard would certainly be worth a separate study. My favorite is the individual whose parents named him "Hate Taxes" (*Wuzu* 惡租), who was a member of the rank and file of Gao Village being held to pay off a fine 居貲士五高里惡租 (8-988). Had he indeed refused to pay his taxes? Regardless, this name implies that at least some of the local residents of Qianling were not too happy to be forced to pay taxes to the newly instituted Qin regime.

70. For a preliminary study of Qin ordinances, see Hirose Kunio 廣瀨薰雄, *Shinkan ritsuryō kenkyū* 秦漢律令研究 (Tokyo: Kyūko Shoin, 2010), 77–96.

71. Sima Qian 司馬遷, *Shi ji* 史記 (Beijing, Zhonghua, 1972), 6 ("Shihuangdi benji" 始皇帝本紀): "On the *guichou* day of the tenth month of the thirty-seventh year, Shihuang went out to travel. The Chancellor of the Left [Li] Si followed and the Chancellor of the Right [Feng] Quji guarded [the capital]. His youngest son, Huhai, in longing, requested to follow, and the Emperor permitted him" 三十七年十月癸丑, 始皇出游. 左丞相斯從, 右丞相去疾守. 少子胡亥愛慕請從, 上許之. Translation adapted from William H. Nienhauser, Jr., et al., *The Grand Scribe's Records* (Bloomington: Indiana University Press, 1994), 1.151.

72. Board no. 674 (674) refers to the Chief Prosecutor Wan (*yushifu=[dafu]* Wan 御史夫 [=大夫] 綰); Chen Wei, *Liye Qin jiandu*, 173–74, reconstructs the document by joining it with two other fragments, nos. 8-527 (528) and 8-532 (532). In note 6, he suggests that the reconstructed date for the document should be the 25th year, not the 35th year, and that Wan is the same man as Wang Wan 王綰, who became Chancellor (*chengxiang* 丞

Liye documents published to date. For example, no. 8-1656 (1648) states that for sending feathers, which were attached to the end of arrows to balance them in flight (see above), there was a decree, i.e., an ordinance, and 8-1673 (1668) cites a formula for an ordinance that is also seen in the "Ordinances for Fords and Passes" found in Tomb 247, Zhangjiashan, the earliest set of ordinances previously known ("The decree stated: it is permitted" 制曰可).[73] Further, it was also considered essential in the Liye Qin documents for officials to "carry out their duties according to the ordinances and statutes" *yi lüling congshi* 以律令從事. This phrase is ubiquitous in Han documents and it was a phrase that was adopted by religious Daoists in later times in their orders to the spirits to carry out what they had commanded (often adding the phrase "quick, quick" *jiji* 急急 before *yi* and omitting *congshi*). It is to be hoped that more information on the scope and nature of Qin ordinances will appear when all of the Liye documents are published.[74]

Medical Prescriptions

There are at least twelve slips that record medical prescriptions and it appears that some of them derive from a medical text that listed prescriptions numbered in order.[75] Fragments of prescriptions nos. 1, 3, 5, 7, and 98 survive in level 8, 8-1364 (1363) (no. 1); 8-1227 (1230) (no. 3); 8-1225

相) at the creation of the Qin Empire in the following year, 221 B.C.E., King Zheng's 26th year, as recorded in the *Shi ji*. This is probably correct.

73. For a detailed study of these early Han ordinances, see Yang Jian 楊建, *Xi-Han chuqi jinguan zhidu yanjiu: fu* Jinguan ling *jianshi* 西漢初期津關制度研究: 附《津關令》簡釋 (Shanghai: Shanghai guji, 2010). See also Ōba Osamu, "The Ordinances on Fords and Passes Excavated from Han Tomb #247, Zhangjiashan," translated by David Spafford, Robin D. S. Yates, and Enno Giele with Michael Nylan, *Asia Major* 3rd ser. 14.2 (2001, published 2004), 119–41; Chen Wei, "Zhangjiashan Han jian *Jinguan ling* zhong de shema zhuling yanjiu" 張家山漢簡《津關令》中的涉馬諸令研究 and "Zhangjiashan Han jian *Jinguan ling* 'Yue sai lan guan' zhuling kaoshi" 張家山漢簡《津關令》"越塞闌關" 諸令考釋 in *Yanshuo ji* (Beijing: Shangwu, 2011), 390–415, and 416–27, respectively. Another citation in the Liye documents, from an ordinance on legal procedure in court cases, can be seen in slip no. 8-1837, which seems to be part of an investigation of an official named Jing 敬, who appears in several other documents: "In all cases, when officials try (a case) and it has already been decided and they change the trial . . ." 諸有吏治已決而更治. A further example appears in 16.5: see Wang Huanlin, *Liye Qin jian jiaogu*, 104–5.

74. The looted Yuelu Qin legal documents apparently contain the titles and some citations from a number of Qin ordinances. See Chen Songchang, "Yuelu shuyuan suocang Qin jian zongshu."

75. Slip nos. 8-876 (876); 8-1065 (1057) (no. 98); 8-1223 (1221) (no. 7); 8-1225 (1224) (no. 5); 8-1227 (1230) (no. 3); 8-1245 (1243); 8-1293 (1290); 8-1364 (1363) (no. 1); 8-1380 (1376) (prob.); 8-1382 (1379); 8-1627 (1620); 8-1794 (1786).

(1224) (no. 5); 8-1223 (1221) (no. 7); 8-1065 (1057) (no. 98), respectively. The *Liye Qin jian (yi)* editors state that these medical prescriptions are the oldest surviving recipes in the Chinese medical tradition. It appears, too, that there was an official doctor in Qianling County by the name of Jing 靜.[76] As there are records of sick convicts in the reports of the Director of Works, it is possible that one of the duties of this doctor was to treat such patients. In other words, his attention was not just focused on the health of the officials in the county; he was responsible for the health of all those who were working for the local authorities.

Materials Relating to the Religious Activities of Local Officials in Qianling County

Several years ago, Zhang Chunlong published an article in which he transcribed a number of documents from levels 8 and 14 relating to what were apparently religious activities of Qin local officials in Qianling.[77] He identified slips that recorded the sale to a convict laborer, a wall-builder, of the leftovers of sacrifices to a deity called the Primal or First Agriculturalist, Xiannong 先𣎵 (農), and to what he suggested was perhaps a deity of a cave or an underground storage pit, as well as to a deity in charge of dikes. The topic of the former sacrifices, to the Primal Agriculturalist, was subsequently studied by a number of scholars, both Chinese and Japanese, but the latter two deities were virtually ignored.[78] With the publication of the entire corpus of level 8 slips and boards, it is now possible to examine the documents relating to the second of Zhang Chunlong's deities. There appear to be at least five records, and, while most of the documents are broken and incomplete, one of them is sufficiently intact after reconstruction to determine that the buyer of the leftovers was also a convict, as in the case of the sacrificial leftovers to the Primal Agriculturalist, although this time a bondservant, not a wall-builder. What was the name and what was the nature of this second

76. *Liye Qin jian (yi)*, 5.

77. Zhang Chunlong, "Liye Qin jian si Xiannong si Yin he si Ti jiaoquan" 里耶秦簡祠先農、祠窨和祠隄校券, *Jianbo* 4 (2007): 393–96.

78. See, for example, Shi Zhilong 史志龍, "Qin 'Ci Xiannong' jian zaitan" 秦 '祠先農' 簡再探, *Jianbo* 簡帛 5 (2010): 77–89; Tian Xudong 田旭東, "Cong Liye Qin jian 'Ci Xiannong' kan Qin de jisi huodong" 從里耶秦簡 '祠先農' 看秦的祭祀活動, in *Liye gucheng, Qin jian yu Qin wenhua yanjiu: Zhongguo Liye gucheng, Qin jian yu Qin wenhua guoji xueshu yantaohui lunwenji* (2009), 210–17; Jiang Feifei 蔣非非, "Jiandu shiliao yu zaoqi Zhonghua diguo lixing xingzheng—yi Liye Qin jian 'Si Xiannong' jian weili" 簡牘史料與早期中華帝國理性行政——以里耶秦簡 "祀先農" 簡為例 (unpublished manuscript).

deity? Zhang Chunlong suggests, as mentioned above, that the otherwise unknown graph 窖 is the same as *yin* 窨, meaning an underground storage hole or a cave, but notes that archaeologists have not found in Hunan underground or semi-underground dwellings or storage pits.[79]

Chen Wei reconstructs these documents as follows:

A. 8-924 (923) + 8-906 (907) + 8-1431 (1422):[80]

LINE 1

卅五年六月戊午朔己巳庫建佐般出賣祠窖餘徹酒二斗八升于□…

35th year, sixth month, on the day *jisi*, *wuwu* being the first day of the month, Jian (Official in charge) of the Armory and Assistant Ban disbursed and sold the leftovers of the sacrifices to Yin(?), 2 *dou* 8 *sheng* of alcohol to . . .

LINE 2

衛之斗二錢　令史歡監　…

calculating at 2 cash per *dou*　Magistrate's scribe Yuan(?) supervised . . .[81]

B. 8-994 (993):[82]

LINE 1

卅五年六月戊午朔己巳庫建佐般出賣祠窖…

35th year, sixth month, on the day *jisi*, *wuwu* being the first day of the month, Jian (Official in charge) of the Armory and Assistant Ban disbursed and sold [the leftovers of] the sacrifices to Yin(?) . . .

LINE 2

令史歡監　…

Magistrate's scribe Yuan(?) supervised . . .[83]

C. 8-1093 (1091) + 8-1003 (1002):[84]

LINE 1

卅五年六月戊午朔己巳庫建佐般出賣祠窖□□□一朐于隸臣徐所取錢一

79. Zhang Chunlong, "Liye Qin jian si Xiannong," 395.

80. Chen Wei, *Liye Qin jiandu*, 246–47.

81. According to a note in the *Liye Qin jian (yi)*, the left-hand side of the board is notched to indicate the number "6."

82. Chen Wei, *Liye Qin jiandu*, 258.

83. According to a note in the *Liye Qin jian (yi)*, the left-hand side of the slip is notched to indicate the number "1."

84. Chen Wei, *Liye Qin jiandu*, 259–60.

35th year, sixth month, on the day *jisi*, *wuwu* being the first day of the month, Jian (Official in charge) of the Armory and Assistant Ban disbursed and sold one strip of . . . [of the leftovers of] the sacrifices to Yin(?) to the bond-servant Xu. What was taken was one cash.

LINE 2
令史歡監　般手

Magistrate's scribe Yuan(?) supervised.　By the hand of Ban.

D. 8-1286 (1289) + 8-1166 (1162):[85]
卅五年六月戊午朔己巳庫建佐…

35th year, sixth month, on the day *jisi*, *wuwu* being the first day of the month, Jian (Official in charge) of the Armory and Assistant . . .[86]

E. 8-1166 (1162)
…般出賣祠窨餘徹食…

Ban disbursed and sold food from the leftovers of the sacrifices to Yin(?) . . .

F. 8-1588 (1579)+ 8-1054 (1055):[87]
LINE 1
卅五年六月戊午朔己巳卅五年六月戊午朔己巳庫建佐般出賣祠窨餘徹脯一朐于□□□所取錢一

35th year, sixth month, on the day *jisi*, *wuwu* being the first day of the month, Jian (Official in charge) of the Armory and Assistant Ban disbursed and sold one strip of breast meat of the leftovers of the sacrifices to Yin(?) [to the bond-servant Xu]. What was taken was one cash.

LINE 2
令史歡監　般手

Magistrate's scribe Yuan(?) supervised.　By the hand of Ban.[88]

H. 7-39:[89]
LINE 1
…餘徹酒二斗八升賣于隸臣□…

85. Chen Wei, *Liye Qin jiandu*, 286, suggests that these two slips should be rejoined.
86. According to a note in the *Liye Qin jian (yi)*, the left hand side of the slip is notched to indicate the number "5."
87. Chen Wei, *Liye Qin jiandu*, 269.
88. According to a note in the *Liye Qin jian (yi)*, the left-hand side of the slip is notched to indicate the number "1."
89. Zhang Chunlong "Liye Qin jian si Xiannong," 395.

. . . leftovers of the sacrifice, sold 2 *dou* 8 *sheng* of alcohol to the bodservant . . .

LINE 2

…令史□監…

Magistrate's scribe . . . supervised . . . [90]

I. 8-845 (845)

LINE 1

卅五年六月戊午朔己巳庫建佐般出賣 [祠]…

35th year, sixth month, on the day *jisi*, *wuwu* being the first day of the month, Jian (Official in charge) of the Armory and Assistant Ban disbursed and sold . . . of the sacrifices . . .

LINE 2

衛之斗二錢…[91]

. . . calculating at 2 cash per *dou* . . .

J. 8-848 (847)

LINE 1

…己巳庫建佐般出賣祠…

. . . on the day *jisi*, Jian (Official in charge) of the Armory and Assistant Ban disbursed and sold . . . of the sacrifices . . .

LINE 2

…令史歡…

. . . the magistrate's scribe Yuan(?)

All of these documents refer to a single sacrifice on a single day, which was presumably the day appropriate, for whatever reason, to sacrifice to this deity. Every item disbursed and sold seems to have had to have its own record: why it was not considered more efficient to compose a single document with all the items sold at the same time to a single individual is not clear. Perhaps it was thought that this procedure would reduce theft and/or corruption. Equally important to note is that it was the Armory officials who were in charge of this sacrifice, unlike in the case of the sacrifices to the Primal Agriculturalist, where the Granary officials were in charge of selling the leftovers. I suspect, therefore, that

90. This board may be a copy of the first document, 8-924 (923) + 8-906 (907) + 8-1431 (1422), above.

91. The left-hand side of the board is notched to indicate the number "6," above and below being broken.

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the deity had something to do with local military affairs, rather than being the deity of a cave or storage pit, as Zhang Chunlong suggests. Next, it is interesting to observe that in both this case and in the case of the wall-builder who bought the leftovers of the sacrifice to the Primal Agriculturalist, convicts had some cash in hand to be able to make these purchases, minimal though they were. How they were able to maintain control over or have access to their cash reserves while on penal duty remains to be researched. Finally, document 8-1442 (1434), which Chen Wei links with two other documents, 8- (1069) and 8-1528 (1520), apparently mentions a convict, possibly a bondservant, by the name of Xu 徐 in a list of other convicts assigned by the official in charge of the Armory, Wu 武, in the fifth month of the thirty-second year of King Zheng. It is possible that this reference is to the same man, as he could have still been serving his three-year sentence when he bought the sacrificial leftovers, although by the sixth month of the 35th year, he would have been almost at the end of his sentence.

As for the third of Zhang Chunlong's deities, a putative god of the dikes, Chen Wei thinks that Zhang has misinterpreted the document no. 8-211 (210), and that it does not refer to a deity at all.[92] He is definitely correct, as *ti* 隄 in the clause *zati* 雜隄 should be understood as *zati* 雜題, in other words, "to write down together" (said of magistrate's scribe Chu and Assistant Chao 令史除佐朝).

The last religious activity of Qin local officials that I wish to discuss is that relating to what appears to be a temple (*miao* 廟), although it is possible that Miao is just a place name. Chen Wei reconstructs this document from several fragments, 8-137 (138) + 8-175 (174) + 8-525 (522) + 8-526 (523).[93] It reads as follows:

RECTO LINE 1

廿六年六月壬子，遷陵□、[丞]敦狐為令史更行廟詔：令史行…

26th year, sixth month, on the day *renzi*, (the magistrate) X of Qianling,[94] and Assistant Dunhu issued an announcement for the

92. Chen Wei, *Liye Qin jiandu*, 114n.1.

93. Chen Wei, *Liye Qin jiandu*, 78–80.

94. According to document no. 8-1752 (1743), the magistrate of Qianling in the eighth month of the 26th year of Qin Shihuang (221 B.C.E.) was named Bo 撥, and document 12-10, published in the *Liye fajue baogao*, 191, records a legal investigation by the same man concerning an uprising against the Qin by "men of Yue" 越人 who had rebelled with cities and towns. It is likely that the indecipherable graph is therefore Bo, and this man issued this ordinance. Chen Wei, *Liye Qin jiandu*, 79n.1, suggests that the indecipherable graph is *shou* 守 "temporary." If that is so, then this would be a case of an Assistant issuing an edict, which seems unlikely, and that Chen Wei's punctuation, which places a pause after the indecipherable graph, would be incorrect.

magistrate's scribes to travel to the temple in rotation. Should a magistrate's scribe . . .

LINE 2

失期。行廟者必謹視中□各自署廟所質日。行先道旁曹始，以坐次相屬

, it would be "failing (to meet) an appointment." Those who travel to the temple must take care to oversee the interior [and][95] in each case personally write down (the place of) the temple in their daily calendar of activities.[96] . . .[97]

VERSO ROW 1

LINE 1

十一月己未，令史慶行廟

Eleventh month, on the day *jiwei*, magistrate's scribe Qing is to travel to the temple;

LINE 2

十一月己巳, 令史慮行廟

Eleventh month, on the day *jisi*, magistrate's scribe Si(?) is to travel to the temple;

Line 3 十二月戊辰, 令史陽行廟

Twelfth month, on the day *wuchen*, magistrate's scribe Yang is to travel to the temple;

LINE 4

十二月己丑, 史夫行廟

Twelfth month, on the day *jichou*, scribe Fu is to travel to the temple;

ROW 2 LINE 1

□□□□, 令史韋行

. . . , magistrate's scribe Wei is to travel [to the temple];[98]

95. Chen Wei believes that the indecipherable graph is *er* 而 "and."

96. For the term *zhiri* 質日, see Su Junlin 蘇俊林, "Guanyu 'Zhiri' jian de mingcheng yu xingzhi" 關於 "質日" 簡的名稱與性質, *Hunan daxue xuebao (shehui kexue ban)* 24.4 (2010), 17–22. Sun is incorrect when he states that this type of calendar was private in nature: it clearly was a record that officials were obliged to keep and show to their superiors to ensure that their service record was accurate. Cf. Li Ling, "Shiri, rishu he yeshu—sanzhong jianbo wenxian de qubie he dingming" 視日、日書和葉書——三種簡帛文獻的區別和定名, *Wenwu* 2008.12, 73–80.

97. I am not sure what these two clauses mean and I therefore leave the passage untranslated.

98. The graph *miao* 廟 has been inadvertently dropped at the end of the line.

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LINE 2
端月丁未, 令史慮行廟

First month, on the day *dingwei*, magistrate's scribe Si(?) is to travel to the temple;

LINE 3
□□□□, 令史慶行廟

. . . , magistrate's scribe Qing is to travel to the temple;

LINE 4
□月癸酉令, 史犯行廟

. . . month, on the day *guiyou*, scribe Fan is to travel to the temple;

ROW 3 LINE 1
二月壬午, 令史行 = (行) 廟

Second month, on the day *renwu*, magistrate's scribe Xing is to travel to the temple;

LINE 2
二月壬辰, 令史莫邪行廟

Second month, on the day *renchen*, magistrate's scribe Moye is to travel to the temple;

LINE 3
二月壬寅, 令史釦行廟

Second month, on the day *renyin*, magistrate's scribe Kou is to travel to the temple;

LINE 4
四月丙申, 史戎夫行廟

Fourth month, on the day *bingshen*, scribe Rongfu is to travel to the temple;

ROW 4 LINE 1
五月丙午, 史釦行廟

Fifth month, on the day *bingwu*, scribe Kou is to travel to the temple;

LINE 2
五月丙辰, 令史上行廟

Fifth month, on the day *bingchen*, magistrate's scribe Shang is to travel to the temple;

LINE 3
五月乙丑, 令史□□ (= 行廟)

Fifth month, on the day *yichou*, magistrate's scribe . . . [is to travel to the temple];

LINE 4
六月癸巳, 令史除行廟

Sixth month, on the day *guisi*, magistrate's scribe Chu is to travel to the temple.

From this legal document, we can deduce that the temple was not located in Qianling county town itself, i.e., in modern Liye, but some ways distant, such that it was necessary for the magistrate's scribes and scribes charged with overseeing the sacrifices to record their journey (presumably when they left Qianling and reached the temple) in the calendar that they were supposed to keep of their official activities. Quite a few of these calendars have been retrieved from the tombs of Qin and early Han scribes in recent years and there are several in the Yuelu hoard, too. The Liye Museum also holds a similar document, board no. 9-2287, yet to be published, which records the movements of an unknown official in the fourth and fifth months of an unspecified year.

In the order issued by the magistrate of Qianling and his assistant to their subordinates, it is clear, despite the lacuna, that failing to go and take care of the sacrifices would be punished, like "failing to meet an appointment" (*shiqi* 失期), which was a serious offence: in military law, failing to arrive at a rendezvous could result in the death penalty. So it is clear that the Qianling county officials considered performing the sacrifices to be an extremely important affair of state. Delinquent scribes would probably have been assessed a heavy fine. Another document, quoted below, reveals that convicts, like magistrate's scribes and scribes, also "travelled to the temple":

8-682 (681) RECTO ROW 1 LINE 1
…囚吾作徒薄

. . . register of work (performed by) convict laborers of Qiuwu . . .

ROW 2 LINE 1
九人與吏上事守府 …

Nine men accompanying officials submitting (legal) business to the commandery headquarters . . .

https://doi.org/10.1017/S0362502800000523 Published online by Cambridge University Press

LINE 2
一人除道澤務□…

One man clearing the roads to Zewu(?) . . .

LINE 3
三人行廟 …

Three men travelling to the temple . . .

VERSO
…=(刻?) 下一佐居以來/…

. . . having reached one mark below the mark of . . . Assistant Ju came with it (sc. the document) . . .

In addition, in another long document, dated the 32nd year, tenth month on the day *yihai*, *jiyou* being the first day of the month, listing the activities of convict laborers under the direction of Hun 圂, the temporary official in charge of the Bureau of the Director of Works, on display in the Liye Museum, three men are noted as "working in the temple" (*sanren zuo miao* 三人作廟).[99] Thus the performance of sacrifices in this temple probably was not restricted to the roughly ten-day intervals that are recorded in document 8-137 (138) + 8-175 (174) + 8-525 (522) + 8-526 (523), the year of the establishment of the empire.

What kind of deity might have been the object of worship in this temple? In the *Han shu* "Treatise on Sacrifices," more than one hundred temples (*miao*) are stated to have been functioning in the Qin's ancient capital of Yong 雍.[100] These seem to have been mostly dedicated to astral and cosmic deities, such as the sun, the moon, the planets, the twenty-eight lunar lodges, the Lord of the Wind, the Master of the Rain, and various other unidentified deities. Thus it is possible that the temple in Qianling was dedicated to one or more of these or similar deities. However, until more of the Liye documents are published referring to the temple and giving more details, the precise nature of the deity and the types of rituals performed in its honor will remain a mystery. Furthermore, the exact meaning of the last passage in the magistrate's injunctions will be more understandable: at the moment, although the individual words are perfectly common and ordinary, the meaning of the entire sentence is unclear, at least to me.

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99. Unfortunately, the photograph taken of the Liye Museum display does not show the archaeological number of this document.

100. *Han shu*, 25.1206-7 ("Jiaosi zhi shang" 郊祀志上).

https://doi.org/10.1017/S0362502800000523 Published online by Cambridge University Press

Conclusion

The above are merely some preliminary reflections on a few of the documents published in *Liye Qin jian (yi)*. There are many other important issues that I have not been able to address here. Undoubtedly, there will be an outpouring of scholarship on this immensely valuable trove and more of the documents will be able to be reconstructed, for it seems, for example, that at least one fragment of a document from level 8 appears in layer 7.[101] Thus we will soon be in a much better position to assess the daily functioning of a local county government and thus better able to determine why the Qin succeeded in administering its newly conquered territories and why, perhaps, it fell so quickly.

By way of a brief conclusion, therefore, I would like to speculate on why the Liye documents were thrown in well number 1 in the first place. In the early Han statutes from Zhangjiashan, we find the following strict requirements for the writing up and storing of government records:

> 民宅園戶籍、年細籍、田比地籍、田合籍、田租籍，謹副上縣廷，皆以篋若匣匱盛，緘閉，以令若丞、(331) 官嗇夫印封，獨別為府，封府戶；節 (即) 有當治為者，令史、吏主者完封奏 (湊) 令若丞印，嗇夫發，即襍治為；(332) 其事已，輒復緘閉封臧 (藏)，不從律者罰金各四兩。其或為詐 (詐) 偽、有增減也而弗能得，贖耐。(333)
>
> "As for the registers of the people's houses, gardens and households, the detailed registers of ages, the land registers with the neighbouring fields, the registers of the names of the fields, and the registers of the field taxes, copies are to be conscientiously forwarded up to the County Court, and in every case are to be held in a trunk or a coffer or an armoire and closed and sealed, using the seal of the magistrate (*ling*), or the assistant (*cheng*), or the bailiff of the [relevant] office (*guansefu*). They are to be placed by themselves in a document repository and the door of the repository is to be sealed. When it is necessary to put some of them in order or create [new ones], the magistrate's scribe (*lingshi*) and the official in charge (*lizhu*) are to check to see if the seals are whole and to match (the impressions) with the seals of the magistrate or the assistant, and the bailiff is to open (them). Then they are to put them in order or create [new ones] together. When they have completed the matter, they are to store and immediately close and seal [the container] once more and

101. See the fragments concerning the sacrifices to the unknown, probably military, deity above.

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> the storehouse is to be sealed. Those who do not obey the statutes are to be fined four *liang* of gold each. Should anyone make false and fraudulent (entries), either increasing or diminishing them and (the officials) are not able to catch them, (punish them with) redeemable shaving."[102]

As mentioned above, among the materials thrown into Well no. 1 are a number of box covers, made of wood, with semi-circular (half-moon shaped) tops filled in with black ink.[103] Many have two holes in them towards the top, either in the ink or just below it. These have writing on them indicating what was contained within the box. An example is:

8-215 + 8-281 (214)
LINE 1

卅三年

33rd year

LINE 2
十一月盡

End of the 11th month

LINE 3
正月吏戶

To the first month; Officials and Households

LINE 4
已事

Completed matters

It is quite possible that many of the boards and slips thrown into the well came from these boxes, which were the archives of Qianling County. The holes would have allowed for ropes to have been passed through and the knots would quite likely have had clay squeezed over them, with the seals of the relevant officials imprinted on the clay, as stated in the Zhangjiashan statute quoted above, to prevent anyone from untying the knot, and opening the box and tampering with the archive inside. But when and why were these boxes of archival material abandoned?

It is quite clear from a series of the Liye documents (9-1 to 9-12) that the Qin strictly applied the statutory rule that those in debt to the govern-

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102. *Zhangjiashan Han mu zhujian*, slip nos. 331–336, 178.

103. In layer 8, there are just under twenty of these covers: some of them are broken, so the exact number is hard to calculate.

ment could be obliged to work off their debt. This series of documents records that certain persons from certain villages had certain debts to the government (the debts range from 384 cash to 11,211). The Qianling officials had gone to their villages to try to force their families to pay up, but because the families were poor, they were unable to recover the funds. The debtors were working somewhere, the Qianling authorities did not know where, in Dongting commandery and Qianling wished to know where they could find the recalcitrant debtors so that they could recover the funds from the government offices for which they were working: this is in accordance with the Shuihudi Statutes on Finance (*Jinbu lü* 金布律)[104] and the Statutes concerning the Director of Works (*Sikong lü* 司空律).[105] Thus they wrote to Dongting to ask for further particulars.

In my opinion, it could very well be that the Liye documents were looted from the local Qin government office when the Qin dynasty started to collapse in the second year of the Second Emperor and thrown in the well to ensure that the local authorities had no way of tracking the massive debts that members of the local population had racked up. The famous rebellion against the Qin might well have been a kind of debtors' and convicts' revolt, or at least a revolt at the local level by convicts' relatives that brought the Qin government down, confirming in some measure the historical record. Thus the Han criticism of Qin oppression could have been largely justified, even though the Han continued to use the same legal and administrative system that the Qin had invented.[106] Still, this is only speculation at this point in time. It will be interesting to see if any evidence for such an interpretation is found in the bottom level of Well no. 1, which contains the documents that were removed from the county archives first and dumped in the well.

104. *Shuihudi Qin mu zhujian*, slip nos. 76–79, 38–39; Hulsewé, *Remnants of Ch'in Law*, A 38 and A 39, 48–49.

105. *Shuihudi Qin mu zhujian*, slip nos. 143–144, 53; slip nos. 133–140, 51–52; Hulsewé, *Remnants of Ch'in Law*, A 66, A 67, A 68, 67–71.

106. Indeed, it is not yet clear which of the laws in the Zhangjiashan tomb no. 247 hoard were Qin laws and which were promulgated in the early Han, although some can clearly be dated to shortly before 186 B.C.E.