

A STUDY OF SIMPLIFIED SEAL-MARKS AND FINGER-SEALS IN CHINESE DOCUMENTS

With Special Reference to Documents Secured
in the Western Regions

By

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Foreword

Various scholars were making a study of finger-seals based on the documents of the T'ang dynasty discovered at Khotan 和闐 and other localities. The first publication of my own view on the subject was an article entitled 唐宋時代の家族共産と遺言法 (*The Joint Family and Testaments of China in the T'ang and Sung Dynasties*) which was included in the Oriental History Dissertations Compiled in Commemoration of Dr. ICHIMURA's 70th Birthday, 1933, in which I dealt with the legal documents pertaining to the distribution of family property and testaments in the T'ang and Sung dynasties recovered at Tung-huang by Sir A. STEIN and Prof. P. PELLIOU. Among these documents there is one testament in a very significant form. Since then I have often conducted a thorough-going study of the subject, making use of the documents discovered in the western parts of China, the document pertaining to sale and purchase of land dated the 4th year of *Chêng-shih* 正始 of the North Wei dynasty, and even the dramas and novels of the Yüan and Ming dynasties. My study of simplified seal-marks entitled 支那法律史文書の花押・畫指及び手形 (*The Seal-marks, Finger-seals, and Hand-prints on the Legal History Documents of China*) was first published at the Law Department of Tokyo Imperial

University, in 1935 as one of the Second Series of Lectures of the Academy of Oriental Culture. Leaving alone that of the simplified seal-marks of the Ch'ing dynasty, the study, among Japanese scholars, of the simplified seal-marks in the ancient documents of the T'ang and Sung dynasties and also in the novels of the Ming dynasty dates from these publications of mine. This being the case, in the present paper, despite the title "*A Study of Simplified Seal-marks and Finger-seals*", my discussion of the simplified seal-marks covers much less space than that of the finger-seals. This was written in July, 1939, and published in the *Shoen* 書苑 Vol. III, No. 9. The phraseology has been somewhat revised. Acknowledgment is due to Mr. Sosui FUJIWARA 藤原楚水, editor and publisher of the *Shoen* who has kindly consented to having it rendered into English.

I Introduction

The study of inscriptions on Chinese monuments has achieved a marked progress in recent years, while that of ancient documents has lagged behind. It has been even asserted by some people that the study of inscriptions of Chinese monuments is possible, but not that of ancient documents. Some scholars went even so far as to despair of discovering ancient documents for the following reasons: (1) that, because writings were valued and never neglected in China, documents were burnt up when no more needed, (2) that frequency of war caused documents to be lost, and (3) that after a new dynasty compiled the history of the previous dynasty, the materials used were burnt up. These certainly may have been reasons for the loss of some ancient documents, but not the reason for which we could decisively preclude that no ancient document has been handed down to posterity. Ancient documents which have already been discovered are by no means few in number; with the progress of the study of ancient documents, it may be foreseen that more and more will be discovered; and documents of recent centuries are being found everywhere even among common people. A large number of ancient documents of the middle ages have been discovered at western parts of China, such as Khotan

和闐, Turfan 土魯番, and Tun-huang 敦煌 by the Japanese, English, French, German and Russian scientific missions. The Tun-huang documents discovered by Sir A. STEIN and Prof. P. PELLIER and taken to London and Paris reach a considerable number. I, as a member of the Academy of Oriental Culture, have been enjoying facilities of investigating these ancient documents for many years, though many documents remain unpublished to the scholastic world, and many are the documents to which I have had no access. Moreover, the study of ancient documents and that of monument inscriptions are related to each other. The inscriptions on the extant monuments at Buddhist and Taoist temples weather-beaten for a thousand years are ancient documents reproduced in relief. They are not often originals, but only reproductions of ancient documents. The material of the originals is sometimes a mineral. Whether of paper or not, it is a document all the same. When viewed in this light, as Mr. Kiichirô KANDA 神田喜一郎¹⁾ and other pioneers have pointed out, monuments are materials for ancient document students as well as monument inscription students. In addition to the ordinances and regulations compiled in various collections of writings, and documents quoted in the official annals, essays and novels—all these will make up a greater quantity of materials than one would imagine. In view of the presence of this large amount of ancient documents, it is impossible to deny the rise of the study of ancient documents. I firmly believe in the progress of the study of Chinese ancient documents as well as that of Chinese monument inscriptions.

This study of ancient documents is, as a rule, a material, external, formal type of study. The study of the simplified seal-mark, or *ryaku-kwa-ô* as is called in Japan and the finger-seal to be discussed in this paper, also belongs to the same type. In the following pages, I shall attempt to draw up a sort of brief history of the processes of investigation in this field, I have been able to conduct to the present, chiefly making use of the ancient documents discovered at Tun-huang, Turfan,

1) Kiichirô KANDA 神田喜一郎: 支那古文書の研究 (*A Study of Ancient Documents of China*), *Rekishi to Chiri*, Vol. IX ff., 1921.

and Khotan, and referring to and commenting upon the views of various scholars both Japanese and foreign. As I have referred to, I have not been able to investigate all the documents discovered in the western parts of China, many points are open to further investigation. Though this study of documents involves examination of the originals or the photographs approximately giving the exact state of the originals, many of the scholars who have published these documents have been rather careless of external forms in presenting them, which is especially a glaring defect of Chinese scholars in their attitude of publishing documents. It is exceedingly deplorable that their documents sometimes prove of no service to the students of the external forms of ancient documents, though they may be of benefit to the students of their internal substances. This being the case, some of the documents which had been published by Chinese scholars had to be re-investigated, and when re-investigation was impossible, I had to do without such materials.

Furthermore, in the present paper, I have chiefly dealt with simplified seal-marks and finger-seals, but also have briefly discussed *hua-ya* 花押 (seal-marks), *chi-yin* 指印 or *chi-mu* 指模 (finger-prints), and *ssü-yin* 私印 (private seals) which are related to them. As to the photographs of the documents reproduced in this paper, I have given sources. Many photographs of the documents in the possession of the British Museum, the Bibliothèque Nationale de Paris, and the NAKAMURA Calligraphic Museum are reproduced here. As to these photographs, I may remark that, for those reprinted from my papers 唐宋法律文書の研究 (*A Study of Legal Documents of the T'ang and Sung Dynasties*) and スタイン・ペリオ兩氏敦煌將來法律史料數種 (*On the Various Materials for Legal History Secured at Tunhuang by Sir A. STEIN and Prof. P. PÉLLIOT*), I have obtained permission of these institutions for photographing and publishing them as materials. For reproducing them again, I must thank the respective authorities, and also acknowledge the special kindness of Mr. Kiyoshi SHIRATORI 白鳥清 and Mr. Itsuji YOSHIKAWA 吉川逸治 who obtained for me some of the photographs.

II A Study of Simplified Seal-Marks

In mediaeval and modern China, there were cases in which the contractor made a document personally; but it was customary for an amanuensis to not only write the text of a document for the contractor, but also to affix the names of the contractor and the persons standing surety for him, and then for the contractor and the persons standing surety for him to affix their signatures personally, or as a means of signing to affix seal-marks, or simplified seal-marks, or in place of signing, to affix finger-prints or fingers-seals. As legal documents of the T'ang and Sung dynasties with affixed signatures, I may mention the *kuo-so* 過所 (kind of passport) dated March and November, the 3rd year of *Ta-chung* 大中 of the T'ang dynasty (唐大中九年三月及十一月過所), which are preserved at the Onjôji 圓城寺 Temple (Miidera 三井寺) in Japan and recently designated as a national treasure, the *kung-yen* 公驗 like that of the Fu-chou-tu-tu-fu 福州都督府 dated September, the 7th year of *Ta-chung* 大中 of the T'ang dynasty (唐大中七年九月福州都督府公驗) now in the possession of Prince Kitashirakawa, 北白川宮, the document pertaining to loan of government unhulled rice dated February, the 3rd year of *Kuang-tê* 廣德 of the T'ang dynasty (唐廣德三年二月官粟貸借文書) discovered at Turfan 土魯番 by Dr. A. von Le Coq, the document pertaining to loan of money dated March, the 16th year of *Ta-li* 大曆 of the T'ang dynasty (唐大曆十六年三月借錢文書) discovered at K'u-mu-t'u-la 庫木吐喇 by the ÔTANI Mission (Pl. 8), the testament dated October, the 6th year of *Hsien-t'ung* 咸通 of the T'ang dynasty (唐咸通六年十月遺言狀) discovered at Tun-huang 敦煌 by the STEIN Mission (Pl. 10), the testament of an unknown date (年度不詳遺言狀), the document pertaining to exchange of lands in the T'ang dynasty (唐代土地交換文書) (Pl. 2), the document pertaining to loan of silk dated October, the year *hsin-ch'ou* 辛丑 (辛丑年十月借絹文書), and the hostage document dated October, the year *kuei-mao* 癸卯 (癸卯年十月人質文書) (Pl. 4). As seen in some documents, for instance, that pertaining to distribution of family property of an

unknown date (年度不詳家產分割文書) discovered at Tun-huang by the PELLIOU Mission, that pertaining to sale and purchase of domestic animals dated June, the 29th year of K'ai-yüan 開元 of the T'ang dynasty (唐開元二十九年六月家畜賣買文書) discovered at Turfan 土魯番 in the possession of the Nakamura Caligraphic Museum (Pl. 13); and that pertaining to loan of money dated July, the 7th year of Chien-chung 建中 of the T'ang dynasty (唐建中七年七月借錢文書) discovered at Khotan 和闐 by Sir A. STEIN and others (Pl. 6), are signed with signatures in the Tibetan and other languages of the so-called Western Regions, because though the documents were drawn in western parts of China the signers were foreigners. There is no denying the presence of seal-marks in the T'ang dynasty, because the *Kuo-so* dated March, the 9th year of *Ta-chung* 大中 of the T'ang dynasty (唐大中九年三月過所) contains a figure which might be taken as a seal-mark, the document pertaining to sale of slaves dated November, the 2nd year of Chun-hua 淳化 of the Sung dynasty (宋淳化二年十一月奴隸賣買文書) discovered at Tun-huang by the Stein Mission (Pl. 1) and many other extant materials relating to seal-marks of the Sung dynasty prove it.¹⁾ Figures which might be taken as finger-prints are already present in the materials of the T'ang dynasty. In the work commonly called the Travels of Slayman, the Arabian merchant in the last days of the T'ang dynasty (the 9th century), (translated into French by REINAUD), there is an account of the method of signing by means of fingers. Now, during the T'ang dynasty there were two routes from western countries to China—one by land through Hsin-chiang 新疆 to the interior of China, and the other by water from the South Seas to Canton and other ports. Slayman's book treats of the latter route, describing the customs and manners of

1) N. NIIDA: 唐宋法律文書の研究 (*A Study of Legal Documents of the T'ang and Sung Dynasties*) March, 1937, p. 24 ff. This work chiefly treats of ancient documents but is also a historic and legal study. For details of the form and substance of the *kuo-so* 過所 dated March of the 9th year of *Ta-chung* 大中 of the T'ang dynasty and other documents of the T'ang and Sung dynasties, the reader is to refer to N. NIIDA: *op. cit.* As to the few of the documents quoted in the present paper, remarks may be made here also for convenience' sake. The *kuo-so* 過所 and *kung-yen* 公驗 were a sort of passport to be presented to the port authorities at ports; both natives and foreigners had to obtain

them from the government before travelling. It is not known whether documents of this kind of the T'ang dynasty have been discovered at Tun-huang or any other western part of China. They are preserved only in Japan. As to the study of the *kuo-so* 過所, apart from my work, there is a paper by Torajirô Naitô 内藤虎次郎 entitled 三井寺所藏の唐過所に就て (*Concerning the Kuo-so of the T'ang Dynasty in the Possession of the Miidera Temple*) published in the Oriental History Dissertations in Commemoration of Dr. Kûwabara's 60th Birthday, 1930. As to the document pertaining to loan of unhulled rice from the Government dated the 3rd year of *Kuang-tê* 廣德 of the T'ang dynasty (唐廣德三年官粟貸借文書), see (IV) A Study of Finger-seals in this paper. In the document pertaining to loan of money dated the 16th year of *Ta-li* 大曆 of the T'ang dynasty (唐大曆十六年借錢文書), we find a contract for setting as a monthly interest 200 *wên* 文 on the principal of 1,000 *wên* 文, and also the so-called case of Stillesizbürgschaft in which the person who stands surety for a debtor, on the debtor's disappearance without discharging his debts, is held responsible for the liability (Haftung) of the compensation for the damages resulting therefrom. Dr. Kaoru Nakada 中田薫, my respected teacher, formerly of Tokyo Imperial University, has compared this surety method with that of a similar nature in Babylon and other countries in his article 我古法に於ける保證及び連帶債務 (*Surety and Joint Liability in Ancient Laws of Japan*) published in *Kokka-gakkwai-zasshi* 國家學會雜誌, Vol. XXXIX, No. 3, p. 30 ff. This surety method is stipulated in the Japanese code and also in the Chinese of the T'ang dynasty, but the Japanese was adopted by consulting the Chinese of the T'ang dynasty (NAKADA: *op. cit.*). Documents of surety agreement of the T'ang and Sung dynasties have been discovered at Tun-huang and other places. Moreover, it is remarkable that a surety method of this nature also existed in the Annamese code. See N. Niida: 元・明・清代及び黎氏安南の保證制 (*The Surety Systems in the Yuan, Ming, Ch'ing Dynasties, and the Li Dynasty in Annam*) in the *Shichô* 史潮, Vol. V., No. 3, 1935, p. 31 ff. Hostage represented in the hostage document dated *kuei-mao* (癸卯年人質文書) is a case of possessory pledge (Faustpfand) and perpetual gage (Ewigsatzung) in which the creditor holds the debtor for labour until the principal is paid; moreover, labour in this case being equivalent to an interest, it is an interest-gage (Zinssatzung) with no provision for interest. This, however, may be also interpreted as a case of forfeiture-gage (Amorisationssatzung) in which the principal is forfeited by labour. The document pertaining to distribution of family property of an unknown date (年度不詳家產分割文書) is, for the most part, an inventory to be distributed between the brothers, including land, house, farming tools, and utensils of everyday life,—showing how these things were distributed. The document pertaining to sale and purchase of domestic animals dated the 29th year of *K'ai-yüan* (開元二十九年家畜賣買文書) and the document pertaining to sale and purchase of slaves dated the 2nd year of *Chun-hua* 淳化 of the Sung dynasty (宋淳化二年奴隸賣買文書) both show that silks were employed in paying the prices and include a clause of warrant against eviction by a third party and a clause of warrant against objections from any relatives: and the presence of a clause of warrant against concealed flaws in the latter is noteworthy in a study of legal history. The presence of an agreement on private distress as well as agreement on interest and surety in the document of loan of money dated the 7th year of *Chien-chung* 建中 of the T'ang dynasty (唐建中七年借錢文書) has already been commented upon by Prof. Kaoru Nakada in his 古法制雜筆 (*Ancient Law Jottings*) included in *Kokka-gakkwai-zasshi*, Vol. XXXIV, No. 7, p. 69 ff. As to the fundamental laws of interest, surety, and private distress, see N. Niida: 唐令拾遺 (*The Laws of the T'ang Dynasty Recovered*), March, 1933, p. 853 ff. As to the distribution of family property in the T'ang dynasty, see Kaoru Nakada: 唐宋時代の家族共産制 (*The Joint Family of China in the T'ang and Sung Dynasties*) *Kokka-gakkwai-zasshi*, Vol. XXXX, No. 7, 8, 1926, and N. Niida: 唐宋時代の家族共産と遺言法 (*The Joint Family and Testaments of China in the T'ang and Sung Dynasties*), Foreword in the present paper and *op. cit.*, p. 245 ff.

ancient China and form a valuable material as a record of the life of foreigners in China. This work says that, when a bond for loan of money in the T'ang dynasty was drawn, creditor and debtor each made a copy; folding each copy, they put together the folded edges, and wrote characters on them as a tally for future reference, and the debtor had to affix on the document the finger-seal of his middle-finger and forefinger joined together. If the debtor pretended afterward that he had not drawn the document, or failed to recognize the document containing his sign or mark, he was punished.¹⁾ This placing a finger on a document, it may be asserted, meant affixing a finger-seal or a finger-print. I had long been looking forward to the discovery of a document of the T'ang or Sung dynasty containing a finger-print, and I was at last satisfied by the document pertaining to exchange of lands of the T'ang dynasty (唐代土地交換文書) discovered at Tun-huang by the PELLIOU Mission. The text of the document and the names placed on it are, written by one person, and the witness Chang Fa-yüan 張法原, a priest, again affixes his own signature under his name. I am of the opinion that it was customary for one who could not sign to affix his finger-print or simplified seal-mark, or finger-seal. In this document Chang Yüeh-kuang 張月光 a priest the person who exchanged lands has affixed his finger-print instead of his signature. His finger characteristics are faintly visible. The finger-print is about 7 *bu* (2.1 cm.) in diameter; it must be a thumb-print. I can now infer it from the photograph; a study of concrete matters such as the colour of the print and the stamp-ink must be conducted in the future. Moreover, what look like finger-prints are visible under the names of 保人男堅、(person standing surety 男堅、Chien-chien his son), 保人男手堅 (person standing surety 男手堅 Shou-chien a son) and 男儒奴 (Ju-nu a son). This document lacks the opening section of the text, but as the text contains the characters 大中 Ta-chung as the name of the era, it may be ascribed to the T'ang dynasty. So I published my view, in 1937, after studying the photograph,

1) REINAUD: Relation des voyages faits par les Arabes et les Persans dans l'inde et à la chine, I, Chaine des Chroniques, 1845, pp. 42-44.

but since then no scholar has reported concerning this document or the finger-prints in it. The view I present without studying the original document containing finger-prints could by no means be satisfactory.¹⁾ May what I regard as finger-prints prove to be real finger-prints? If the authorities of the Bibliothèque Nationale de Paris will enlighten me on this point, I shall be very much obliged to them. Prof. Toshisada NABA 那波利貞 has recently pointed out the presence of a vermilion thumb-print of the debtor in the document pertaining to loan of barley dated April of an unknown year discovered at Tun-huang by Prof. PELLIOR.²⁾ There may be many other instances. The simplified seal-mark, sometimes called *hira-ka-ô* 平花押 (plain or common seal-mark), is a sort of seal-mark. Both *ryaku-ka-ô* 略花押 and *hira-ka-ô* 平花押 are terms used by Japanese students of ancient documents in connection with ancient Japanese documents. I make it a rule to borrow these terms in connection with the ancient documents of China. The simplified seal-mark is a sign which a person who cannot write his own name affixes in place of his signature. The commonest examples are 十, 七, and 〇. Since 十 is used so frequently, the phrase 十字花押 (the seal-mark with the character 十) appears in some writings of the Ming dynasty. Furthermore, the seal-mark is usually one's own name in simplified form, but in some cases a sign with no relation to one's own name is used; thus it is often impossible to distinguish a seal-mark from a simplified seal-mark. In the 23rd year of the Chinese Republic (1934) 國立中央研究院歷史語言研究所 (the Central National Research Institute, the Historic and Linguistic Research Department) published the Tun-huang-to-so 敦煌掇瑣 (The Tun-huang Gleanings, the Middle Part) compiled by Mr. Liu Fu 劉復. It is a selection of the Tun-huang materials collected by Prof. PELLIOR and in the possession of the Bibliothèque Nationale de Paris, and contains the reprints of more than ten documents which, because dated by sexagenary

1) N. Niida: 唐宋法律文書の研究 (*A Study of Legal Documents of the T'ang and Sung Dynasties*), 1937, p. 60 ff.

2) Toshisada NABA 那波利貞: 梁戸考 (*A Study of Liang-hu*), *Shina Bukkyô-shigaku* 支那佛教史學 (Journal of the History of Chinese Buddhism), Vol. II, No. 4, 1938, p. 41.

cycle and not by dynasties, cannot be definitely dated, but which may be mostly ascribed, in my view, to the last part of the T'ang dynasty, the Five-Dynasty period, and the earliest part of the Sung dynasty. In some of these, such as the document pertaining to loan of silk dated August, the year *chia-wu* 甲午 (甲午年八月借絹文書) the document pertaining to loan of silk dated June the year *i-chi* 乙巳 (乙巳年六月借絹文書) the hostage document dated October, the year *kuei-mao* 癸卯 (癸卯年十月人質文書), and the document pertaining to loan for use of land dated February, the year *chia-wu* 甲午 (甲午年二月土地使用貸借文書)¹⁾ included in the lawsuit papers dated December, the 2nd year of K'ai-yün 開運 of the Five-Dynasty period (五代開運二年十二月訴訟文書), there are found such signs as 十, 七, 力, and 之, which may be regarded as simplified seal-marks. Mr. Liu 劉, however, in his marginal notes of the Tun-huang-to-so 敦煌掇瑣, explains these signs simply as seal-marks. Of course he could call them seal-marks, because simplified seal-marks are also seal-marks; but it is important to know that there are two kinds of seal-marks—one seal-marks in the narrower sense and the other the so-called simplified seal-marks. The year following the publication of the Tun-huang-to-so, I presented my view on the simplified seal-marks in the Tun-huang documents in a lecture entitled 支那法律史文書の花押・畫指及び手形 (*The Seal-marks, Finger-seals, and Hand-prints in Legal History Documents of China*)²⁾ as the second lecture of the Academy of Oriental Culture. The epitome of my lecture was presented to those who attended the lecture in the form of a leaflet, and is reprinted in the *Journal of Oriental Studies*, Tokyo, No. 6. This was the first elucidation of the simplified seal-marks on the Tun-huang materials. By the way, the Tun-huang-to-so 敦煌掇瑣 includes

1) Of all these documents, the forms and substances of the lawsuit papers dated the 2nd year of K'ai-yün 開運 of the Five-Dynasty period are fully commented upon in N. NIIDA: スタイン・ペリオ兩氏敦煌將來法律史料數種 (*On the Various Materials for Legal History Secured at Tun-huang by Sir A. STEIN and Prof. P. PELLIO*), *Tôhō-gakuhō* 東方學報 (*Journal of Oriental Studies*), Tokyo, No. 9; and those of the rest, in N. NIIDA: *op. cit.* Also see (IV) A study of Finger-seals in this paper, in connection with the lawsuit papers.

2) See Foreword.

among the seal-marks what is not one. I mean the sign 7 at the end of the text of the document. It only shows the end of the text, and is no seal-mark at all. Again, the same book, referring to the seal-marks in the Tibetan language at the end of the document pertaining to distribution of family property of an unknown date, says 有三四梵字似是花押 (There are three or four Sanskrit characters. They look like seal-marks.) But it is obvious that they are not. Now, on February 26th, 1936, the year after I presented my view on the presence of simplified seal-marks, through the good office of Prof. Kiyoshi SHIRATORI 白鳥清 who was then staying in London, I had the pleasure of receiving the photographs of the Tun-huang materials collected by Sir. A. STEIN. Among them there is the document pertaining to distribution of family property dated August (intercalary), the 9th year of T'ien-fu (天復九年閏八月家產分割文書) (which should be read the 3rd year of K'ai-p'ing 開平 of the Latter Liang dynasty of the Five-Dynasty period) (Pl. 3). Towards the end there appear the names of the brothers between whom the property is distributed, their seal-marks and simplified seal-marks, such as 十, 七, etc., written upside down. The document pertaining to sale and purchase of slave dated November, the 2nd year of Ch'un-hua 淳化 of the Sung dynasty (宋淳化二年十一月奴隸賣買文書) (Pl. 1) has also towards its end, beside the seal-marks of 知見人 (the witnesses) the sign 七 the simplified seal-marks of the seller and the person sold. These cases have proved the existence of simplified seal-marks in the Tun-huang materials.¹⁾ As to the materials collected by Prof. PELLLOT which had been introduced by the Tun-huang-to-so 敦煌掇瑣, they have been re-investigated through the photographs of them which I succeeded in obtaining through the courtesy of Mr. Itsuji YOSHIKAWA 吉川逸治, which has confirmed me in my view.²⁾ Of those photographs, I shall here reproduce the hostage document dated October, the year *kuei-mao* 癸卯 (癸卯年十月人質文

1) N. NIIDA: スタイン探検隊敦煌發見法律史料數種 (*Several Legal History Materials Discovered at Tun-huang by the STEIN Mission*), *Kokka-gakkwai-zasshi*, Vol. L, No. 6, June, 1936.

2) N. NIIDA: ペリオ探検隊敦煌發見法律史料數種 (*Several Legal History Materials Discovered at Tun-huang by the PELLLOT Mission*), *Kokka-gakkwai-zasshi*, Vol. L, No. 11, November, 1936.

書). (Pl. 4) Mr. YOSHIKAWA has since kindly assisted me in obtaining the photographs of the materials collected by Prof. PELLIOR, by consulting which I have succeeded in learning the accurate condition of the simplified seal-marks affixed on the document pertaining to loan for use of land dated February, the year *chia-wu* 甲午 (甲午年二月土地使用貸借文書) among lawsuit papers of the Five-Dynasty period and the document pertaining to loan of unhulled rice and barley from the Government dated June, the year *mou-tzu* 戊子 (戊子年六月官粟麥貸借文書). On the latter the names of a few dozen debtors and persons standing surety 口承人 (保人) are enumerated, and under the names several simplified seal-marks, mostly the characters 十, 七, 之 are affixed.¹⁾

The simplified seal-mark probably existed before the T'ang dynasty, but its origin is not clear. Since the date of the Tun-huang materials above-mentioned may be put mostly between the last part of the T'ang dynasty and the beginning of the Sung dynasty, it may be asserted, therefore, that simplified seal-marks were in use during the T'ang dynasty. The name T'ien-fu 天復 of the era on the document pertaining to distribution of family property dated August (intercalary) of the 9th year of T'ien-fu 天復 (天復九年閏八月家產分割文書) is an era in the last part of the T'ang dynasty. (Pl. 3) It is true that the 9th year of T'ien-fu 天復 is a date a few years after the fall of the T'ang dynasty corresponding to the 3rd year of K'ai-p'ing 開平 of the Latter Liang dynasty of the Five-Dynasty period, but it is improbable that this use of simplified seal-marks was so abruptly introduced in the beginning of the Five-Dynasty period. Of course a material more definitely indicative of the T'ang dynasty would be far better. As such a material, I shall here reproduce the photograph of the fraternity document dated May, the 3rd year of Ching-fu 景福 (the 1st year of Ch'ien-ning 乾寧) of the T'ang dynasty (唐景福三年—乾寧元年—五月結社文書) secured at Tun-huang by Prof. PELLIOR (Pl. 5), which was discussed by Prof. Toshisada NABA 那波利貞 in his recent

1) See N. NIIDA: *op. cit.*, p. 32 ff., and p. 611, and (Pls. 4, 5, 6, and 9).

article 唐代の社邑に就きて (*On the Fraternity of the T'ang Dynasty*)¹⁾. This document contains such simplified seal-marks as 又 and 十 and definitely proves the existence of simplified seal-marks in the T'ang dynasty. A close investigation of the Tun-huang materials secured by Sir A. STEIN and Prof. PELLIOU will probably detect many more instances of the same kind. The documents of the T'ang dynasty discovered at Khotan and Turfan, when I investigated them from the originals and their photographs, were found to contain simplified seal-marks. Only the document pertaining to loan of unhulled rice dated an unknown month of the 17th year of Ta-li 大曆 of the T'ang dynasty (唐大曆十七年某月借粟文書) discovered at Khotan (Pl. 7) has something each looking like a simplified seal-mark under the names and ages—that is, under 妻馬三娘年卅五 (Ma San-niang, his wife aged 35 years) and 女霍大娘年十五 (Ho Ta-niang 女霍大娘, a daughter aged 15). If those are not foreign characters, I presume, they are simplified seal-marks rather than seal-marks. If so, this is a valuable material of the middle period of the T'ang dynasty.²⁾ In later times simplified seal-marks were used to a greater extent. The Ching-shih-t'ung-yen 警世通言, a novel of the Ming dynasty, has a well-known chapter on Yu Tang-chun 玉堂春. Yü Tang-chun was a daughter of Chou 周 at Ta-t'ung-fu 大同府 in Shan-hsi 山西, who was sold away in her childhood, became a courtesan, and being falsely accused of murder, happened to be tried by a magistrate who was her separated sweet-heart. This is a sensational story dwelling upon the chance meeting of the lovers in the court. It also describes the drawing up of the redemption document of Yü Tang-chun, and at the end says: 見人有十余人、衆人先押了花、蘇淮只得也押了、一秤金也畫箇十字 (There the master of the brothel-house, and more than ten persons affixed their seal-marks, and the mistress also put the sign 十).³⁾ In this connection I must

1) *Shirin* 史林, Vol. XXIII, No. 3, 1938.

2) N. NIIDA: *op. cit.*, p. 33.

3) The Ching-shih-t'ung-yen 警世通言卷二十四玉堂春難逢夫 N. NIIDA: 明清時代の入賣及び入質文書の研究 (*A Study of Slave-trade and Hostage Documents of the Ming and Ch'ing Dynasties*), *Shigaku-zasshi* 史學雜誌, Vol. XLVI, No. 6, p. 86.

acknowledge the kindness of Mr. Kikuya NAGASAWA 長澤規矩也 who called my attention to this material in 1934. Again, the Ku-chin-hsiao-shuo 古今小說, a novel of the Ming dynasty, in a passage where Wang Hsiao-ssü 王小四 sells his wife to Chia Shí 賈涉 says 王小四在村中、央箇教授來、寫了賣妻文契、落了十字花押 (Wang Hsiao-ssü 王小四, going to a man in the village who was versed in writing characters, asked him to draw up a document for selling his wife. Then he affixed a cross-sign seal-mark.)¹⁾ Here Wang Hsiao-ssü affixes the 十字花押 (the + seal-mark) on the document pertaining to sale of his wife. This kind of simplified seal-mark was termed Shih-tzū-hua-ya 十字花押. The Chung-kuo-Ming-shih-kuan-hsi-ta-chuan 中國民事習慣大全 says that the use of +, 一, and ○, instead of a sign manual has been and still is prevalent throughout the whole of China. The legal documents of the Ch'ing dynasty in my possession contain a number of such examples. And it is interesting to note that this sign has been a common simplified seal-mark ever since the T'ang and Sung dynasties. Moreover, even the civil code of the Chinese Republic recently promulgated regards such a simplified seal-mark as a valid signature if guaranteed by a witness.²⁾ It was in 1934-37 that I perused such rare books as above-mentioned in the possession of various private libraries and made use of the + sign seal-marks contained in them as materials of my study of simplified seal-marks. No one else as yet thought of making use of the + sign seal-mark as a material in the study of simplified seal-marks.

III A Study of Finger-seals

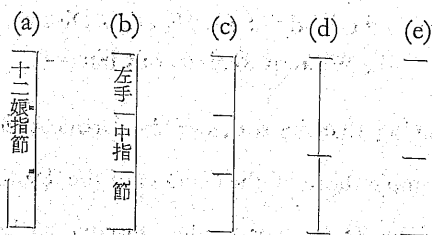
(1) The Meaning of Finger-seals

The finger-seals (*bua-chi* 畫指 or *tien-chi* 點指) in the documents discovered

1) The Ku-chin-hsiao-shuo 古今小說 卷二十二 木綿菴鄭虎臣報冤 published in the Ming dynasty in the possession of the Sonkeikaku 尊經閣 Library of Marquis MAEDA.

2) N. NIIDA: 支那近世の戯曲小説に見えたる私法 (*Private Law Represented in Modern Chinese Dramas and Novels*), Legal History Papers Compiled in Commemoration of Prof. NAKADA's 60th Birthday, 1937, p. 31 ff. *Idem*: *op. cit.*, pp. 33, 34.

at Tun-huang, Turfan, and Khotan in the western parts of China may be divided into two main classes—one the finger-shape finger-seals representing the shape of the finger or something like it, such as (a) (b) or (c); and the other the point-type



finger-seals representing the finger by three points or short bars such as (e). The finger-shape seal is made by drawing on a document the shape (or the length) and the lateral lines of the forefinger (sometimes the middle-finger) of the left or right hand, while the point-type seal is made by representing on a document the joints and lateral lines of the finger. Sometimes we find a finger-seal of a compromised type of the two with a lengthwise line (the length of the finger) drawn through the three points like (d). The finger-seal is similar to *chi-mu* 指模, *chi-yin* 指印 (the finger-print) in that, the shape or part of the shape of a finger is marked on a document in place of a signature: but the two are entirely different in method and form. However, some scholars confuse a finger-seal with a finger-print. The finger-print and the nail-print were used more or less in Babylon, Assyria, India, China, Japan, Tibet, Egypt, Europe, and among the Canadian Indians. Mr. HEINDL who made a thorough study of finger-prints and nail-prints, referring to the studies of other scholars and other materials is one of the many who mistook the Chinese finger-seal for a finger-abdruck (finger-print).¹⁾ It is rather interesting to find an item named *hua-chi* 畫指 in the celebrated Chinese-English Dictionary by H. A. GILES. According to it, 畫指 is "to make a finger-print,—as a signature." This is rather questionable, I should think, as it at least fails to convey the full meaning of the finger-seal which I am here discussing. Some Japa-

1) HEINDL: System u. Praxis der Daktyloskopie, 1922. On the suggestion of Prof. Kaoru NAKADA 中田薰, I read this book in the Seminary of the Law Department, Tokyo Imperial University.

nese scholars also confuse the finger-print with the finger-seal.

(2) The First Stage of the Study

—Prior to the Study of the Materials Discovered in
the Western Regions of China—

It goes without saying that the forms of the Japanese documents of the Nara and Heian periods resemble those of the Chinese of the T'ang dynasty. However, until the documents of the T'ang dynasty were discovered by Sir A. Stein and the Ôtani 大谷 Mission of Japan, no relations had been suspected between the finger-seals in the documents in the possession of the Shôsôin 正倉院 and those of the T'ang dynasty. Therefore, when the Yôrô 養老 Statue of Japan, under Koryô-shichi-shutsu-jô 戸令七出條 (Seven reasons for which a husband may divorce his wife), provides that, in case a husband divorces his wife, he and his relatives may draw the finger in place of their signatures if they cannot sign their names,¹⁾ some scholars interpreted it not as a finger-seal, but as a finger-print, and others who hit on the idea of the finger-seal in the documents at the Shôsôin regarded it as a genuine Japanese practice. Even in those days, materials for the study of Chinese finger-seals, besides those of the T'ang dynasty, were available to a certain extent. For instance, there were materials found in the Notes on the Chou-li 周禮 by Chia Kung-yen 賈公彥²⁾, which, however, the Japanese scholars of those days failed to notice.

(3) The Second Stage of the Study

—The Study of Finger-seals by Means of the Documents Discovered in the
Western Regions of China by the Stein and Ôtani Missions—

Not until the last years of the Meiji era when the ancient documents of the

1) 養老令戸令七出條「凡弃妻，須有七出之狀……皆夫手書弃之，與尊屬近親同署，若不解書，畫指爲記」

2) Chou-li-chu-su 周禮注疏卷十四地官司市「鄭云若今下手書、漢時下手書、即今畫指券、與古質劑同也」卷十八地官質人「云刻其側、若今畫指也」

T'ang dynasty discovered at Khotan by Sir A. STEIN and at K'u-mu-t'u-la 庫木吐喇 and Turfan 土魯番 by the OTANI Mission were published, was proved the existence in China of the practice of finger-seals of the same type as that found in the Japanese documents at the Shôsôin. Of the Khotan documents, the document pertaining to loan of money dated July, the 7th year of Chien-chun 建中 of the T'ang dynasty (唐建中七年七月借錢文書) (Pl. 6) was published by Mr. HOERNLE in the *Journal of the Royal Asiatic Society of Bengal*, Vol. LXX, 1901,¹⁾ and the document pertaining to loan of unhulled rice of an unknown month, the 17th year of Ta-li 大曆 of the T'ang dynasty (唐大曆十七年某月借粟文書) (Pl. 7), the document pertaining to pledge of movable property of an unknown month and year of Ta-li 大曆 of the T'ang dynasty (唐大曆某年某月動產質文書), the document pertaining to loan of money dated July, the 3rd year of Chien-chung 建中 of the T'ang dynasty (唐建中三年七月借錢文書) and the document dated April of the 8th year of Chien-chung 建中 of the T'ang dynasty (唐建中八年四月文書), were all published in STEIN (and CHAVANNES): *Ancient Khotan*, 1907.²⁾ And the document pertaining to loan of money dated March, the 16th year of Ta-li 大曆 of the T'ang dynasty (唐大曆十六年三月借錢文書) (Pl. 8), the document pertaining to loan of money dated May, the 16th year of Ta-li 大曆 of the T'ang dynasty (唐大曆十六年五月借錢文書), and three other documents containing finger-seals were all published in the Sai-iki-kôko-dzu-fu 西域考古圖譜 (*A Collection of Archaeological Plates of Western Regions*), 1915.³⁾ The representative study of these finger-seals is Prof. Katsumi KUROITA 黑板勝美: 大寶令に見えたる官位の稱呼竝に畫指について (*Concerning Pronunciation of the Ranks and Finger-seals in the Taihō-ryō*)—an address given at the Hôri-kenkyûkai 法理研

1) HOERNLE: *Antiquities from Central Asia*, (*Journal of the Royal Asiatic Society of Bengal*, LXX, Part I, Extra No. 1, 1901, Pl. IV.)

STEIN and CHAVANNES: *Ancient Khotan*, Text Appendix A, Part I, p. 525.

2) STEIN and CHAVANNES: *Ancient Khotan*, Text Appendix A, Part I, pp. 527-530. Pls. CXV. CXVI. From Ruins D. VII, Dandan-Uiliq.

3) *Sai-iki-kôko-dzu-fu* 西域考古圖譜 Latter Volume, Historic materials.

究會 (the Jurisprudence Society, Tokyo Imperial University).¹⁾ I shall now quote part of his address to show the knowledge of finger-seals at that time.

“.....I shall now tell you how a finger-seal was made. As I have already mentioned, according to the examples in the documents at the Shôsôin 正倉院, it was made by placing on the document the forefinger of the left hand, held usually upside down, so that the palm was up and the fingers down, and marking on the paper the length of the finger. Not only the length, but also the joints of the finger were indicated. In some cases, as I have shown already, without the up-and-down line, only the points were indicated..... The existence of these two kinds in China also is proved by the documents dated the 17th year of Ta-li 大曆 (782 A.D.) and also the 3rd year of Chien-chung 建中 (782 A.D.) discovered by Sir A. STEIN, which I have reproduced on the frontispiece.....”

In short, a finger-seal is made (1) usually by the forefinger (2) placed on the paper upside down and (3) by indicating its length by an up-and-down line, (4) and also by indicating its joints with points; and in some cases by indicating the joints only, without the length. Prof. KUROITA explained those points, comparing the Japanese and the Chinese finger-seals. The study in Japan of the Chinese finger-seals was thus inaugurated by the study of the Japanese finger-seals and then extended to that of the Chinese. Since the discovery of the documents at Khotan, a study of finger-seals has been conducted among European scholars. Mr. HEINDL: *op. cit.*, is one, but he has mistaken the finger-seal for the finger-abdruck (finger-print), and has mistranslated 若不解書畫指爲記 in the Japanese Statute under Koryô-shichi-shutsu-jô 戸令七出條 (Seven reasons for which a husband may divorce his wife), as follows: “Wenn er nicht schreiben kann, muss er es mit seinem Finger-

1.) *Hôgaku-kyôkwai-zasshi* 法學協會雜誌 (*Journal of the Association of Jurisprudence*), Vol. XXXVII, No. 3, 1919, p. 105 ff. (This paper by Prof. Katsumi KUROITA 黒板勝美 is included in *Kyôshin-bunshû* 虛心文集 A collection of his papers recently published.) As to the later study of the finger-seals in these documents, see Prof. Hiroyuki MIURA 三浦周行: *Shôsôin Documents* A Study of the Shôsôin, *Tôyô-bijutsu Tokushû* (東洋美術特輯), p. 141; and Gekkei KATSUMINE 勝峯月溪: *古文書概論* (*Introduction to the Study of Ancient Documents*) p. 123.

abdruck signieren.” Mr. L. GILES, the well-known Orientalist has recently published his view on the finger-seal in the document pertaining to loan of unhulled rice dated an unknown month, the 17th year of Ta-li 大曆 of the T'ang dynasty (唐大曆十七年某月借粟文書) as follows: “A curious feature is the impression of the finger-tip in ink as a sort of guarantee of good faith, alluded to here in the words 畫指爲記.” Thus he understood 畫指 (finger-seal) to be the print of the finger-tip.¹⁾ His is different from the views of the Japanese scholars. Furthermore, the study of the finger-seals in the Japanese documents has become far more accurate than in 1919 when Prof. KUROITA's paper above-mentioned was published, but my theme being a study of the finger-seals in the ancient documents of China. I shall not dwell upon it. By the way, the documents discovered in the western parts of China came to be fundamental materials, when my respected teacher Prof. Kaoru NAKADA, formerly of Tokyo Imperial University, undertook to investigate the surety method and the private distress method of the T'ang dynasty²⁾ which stand out as monumental materials in the history of the study of legal history in Japan and China.

1) L. GILES: Dated Chinese Manuscripts in the STEIN Collection. *Bulletin of the School of Oriental Studies*, Vol. IX, Part. I, 1937, p. 21.

2) Kaoru NAKADA: 我古法に於ける保證及連帶債務 (*Surety and Joint Liability in the Ancient Laws of Japan*), *Kōkka-gakkaui-zasshi*, Vol. XXXIX, No. 3, 1925; 古法制雜筆 (*Ancient Law Jottings*), *ibid.*, Vol. XXXIV, No. 7, 1920. Also N. NIIDA: 唐宋時代に於ける債權の擔保 (*Security of Right of Claim in the T'ang and Sung Dynasties*), *Shigaku-zasshi* 史學雜誌, Vol. ILII, No. 10, 1931; 西域出土の債權法史文書の研究 (*A Study of the Documents of Legal History of Obligation Discovered in the Western Regions of China*), *ibid.*, Vol. ILIV, No. 7 集報 (*Bulletin*) 1933. N. NIIDA: *op. cit.*, p. 296 ff. also treats of the custom of surety, the above deal with the nature of interest and property found in the document pertaining to loan of money dated March, the 16th year of Ta-li 大曆 (大曆十六年三月借錢文書) discovered at K'u-mu-t'u-la 庫木吐喇 and the document pertaining to pledge of movable property of an unknown year of Ta-li 大曆 (大曆某年動產質文書) discovered at Khotan. As to the basic laws concerning the nature of interest and pledge of movable property in the T'ang dynasty, see N. NIIDA: 唐令拾遺 (*The Laws of the T'ang Dynasty Recovered*), March, 1933. p. 853 ff.

(4) The Third Stage of the Study

(a) The Study of Finger-seals by Means of the Documents Secured at Tun-huang by Sir A. STEIN and Prof. P. PELLIOU

Up to this point finger-seals studied among the Japanese scholars were only those indicated by three points. There were two exceptions, however. One was a finger-seal with the indication of the length of the finger besides the three points, to which Prof. KURORTA called our attention. (Pl. 7) But it was impossible to decide whether the line which seems to indicate the length of the finger was not a cancel of the finger-seal. It may be taken to represent the length of the finger if inferred from the finger-seal in the documents at the Shôshôin. (Pl. 18) The other exception was the finger-seal under the name Shih-êrh-ning 十二娘 in the testament dated October, the 6th year of Hsien-t'ung 咸通 of the T'ang dynasty (唐咸通六年十月遺言狀) reproduced in Sir A. STEIN: *Serindia*, 1921¹⁾ which indicates not only the length of the finger, but also its shape, and moreover, the finger-joints by the signs 三, and also gives the signer's name. On the basis of those Tun-huang documents, I published my view in 唐宋時代の家族共産と遺言法 (*The Joint Family and Testaments of the T'ang and Sung Dynasties*) in August, 1933.²⁾ It is true, Prof. Kôzaku HAMADA 濱田耕作 had investigated them in London, and three years previous to the publication of the *Serindia* introduced it to the Japanese scholastic world in September, 1918, in his paper entitled スタイン氏發掘品過眼録 (*On Looking at the Materials Discovered by Sir A. Stein*).³⁾ This was reprinted in Mr. Lo 羅: Sha-chou-wên-lu-pu 沙州文錄補, 1924. However, presentation of finger-seals in either is far from being satisfactory. The former gives it as Shih-

1) A. STEIN: *Serindia*, Vol. IV, Pl. CLXVIII. Dated Chinese Paper MS. Rolls and Documents from Thousand Buddhas, Tun-huang.

2) N. NIIDA: 唐宋時代の家族共産と遺言法 (*The Joint Family and Testaments in the T'ang and Sung Dynasties*) *op. cit.*, p. 911.

3) Kôzaku HAMADA: スタイン氏發掘品過眼録 (*On Looking at the Materials Secured by Sir A. Stein*), *Tôyô-gakuhô* 東洋學報, Vol. VIII, No. 3, p. 433.

êrh-niang yin-mu 十二娘印模 which the latter gives it simply as *yin* 印. *Yin-mu* 印模 and *yin* 印 so widely differ from *hua-chi* 畫指 a finger-seal. Thus a finger-seal made not exclusively with points was sometimes known to exist, but not until I received, through the courtesy of Mr. Itsuji YOSHIKAWA 吉川逸治, the photograph of the document pertaining to loan of barley and unhulled rice, the document pertaining to pledge of movable property dated February, an unknown year (某年二月借麥粟文書—動產質文書)¹⁾ (Pl. 9), did I realize that there existed other finger-seals of

(c') this kind. In this document, below the name of 保人男毛々 the finger-seal (c') is observed. The Tun-huang-to-so 敦煌掇瑣 reproduces this document, but no comment is made upon the finger-seal and the other private seal elsewhere which should not be overlooked by a student of ancient documents. Such a private seal as this is distinctly observed

under pien-mai-su-jen Li-ssu Ssü 便麥粟人李私レ (It might be better to read it Li Ho-ho 李和レ instead of 李私レ).²⁾ There is one under pien-su-jen Kuang Hui-chuang 便粟人廣惠懂 as Mr. Korehiro TAMAI 玉井是博 has pointed out.³⁾ These are round in form and 6.5 *bu* (about 2 cm.) in diameter, and are red seals, according to Mr. TAMAI. Probably there was a practice of signing his own name and then affixing a stamp. The design of the seal of 廣惠懂 is obliterated, but that of 李私レ appears like an animal according to the suggestion of Mr. Namio EGAMI 江上波夫. It markedly resembles one of the animal figures in the seals and clay-seals found at Khotan and other western localities included in the Ancient Khotan, the Serindia and the Innermost Asia. On these seals, the Catalogue de la Collection PELLIER: Manuscrits de Touen-houang of the

1) N. Niida: 唐宋法律文書の研究 (*A Study of the Legal Documents of the T'ang and Sung Dynasties*), 1937, p. 366 ff. These are valuable materials not only for studying the nature of pledge of movable property, but also the private distress of the property of the debtor and the surety system.

2) See p. 11 Note (2).

3) Korehiro TAMAI: 支那西陲出土の契 (*The Deeds Discovered in the Western Regions of China*), Papers Published in Commemoration of the 10th Anniversary of the Founding of Keijō Imperial University, History Section, Nov., 1936.

Bibliothèque Nationale de Paris, comments as "cachets intéressants."¹⁾ This was the only one of the Tun-huang documents containing a private seal that I knew. But Mr. L. GILES has recently reported that the document pertaining to purchase and sale dated the 13th of February, the 5th year of Ta-chung 大中 of the T'ang dynasty (唐大中五年二月十三日賣買文書) contains round seals. According to Mr. L. Giles, the three seals are used respectively by the three priests who were witnesses of the contract.²⁾ Now, the finger-seal in the testament dated October, the 6th year of Hsing-t'ung 咸通 of the T'ang dynasty (唐咸通六年十月遺言狀) shows the form of the finger and also tells whose finger-seal it represents, while the finger-seal in the document pertaining to loan of barley and unhulled rice (the document of pledge of movable property) dated February, an unknown year (某年二月借麥粟文書—動產質文書) (Pl. 9) is simple enough, but being provided with the length of the finger added to the lateral marks along the right-hand side, it is more complicated than others marked with three points. A finger-seal made up of points or short bars I named the point-type finger-seal, while a finger-seal representing the shape of a finger or something like it I named the finger-shape-type finger-seal, and I published this classification of finger-seals in 1936.³⁾ Just at that time Mr. Korehiro TAMAI 玉井是博 published an article on the Tun-huang documents he had investigated, while sojourning in London and Paris, entitled 支那西陲出土の契 (*The Deeds Discovered in the Western Regions of China*)⁴⁾ in which he also discussed the finger-seal in the document pertaining to loan of barley and unhulled rice dated February, an unknown year (某年二月借麥粟文書) and published some new valuable materials on finger-seals. One of them is finger-seals marked between the horizontal lines *tso-shou-chung-chi-chieh* 左手中旨 (指) 節 (left hand, middle-finger joints) or *yu-shou-chung-chi-chieh* 右手中旨 (指) 節

1) This was suggested to me by Prof. Mikinosuke ISHIDA 石田幹之助 quoting the catalogue of reproductions in the possession of Prof. Tôru HANEDA 羽田亨.

2) L. GILES: *op. cit.*, Vol. IX, Part 4, 1939 p. 1025.

3) See p. 11 Note (2).

4) See p. 21 Note (3).

(b') (b'')

右
手
中
指
節

左
手
中
指
節

(right hand, middle-finger joints) represented (b') (b'') which are found in the lawsuit documents dated December, the 2nd year of K'ai-yün 開運 of the Latter Chin dynasty (後晉開運二年十二月訴訟文書) discovered at Tun-huang, and another is one marked with four bars representing the point and the

joints of the finger and an up-and-down line with the horizontal lines with the characters 左手中指節 (left-hand, middle-finger joints) between the horizontal lines represented (b) found in the official document (which I call group-surety document 團保文書) dated February, the 5th year of Hsien-tê 顯德 of the Latter Chou dynasty (後周顯德五年二月牒文). Compared with one of this form, (b') (b'') previously mentioned, it is true, there is an additional lateral line, but (b') (b'') were probably drawn like (b) with the bottom line originally. These are different from the simpler point-type finger-seal, and are of a form more resembling the finger. What is remarkable about these finger-seals is the fact that, they are marked 中指 (middle-finger), that is the middle-finger was also used in finger-sealing. The finger-seals practised among neighbouring nations of China were, I believe, mostly made by the forefinger. Even some Chinese records including the Mu-an-chi 牧庵集 of the Yüan dynasty, which says 凡今鬻人,皆畫男女左右食指橫理於券爲信 (When people are sold nowadays, it is customary for those concerned, whether male or female, to mark on the document the lateral lines of their left and right forefingers as evidence),¹⁾ definitely state that the forefinger was used.²⁾ In my article entitled ペリオ探検隊敦煌發見法律史料數種 (*Several Legal History Materials Discovered at Tun-huang by the PELLIOT Mission*),³⁾ November, 1936, quoting the Mu-an-chi 牧庵集 of the Yüan dynasty, I had said: "It was customary to use the forefinger for the finger-seal,—to make the

1) Mu-an-chi 牧庵集 (四部叢刊本) 卷二十二浙西廉訪副使潘公神道碑.

2) N. Niida: 清明集戸婚門の研究 (*A Study of the Ch'ing-ming-chi-hu-hun-mên, or a Collection of Judicial Decisions of the South Sung Dynasty*), Tôhō-gakuhō 東方學報, Tokyo, Vol. IV, 1933.

3) See p. 11 Note (2).

lateral lines on a document. This is a material of finger-seals in the Yüan dynasty, but from the fact that the forefinger was also used in making the finger-seal in the Nara period in Japan, it may be evident that the forefinger was used in the T'ang dynasty. In the Yüan dynasty, the right-hand side was respected, while in the T'ang dynasty the left-hand side was respected, and regarded as of the *yang* 陽 and the right-hand side was regarded as of the *ying* 陰. May we not say that it was customary at least in the T'ang dynasty for a man to use the forefinger of his left hand and for a woman to use that of her right hand? As the Mu-an-chi 牧庵集 says that the forefinger of either hand was used, it is certain that the forefinger of either hand was used in the T'ang dynasty." Now, according to the finger-seals published by Mr. TAMAI, it is found that a man used his left hand and a woman her right hand. Mr. TAMAI says that it may be asserted that during the Five-Dynasty period at least a man used his right hand and a woman her left hand in making a finger-seal; and he also says that the passage I quoted in my 清明集戸婚門の研究 (*A Study of the Ch'ing-ming-chi-hu-hun-mên or a Collection of Judicial Decisions of the South Sung Dynasty*), 1933¹⁾ from the Mu-an-chi 牧庵集 must be interpreted to mean that a man used the forefinger of his left hand and a woman that of her right in making a finger-seal. I was overjoyed to know that I was not mistaken in my view. It was customary in China to regard the left-hand side as of the *yang* 陽 and the right-hand side as of the *ying* 陰 and to value the left-hand side more than the right-hand side.²⁾ According to the government personnel of the T'ang dynasty, the officials like Tso-p'u-shê 左僕射, Tso-ch'êng-hsiang 左丞相 etc., were ranked above those like Yu-p'u-shê 右僕射, Yu-ch'êng-hsiang 右丞相, etc. It is true, there was a government personnel which placed the Yu 右 class above the Tso 左 class as that of the Yüan dynasty. However, it may be difficult to assert that the private life of common people was thoroughly under the influence of the

1) See p. 23 Note (2).

2) Unokichi HATTORI 服部宇之吉: 支那風俗雜俎 (*Notes on Chinese Customs*), *Shina-kenkyû* 支那研究 (*Study of China*), 1926, p. 624 ff.

custom of respecting the right-hand side. As regards the palm-print *shou-mu* 手模 of the husband seen in the divorce document, the Yüan-chü-hsüan 元曲選, for instance, says that the left hand was used. This was, of course, a general rule, and there were cases in which a man used his right hand. In making a finger-seal, this was probably the case also. The fact that in the finger-seals of the Five-Dynasty period, the man used the finger of his left hand, while the woman used that of her right hand is probably indicative of this general practice. I am of the opinion that in China the general principle in finger-sealing was for a man to use the finger of his left hand and for a woman that of her right hand.¹⁾ On Japanese finger-seals, Mr. Kingo KOBAYAKAWA 小早川欣吾 definitely remarks "In the Japanese language this was called *yubi-no-ri* 指乃里. It was a general rule for a man to mark the forefinger of his left hand and for a woman that of her right hand."²⁾ Likewise in Korea, a woman is known to have used her right hand in making a hand-print.³⁾ According to Mr. TAMAI, in the case of making finger-seals, it was customary for a man to use the finger of his left hand and for a woman that of her right hand. According to M. Albert SALLET's investigation of finger-seals which have been and are still used in Annam, it is a general principle for a man to use the forefinger of his left hand and for a woman that of her right hand.⁴⁾ It may be said that the usage in various countries in East Asia has been of one and the same type. The Tun-huang-to-so 敦煌掇瑣 which reproduces the lawsuit papers dated December, the 2nd year of K'an-yün 開運 of the Latter Chin dynasty (後晉開運二年十二月訴訟文書) so carelessly fails to reproduce the finger-seals in it. It is a matter of profound regret. The finger-shape seal as I call it was furnished with a new material by the publication of Mr. TAMAI's investiga-

1) N. NIIDA: *op. cit.*, p. 49.

2) Kingo KOBAYAKAWA: 日本擔保法史序説 (*Introduction to the History of Right of Claim in Japan*), 1933, p. 45. See also his article reviewing N. NIIDA: *op. cit.*, *Hōgaku-ronsō*, Vol. XXXVII, No. 5, 1937.

3) Fusanoshin AYUGAI 鮎貝房之進: 雜攷 (*Miscellany*), Vol. VI, Book II, Latter Part.

4) A. SALLET, *Le Diêm Chi, Ancienne mesure d'identité en Annam*, *L'anthropologie* Tome XLIV, Nos. 3-4, 1934.

tion, and furthermore, he dealt with the finger-seal of Shih-êrh-niang 十二娘 (a) found in the testament dated October, the 6th year of *Hsien-t'ung* 咸通 of the T'ang dynasty (唐咸通六年十月遺言狀). Prior to that time, after studying the plate in the *Serindia*, I used to read the characters on the finger-seal to be Shih-êrh-niang *chi-chih-yin* 十二娘指之印¹⁾, but Mr. TAMAI pointed out my mistake of inserting the character 之 and read them instead to be 十二娘指印. I was not convinced by this view of his, and I came to realize that what I had formerly read *chi* 之 was *ts'ao* 艸 or *chu* 竹 and what I had read *yin* 印 was the character *chi* 卽 and what I had interpreted to be 之印 was really *chieh* 節. (Pl. 10) The phrase *chi-chieh* 指節 is found not only in the phrase *hua-chi-chieh* 畫指節 in the *Shan-ku-wai-chi* 山谷外集 of the Sung dynasty, but also in the phrase *chung-chi-chieh* 中指節 on the finger-seal published by Mr. TAMAI: so I am convinced that it is right to read the words Shih-êrh-niang *chi-chieh* 十二娘指節. Though I cannot follow Mr. TAMAI's view, for my new view I am indebted to the materials he published. By the way, this shows that the 畫指節 in the *Shan-ku-wai-chi* 山谷外集 does not necessarily refer to the point-type finger-seal.²⁾ The finger-seal in the testament dated October the 6th year of *Hsien-t'ung* 咸通 of the T'ang dynasty (唐咸通六年十月遺言狀) discovered at Tun-huang at length came to be understood as 十二娘指節. The correct interpretation of even this one character 節 in 指節 was by no means achieved easily. The finger-seal under the name 十二娘 was read Shih-êrh-niang *yin-mu* 十二娘印模 by Prof. HAMADA: *op. cit.*, and others are simply *yin* 印 by Mr. Lo 羅: *op. cit.*, and others, but no one else had yet read the phrase to be 十二娘指節. Mr. L. GILES³⁾ has recently published his view on this document: He reads the name and the characters on the finger-seal to be 外甥十二娘 (十二娘指印二) and translates them as "Her niece (sister's daughter) Shih-êrh-

1) N. NIIDA: 唐宋時代の家族共産と遺言法 (*A Study of Joint Family and Testaments in the T'ang and Sung Dynasties*). See Foreword.

2) N. NIIDA: *op. cit.* p. 47. Also *idem*: 支那の畫指とその系統 (*The Chinese Finger-seals and Their Genealogy*). *Rekishi-gaku-kenkyū*. 歴史學研究, Vol. VII, No. 2, February, 1937.

3) L. GILES: *op. cit.*, p. 1029.

niang (Duodecima); finger-prints of Shih-êrh-niang (two)" and comments on the seal "Below the name of Shih-êrh-niang we find two small dots with the words 指印 'finger-print' in between. Cf. BSOS. IX, p. 21." Thus he differs from me, translating the words to be 指印 and his explanation of the finger-seals, I am afraid, cannot be satisfactory. Mr. GILES had done the same thing¹⁾, when he had taken for "the impression of the finger-tip in ink" the point-type finger-seal in the document pertaining to loan of unhulled rice of an unknown month, the 17th year of Ta-li 大曆 of the T'ang dynasty (唐大曆十七年某月借粟文書) discovered at Khotan. Further, the horizontal line between the joints 二 in the finger-seal in the testament reproduced in the Serindia had considerably puzzled me for years until the photograph obtained through the good office of Prof. Kiyoshi Shiratori 白鳥清 showed it to be nothing but the mark of a rent in the paper. This has now become one of my bitterest memories. As the Serindia reproduces the finger-seal in this manner and omits the last two lines of the testament, I shall reproduce here for your reference the photograph obtained through Prof. K. SHIRATORI (Pl. 10). When I protested to Mr. TAMAI's view, I had not closely studied the document he had made use of. However, as I received through the good office of Mr. Itsuji YOSHIKAWA 吉川逸治 the photographs of some of the lawsuit documents dated December, the 2nd year of K'ai-yün 開運 of the Latter Chin dynasty of the Five-Dynasty period (五代後晉開運二年十二月訴訟文書) secured at Tun-huang by Prof. PELLIOU (Pl. 11), and of the group-surety document dated February, the 5th year of Hsien-tê 顯德 of the Latter Chou dynasty of the Five-Dynasty period (五代後周顯德五

(b')	(b'')	(f)	(g)	年二月團保文書) (Pl. 12), I detected a
左	右	左	右	new fact: that the finger-seals in the docu-
中	中	中	中	ment which Mr. TAMAI had taken to be
旨	旨	旨	旨	(b') and (b'') were really (f) and (g)
節	節	節	節	originally, from which the lateral line at

1) *Idem: op. cit.*, III Vol. IX, Part I, 1937, p. 21.

揚安政 [左手一節]	押衛索留住 [男左中指一節]	令孤富盈 [左手中指一節]	泊善友 [左手中指一節]	劉定子 [左手中指一節]	石幸通 [左手中指一節]	令孤神慶 [左手中指一節]	令孤保住 [左手中指一節]	令孤粉惟 [左手中指一節]	使州瓜 新觀沙 印察等
揚? ? [左手中指一節]	索富員 [左手一節中]	劉万友 [左手中指一節]	令孤富達 [左手中指一節]	劉保子 [左手中指一節]	石富通 [左手中指一節]	張粉惟 [左手中指一節]	令孤保昇 [左手中指一節]	令孤?奴 [左手中指一節]	
揚汜五 [左手一節中]	索友定 [左手一節中指]	馮神德 [左手一節中指]	令孤富悅 [左手一節中指]	孟伯通 [左手一節中指]	高富員 [左手一節中指]	張友住 [左手一節中指]	令孤再盈 [左手一節中指]	令孤荷兒 [左手一節中指]	

膝件狀如前謹膝

顯德五年二月

日袷錄事都頭陰保山等膝

上

敢覆藏後有敗露三人同招僇犯謹錄狀

右通前件三人團保或有當保盜竊不

王赤欣
[左手一節中指]
王順子
[左手一節]
薛荷子
[左手一節中指]

令孤慶住
[左手一節中指]
令孤盈君
[左手一節中指]
令孤富盈
[左手一節中指]

賀山子
[左手一節中指]
張祐慶
[左手一節]
張富通
[左手一節中指]

康來兒
[左手一節中指]
安丑胡
[左手一節中指]
張善子
[左手一節中指]

王殘奴
[左手一節中指]
王員住
[左手一節中指]
王富昌
[左手一節]

揚文德
[左手一節中指]
揚友員
[左手一節中指]
揚員子
[左手一節中指]

the bottom had been obliterated by damages given to the lower part of the paper. The group-surety document dated February, the 5th year of Hsien-tê 顯德 of the Latter Chou dynasty (後周顯德五年二月團保文書) distinctly preserves the lateral lines at the bottoms of the finger-seals except where the bottom lines have been destroyed. These lawsuit documents comprise the petition presented by a widow named A-lung 阿龍, a copy of the documentary evidences, an interrogatory in which in answer to the questioning of the magistrate the plaintiff (阿龍), the defendant (So Fo-nu 索仏奴) and the witness (So Huai-i 索懷義) presented the facts or their respective opinions, and the text of the judgment. They constitute valuable materials for studying the legal procedure in those days. And the interrogatory contains the finger-seals of the plaintiff, the defendant, and the witness, and reminds one of the passage in the Mu-an-chi 牧庵集 of the Yüan dynasty which says that finger-seals are used in the court confessions of the Yüan dynasty. And I shall add here that the finger-seals marked *tso-shuo* 左手 (left hand) are, as Mr. TAMAI has also pointed out, the finger-seals of the men (索仏奴 and 索懷義), and in the case of the woman (阿龍), it is marked *yu-shuo* 右手 (right hand). The group-surety document dated February, the 5th year of Hsien-tê 顯德 of the Latter Chou dynasty (後周顯德五年二月團保文書) secured at Tun-huang by Prof. PELLIER, which is reproduced below, constitutes the most precious material for the study of finger-seals or group-surety. About twenty lines of this group-surety document are preserved, but it seems that the part prior to this is damaged and missing, as is inferred from the survival, on the first line of the extant document, of the left half of a red square seal—probably a tally-impression stamped on the joint of the two pieces. In this document, the same red square seal is stamped twice more, once over the 15th and 16th lines and again over the last two lines. As I have not measured the original of the seal, I cannot give its exact size, but it seems to be 1 *sun* 9 *bu* (about 5.75 cm.) in height and very slightly less in width. The characters in the seal read 瓜沙等州觀察使新印. (Pl. 12) The purpose of the former of the two stamps was as a tally-impression of the two

pieces of paper spliced together, and that of the latter was to certify the date. This document was to organize three persons as a surety-group, to charge the rest of the group to report to the government if any one of the group commits a crime of theft, and to condemn all the group as guilty of the same crime in case they conceal the crime. Every three persons given in a column (usually of the same family name) seems to form a surety-group. The words 團 (group) and 團保 (surety-group) are sometimes observed in the T'ung-chien 通鑑, the Sung-hui-yao 宋會要 and other Tun-huang materials. Now the part of this document preceding this part has gone off the binding and is lost sight of. It is very probable that the names of some persons of the surety-groups were given on it also. The names of the persons of the surety-group on the extant document are given in 15 lines with each person's finger-seal affixed on the right-hand side of the name and along the lower part of it. (Pl. 12) And it is because the sealers are men that each

(b) finger-seal is made with the middle-finger of the left hand. Of all these finger-seals, the one considered complete is (b) with all the characters *tso-shuo-chung-chi-chieh* 左手中指節 accurately written and four lateral lines for the finger-point and three finger-joints and vertical line indicating the length of the finger, while many are quite incomplete in form and read (h) (i) (j) (k) (l) and (m) with some characters missing and with only

(h)	(i)	(j)	(k)	(l)	(m)	(n)
男左 中指節	左手中 指節	左手 中節	左手中 節	左手節 中	左手 節	男左 中指節

three lateral lines, (not four). That is, the four-lined finger-seal is the correct form, while the three-lined one is the simplified form. And 左手 given on the finger-seal, as already pointed out, shows that the sealers were all men. In this document, there is a new example with the characters (n). Though this is not found on the finger-seals given in the first and second lines of each surety-group of three per-

sons, those in the third line are often lacking the lateral line at the bottom. However, seeing that, of the fifteen in the third line, quite a few are accompanied by the bottom lines, it is highly improbable that the other finger-seals lacked the bottom lines. It may not be wrong to think that, due to the damages given to the lower part of the document, as shown in the plate, the bottom lines of those finger-seals were lost. Though there has been much discussion as to the absence of the bottom lines in (c'), the finger-seal in the document pertaining to loan of barley and unhulled rice dated February, an unknown year (某年二月借麥粟文書), or in (b') and (b'') the finger-seals in the lawsuit document dated December, the 2nd year of K'ai-yün 開運 of the Latter Chin dynasty (後晉開運二年十二月訴訟文書), it may be taken that the bottom lines in these were also lost as the paper was torn or otherwise damaged. A number of materials for the many of the finger-shape finger-seals of the T'ang dynasty and later periods came to be discovered; especially the surety-group document dated February, the 5th year of Hsien-tê 顯德 of the Latter Chou dynasty (後周顯德五年二月團保文書), in that one single document contains several dozen finger-shape seals, is certainly a spectacular sight. My view thus revised was published in 1939.¹⁾

Many of the finger-seals in the Tun-huang documents are thus of the finger-shape type, but some are of the point-type, for instance, those in the contract for work dated February, an unknown year (某年二月請負文書) among the materials collected by Prof. PELLiot.²⁾ Mr. TAMAI³⁾ also reports that a fragment of the document pertaining to sale of cow (賣牛文書) in the materials collected by Sir A. STEIN in the possession of the British Museum contains a finger-seal indicated with points. This fragment of the document pertaining to sale of cow lacking the first half, was formerly set as of an unknown date. However, this is really the latter

1) N. NIIDA: スタイン・ペリオ兩氏敦煌將來法律史料數種 (*On the Various Materials for Legal History Secured at Tun-huang by Sir A. STEIN and Prof. P. PELLiot.*) *Tôhō-gakuhō* (東方學報), Tokyo, No. 9, 1939, pp. 113-121.

2) N. NIIDA: *op. cit.*, pp. 43, 449. Also see *ibid.*, (Pl. 7.)

3) See p. 21 Note (3).

half of the document pertaining to sale of cows dated October (intercalary), the year *wei* 未 (未年閏十月賣牛文書). When both this latter half and the first half are in the possession of the British Museum, is it not rather queer that both the Museum authorities and Mr. GILES in his recent report take the two fragments as of two entirely different documents? Mr. GILES put the document dated October (intercalary), the year *wei* 未 (未年閏十月文書) as of the 19th year of Chên-yüan 貞元.¹⁾ If so, the fragment of the document containing the finger-seal would be of the same year.²⁾ By the way, this document pertaining to sale of cow containing the finger-seal may be one of the Khotan documents not included in the Ancient Khotan, but I very much wonder if it is not one of the Tun-huang documents. If the authorities of the British Museum will kindly enlighten me on this point, I shall be very much obliged to them. Moreover, the document pertaining to sale and purchase of land dated October, the year *wei* 未 (未年十月土地賣買文書) discovered at Tun-huang by Sir A. STEIN and recently published by Prof. Toshisada NABA 那波利貞 contains finger-seals of the seller and two others which are all of the three-point type.³⁾

(b) The Study of Finger-seals by Means of the Documents
Discovered at Turfan by A. von Le Coq and Others

As materials of various types were discovered among the Tun-huang documents, the study of finger-seals became fruitful, but in the documents discovered at Turfan and other localities, only those of the point-type have been found thus far.

1) See p. 27 Note (1).

2) N. NIIDA: *op. cit.*, explains only the latter half of the document pertaining to sale of cow. I have discovered that the photograph of it in L. GILES: *op. cit.*, makes up the first half of the document. It may be too abstruse for ordinary readers, but the first and latter halves are cut in two at the middle of a very significant clause of warrant against eviction by a third party. The two pieces fit each other in reading, and the context is perfectly consistent. For details concerning the document, see N. NIIDA: スタイン・ペリオ兩氏敦煌將來法律史料數種 (*On the Various Materials for Legal History Secured at Tun-huang by Sir A. STEIN and Prof. P. PELLIOU*).

3) Toshisada NABA 那波利貞: 中晚唐時代に於ける偽濫僧に關する一根本史料の研究 (*A Study of a Fundamental Material Concerning False Priests in the Middle and Later Periods of the T'ang Dynasty*) 龍谷大學佛教史論叢 (*Ryūkoku University Buddhist History Articles*), 1939, p. 167 ff.

Nothing new has come up in the way of form of finger-seals. However, there have been discovered a few materials quite interesting in another meaning—, for instance, the five documents (in two fragments) pertaining to loan of government unhulled rice dated February, the 3rd year of Kuang-tê 廣德 of the T'ang dynasty (唐廣德三年二月官粟貸借文書) discovered at Turfan by A. von Le Coq and in the possession of the Prussian Academy. The photographs of them Prof. Katsumi KUROITA 黑板勝美 obtained while sojourning in Europe and exhibited them at a meeting of the Historic Science Society, Tokyo Imperial University, in October, 1928.¹⁾ Afterward I had the pleasure of borrowing these photographs from Prof. KUROITA and of closely investigating the form and substance of the documents. The five documents except one, have each a red square-seal reading Chiao-ho-hsien-chih-yin 交河縣之印 affixed on the first line of the text showing that it is a Turfan document. All the five documents pertaining to loan of rice in the *Chang-p'ing-ts'ang* 常平倉 (Government granary), and one of them is a case of the so-called *lien-po* 連保 (joint surety) in which there are five guarantors for one debtor, and the other four are cases of *lien-pò-tung-chieh* 連保同借 (joint-surety and joint-obligation) among the surety-group of five persons (one is *pao-t'ou* 保頭 a head guarantor); and the five sureties and the debtor each has under his name affixed his own finger-seal with three points. By the way, the above mentioned five sureties and debtors, there are some people of foreign origin; for instance, a man with such a family name as Kang 康, probably a man from Kang-kuo 康國 (Samar-kand) or belonging to the same tribe. It goes without saying that the substance of these documents is extremely valuable as material for the study of the surety-group of five persons, the corn reserves, loan of consumption, surety, and other subjects in legal and economic history; and as to their form, especially the presence of so many finger-seals, rivals the surety-group document dated February, the 5th year of Hsien-tê 顯德 of the Latter Chou dynasty of the Five-Dynasty period (五

1) Katsumi KUROITA: 敦煌及び土魯番出土の古文書研究資料に就て (*On the Materials for the Study of Ancient Documents Discovered at Tun-huang and Turfan*).

〔交河縣之印〕

保人前別將衛元敬年五十三

保人郭行運年六十

保人索希進年卅

保人康智亮年卅六

保人宋良胤年廿五

劉日昇請舉常平倉粟伍碩日昇領

門得^(問)上件人欸稱請舉前件粟

時熟官徵收本利日能代均納否仰

□但元敬等保知上件人官粟日徵辦

東西及不辦輸納連保人等

〔下闕〕

〔交河縣之印〕

保頭宋虔祐請常平倉粟兩碩付身

保內索崇光請粟兩碩

保內宋義實請粟兩碩付男文復領

保內梁由吾請粟參碩付身領

保內康智亮請粟參碩付男瓊心領

問得上件人狀各請前件粟依官生利如至時熟徵

〔保內〕^(西)有人東^(各請)逃避不辦輸納連保之人能代輸納否但虔祐

□前件粟如至徵收之日保內有人東西不辦輸納

□願代納被問依實謹疾

廣德三年二月 日

代後周顯德五年二月團保文書). They really make up a pair of invaluable treasures in the field. Only two of the five documents will be reproduced here.¹⁾

Now, the NAKAMURA Calligraphic Museum also possesses a number of documents containing finger-seals of the T'ang dynasty discovered at Turfan and formerly in the possession of Mr. Wang Shu-nan 王樹柎. The document pertaining to sale and purchase of domestic animals dated June of the 29th year of K'ai-yüan 開元 of the T'ang dynasty (唐開元二十九年六月家畜賣買文書) (Pl. 13), and the document pertaining to letting and hiring of land dated October (intercalary), the 5th year of T'ien-pao 天寶 (天寶五載閏十月租田文書) (Pl. 14), surely rival the most valuable in their substance as well as their form. The former contains the words *kua-chi wei-chi* 畫指爲記 (Sealed with the finger for record) at the end of the text. The latter lack the last part; and the part containing the text of the document and the part containing the names and finger-seals of the parties contracting for letting and hiring of land were formerly treated as of separate documents; but it may be judged from its contents and handwriting that they are both parts of the same document. And the seller and the surety in the above-mentioned document dated June, the 29th year of K'ai-yüan 開元 (開元二十九年六月文書) are both of the same family name An 安. This shows that they are probably both of Bukhara situated in Central Asia and the strange signature under the name and age of the seller must be words of his native tongue.²⁾ This K'ai-yüan 開元 document resembles the document pertaining to loan of money dated July, the 7th year of Chien-chung 建中 (建中七年七月借錢文書) discovered at Khotan (Pl. 6) in this that the name of the surety is also An 安 and a strange signature is found under the name and age.³⁾ There are in the same museum two documents which may be called receipts of prices which con-

1) N. NIIDA: *op. cit.*, p. 318. *Idem*: 土魯番出土の唐代法律史料數種 (On the Various Legal History Materials of the T'ang Dynasty Discovered at Turfan), *Shigaku-zasshi* 史學雜誌, Vol. ILVII, No. 10, 1936.

2) N. NIIDA: *op. cit.*, p. 41 ff, 155, 405. *Idem*: 土魯番出土の唐代法律史料數種 (On the Various Legal History Materials of the T'ang Dynasty Discovered at Turfan).

3) N. NIIDA: *op. cit.*, p. 254.

tain finger-seals. One (Pl. 15) is dated April of the 2nd year of Hsien-hêng 咸亨 of the T'ang dynasty, and the other is undated, but from the locality where it was discovered and its contents, it is supposed that it is contemporary with the former, or of a period not very distant from it. Of the numerous documents containing finger-seals discovered in the western parts of China, this document dated February of the 2nd year of Hsien-hêng 咸亨 is the oldest as far as my judgment goes. Chia Kung-yen 賈公彥 who gives such phrases as 今畫指券 (the present-day finger-seals) and 若今畫指也 (Similar to the present-day finger-seals) in his Notes on the Chou-li 周禮, was a man appointed T'ai-ch'ang-po-shih 太常博士 in the Yung-hui 永徽 era of the Emperor Kao-tsung 高宗 of the T'ang dynasty; as it follows that the Notes on the Chou-li and this document dated April of the 2nd year of Hsien-hêng must be compared as finger-seal materials of the same period. Through a special courtesy of Messrs. Katsumi KUROITA 黑板勝美 and Fusetsu NAKAMURA 中村不折, I was given an opportunity to investigate these Turfan materials, and my view was published in October, 1936 in 土魯番出土の唐代法律史料數種 (*Several Legal Documents of the T'ang Dynasty Discovered at Turfan*).¹⁾ This study was also included in my work: 唐宋法律文書の研究 (*A Study of Legal Documents of the T'ang and Sung Dynasties*), March, 1937. This book also contains a finger-seal document dated an unknown month of the 2nd year of T'ien-pao 天寶 of the T'ang dynasty discovered from a paper relic resembling a canopy, secured by the ÔTANI Mission and now in the custody of the Port Arthur Museum. Part of the investigation of this relic was handed down to me by Messrs. Namio EGAMI 江上波夫, Kazuyoshi KOMAI 駒井和愛 and Tsuguo MIKAMI 三上次男 who had been investigating it for a few years before me.²⁾

Whether in Turfan, Khotan or Tun-huang documents, all finger-seals of the point-type,—that is, those made with three points (see the figure inserted) have this in common that of the two distances marked by the three points, (α) is always

1) N. NIIDA: *op. cit.*

2) N. NIIDA: *op. cit.*, pp. 40-42.



slightly greater than (β). What does this indicate? A study of the finger-seals found in the Shōsōin 正倉院 documents shows that they are made by marking the end and joints of the forefinger held upside down. In view of this fact, it may be said that the Chinese finger-seals are also made by marking the joints of a finger held upside down. I once said that, of the three points on a Chinese finger-seal, the lowest indicates the end of the finger and (β) the finger-bone at the end of the finger, but it may not be necessary to interpret it that way. The three points may be interpreted to represent the finger-joints or the lateral lines of the finger. I must further study this point. I have investigated the finger-seal documents in the possession of the Calligraphic Museum and found out that the distance between the uppermost point and the bottom point is 1 sun 6 bu (about 4.8 cm.) on the document dated April, the 2nd year of Hsien-hêng 咸亨 (咸亨二年四月文書), 1 sun 5-6 bu (about 4.8 cm.) on the T'ang document of an unknown date (年月不明唐代文書) 1 sun 7-8 bu (about 5.3 cm.) on the document dated June, the 29th year of K'ai-yüan 開元 (開元二十九年六月文書), and 1 sun 3 bu (about 4 cm.) on the document dated October (Intercalary), the 5th year of T'ien-pao 天寶 (天寶五年閏十月文書). A study of these lengths and the distances between the three points will show that they were made by marking the joints or the lateral lines of the forefinger. That a finger-seal was made by marking the finger-joints is obvious from the passage in the collection of essays by Huang Shan-ku 黃山谷 who was also renowned as a poet in the Sung dynasty, which reads 今婢券, 不能書者, 畫指節 (Nowadays illiterate people who cannot sign their names on a slave document usually mark their finger lines instead of signing their names)¹⁾ and also from the passage cited below in the Mu-an-chi 牧庵集. The finger-seal is said to have been made in place of a signature on a document pertaining to sale of a slave

1) Shan-ku-wai-chi 山谷外集卷六雜著雜論. N. NIIDA: 明清時代の人賣及人質文書の研究 (*A Study of Slave-trade and Hostage Documents of the Ming and Ch'ing Dynasties*), *Shigakuzasshi* 史學雜誌, Vol. ILVI, No. 6. p. 74.

in the Sung dynasty. The use of the forefinger in making a finger-seal may be analogized from the words 食指點署 (Point-sealed with the forefinger),¹⁾ in the *Ko-ki* 古記 a commentary of the *Taihô-ryô* 大寶令 in the *Ryô-no-shûge* 令集解 a Japanese book; the *Mu-an-chi* 牧庵集 says 畫男女左右食指橫理於券 (It is customary for those concerned, whether male or female, to mark on the document the lateral lines of their left or right forefingers).²⁾ So there is no doubt whatever on this point. However, as there are found materials I have previously referred to, showing the use of the middle-finger for the finger-shape seal, the same statement may be made as to the use of the finger for the point-type seal.³⁾

(c) The Study of Finger-seals Apart from the Documents Discovered
in the Western Regions of China

A study of finger-seals could have been achieved without the discovery of ancient documents in the western regions of China. However, before or after the discovery of such documents, almost no study of finger-seals has been conducted on materials apart from the ancient documents discovered in the western regions of China. I have always sought other materials as well as those documents. Now, the dates of the finger-seal materials discovered in the western regions of China range only from the T'ang dynasty to the beginning of the Sung dynasty. In order to trace back the study of finger-seals beyond the T'ang dynasty, and investigate finger-seals of the Sung and Yüan dynasties, one must secure materials other than those discovered in the western regions of China. I have referred to the presence of finger-seal materials in the Notes by Chia Kung-yen 賈公彥 on the Notes by Chêng Hsüan 鄭玄⁴⁾ on the Chou-li 周禮. If the Notes should be taken literally, it might seem that finger-seals were in vogue even in the days of

1) Cited under 戶令七出條 in the *Ryô-no-shûge* 令集解.

2) See p. 23 Note (1).

3) N. NIDA: *op. cit.*, p. 44 ff. *Idem*: 支那の畫指とその系統 (*The Chinese Finger-Seals and Their Genealogy*), *op. cit.* p. 65.

4) See p. 16 Note (2).

Chêng Hsüan of the Latter Han dynasty. This is rather doubtful. However, there is a definite evidence of the existence of finger-seals before the T'ang dynasty and the oldest documents known in my opinion,—the document pertaining to sale and purchase of land dated September, the 4th year of Chêng-shih 正始 of the North Wei dynasty (北魏正始四年九月土地賣買文書). (Pl. 16) Though a document, this is 磚券 (a tile-document) which contains the words *han-chi* 畫指 and clauses of warrant against eviction by a third party which are all important materials in the study of legal history, but which monument students had been unable to interpret thoroughly. The genuineness of the document may be established from this very fact. As to the finger-seal of this document, I published a tentative view in November, 1935.¹⁾ In 唐宋法律文書の研究 (*A Study of Legal Documents of the T'ang and Sung Dynasties*), 1937.²⁾ I published full details of my investigation. This was my first study of finger-seals making use of this document. On the last line but one, namely on the side of the tile-document may be found the words *hua-chi wei-hsin* 畫指爲信 as on legal documents of the T'ang dynasty. It is true, there is another era named Chêng-shih 正始 in the Wei dynasty of the Three-Kingdom period; but Tuan T'ao-chai 端徇齋, the former owner of this document³⁾ and Mr. Lo 羅 the composer of the *Ti-chuan-chêng-tsun* 地券徵存 both ascribe this to the North Wei dynasty of the North-and South-Dynasty period, and this view is often supported by many scholars. If this were of the Three-Kingdom period, the date of the presence of finger-seals would go back 260 years before the 4th year of Chêng-shih 正始 of the North Wei dynasty. It may be thus inferred from the presence of this document that in China (1) finger-seals were practised before 507 (or 243) A.D.; and (2) the term 畫指 (finger-seal) existed then at least;

1) N. NODA: 支那法律史文書の花押・畫指及び手形 (*The Seal-marks, Finger-seals and Hand-prints in Legal History Documents of China*), the Second Lecture of the Academy of Oriental Culture, delivered at Tokyo Imperial University Law Department Lecture-hall, 1935.

2) N. NODA: *op. cit.*, p. 38 ff. Also *idem*: 漢魏六朝の土地賣買文書 (*Documents of Sale and Purchase of Land during the Periods of the Han, Wei, and Six Dynasties*), *Tôhō-gakuhō* 東方學報 Tokyo, No. 8, 1938, p. 80.

3) T'ao-chai-ts'ang-shih-chi 徇齋藏石記卷六後魏一。

and (3) the area where finger-seals were practised in those days extended as far as Cho-chou 涿州 in Ho-pei 河北, not to speak of the central region in Ho-nan 河南 and Hsia-hsi 陝西.

The Notes on the Chou-li 周禮 by Chia Kung-yeh 賈公彥 of the T'ang dynasty¹⁾ has already been referred to as a material for the study of finger-seals apart from the finger-seal documents of the T'ang dynasty discovered in the western parts of China. To begin with, Chêng Hsüan 鄭玄 of the Latter Han dynasty regards *shu-chi* 書契 in the Chou-li 周禮 as the so-called *ho-chüan* 合券 (wooden-tally 木札, 簡牘) inscribed with a contract which was broken into two pieces after making notches on the point of breaking, one of which, to be kept by either contracting party. The notches were made for the purpose of checking the pieces and proving the authenticity of the contract. And according to the Notes by Chia Kung-yeh 賈公彥, the manner of making notches was similar to that of making finger-seals then in vogue. It may be said that finger-seals were so much used that a Confucian scholar like Chia Kung-yeh had occasion to mention it more than once.²⁾ It follows that the term finger-seal 畫指 existed at the latest in the North Wei dynasty, and was used at the beginning of the T'ang dynasty. It was a general term for both the point-type seals and the finger-shape seals. The finger-shape seal was also a finger-seal, of course; but seeing that in the document pertaining to sale and purchase of domestic animals dated June, the 29th year of K'ai-yüan 開元 of the T'ang dynasty (唐開元二十九年六月家畜賣買文書) discovered at Turfan (Pl. 13), the document pertaining to loan of money dated March, the 16th year of Ta-li 大曆 (大曆十六年三月借錢文書) discovered at K'u-mu-t'u-la 庫木吐喇 (Pl. 8), the document pertaining to loan of unhulled rice dated an unknown month, the 17th of Ta-li 大曆 (大曆十七年某月借粟文書) (Pl. 7), and the document pertaining to loan of money dated July, the 3rd year of Chien-chung 建中 (建中三年七月借錢文書) discovered at Khotan, the words *hua-chi wei-chi* 畫指爲記 (Ssealed with the finger)

1) See p. 16 Note (2).

2) N. NUDA: *op. cit.*, p. 38.

are found at the end of the text and also in the document pertaining to contract for work dated February, an unknown year (某年二月請負文書) discovered at Tun-huang, the words *bua-chi wei-p'ing* 畫指爲憑 are found at the end of the text, and point-type seals are affixed with the signatures, it is evident that these point-type seals were likewise called finger-seals. By the way, in the document pertaining to loan of money dated May, the 16th year of Ta-li 大曆 of the T'ang dynasty (唐大曆十六年五月借錢文書) discovered at K'u-mu-t'u-la reproduced in the Sai-iki-kôko-dzu-fu 西域考古圖譜 (*Archaeological Plates of Western Regions*) the point-type seal is found, but the last part of the text is completely torn and damaged, and in the document pertaining to loan of money dated June, the 16th year of Ta-li 大曆 of the T'ang dynasty (唐大曆十六年借錢文書), the words 畫指爲□ are found, but the part where signatures were is so torn and damaged that finger-seals which should have been there are lost sight of.¹⁾ The term *bua-chi* 畫指 (finger-seal) was commonly used in the T'ang dynasty; but seeing that in the Kô-ki 古記 a commentary of the Taihō-ryō (the statute of the era of Taihō 大寶)²⁾ written in the era of Tempyō 天平 (the era of K'ai-yüan 開元 in China) contains the words 食指點署 (Point-sealed with the forefinger) I wonder if 點署 or some expression similar to 點署 was not in use during the T'ang dynasty in China. The words *t'ien-chi* 點指 (Point-sealed with the finger) occur in the materials of modern China, but in view of the existence of the point-type seals in the T'ang dynasty no one could assert that the term 點指 did not exist at that time. The Yōrō-ryō of Japan stipulates, under 戶令七出條 (Seven reasons for which a husband may divorce his wife), that when a husband divorces his wife, he or his relatives who cannot sign their names on the document drawn may instead of signatures affix their finger-seals. The T'ang or Sung statute corresponding to this statute is lost sight of and no record has been discovered yet. However, it is not difficult to infer that

1) N. NIIDA: *op. cit.*, p. 49 ff.

2) Kaoru NAKADA: 養老令の施行期に就て (*Concerning Date of Operation of the Yōrō-ryō 養老令*), *Hōsei-shi Ronshū* (Legal History Articles), 1926, Vol. 1, p. 127 ff.

finger-seals were used in a letter of divorce and other documents during the T'ang dynasty. As these evidences of the use of finger-seals from the early part of the T'ang dynasty are found in various works, it may be supposed that illiterate people commonly used finger-seals instead of signatures. And as finger-seal materials of the Sung and Yüan dynasties, *hua chi-chieh* 畫指節 (Sealed with finger-joints) in the Shan-ku-wai-chi 山谷外集 of the Sung dynasty and 畫男女左右食指橫理於券爲信 (It is customary for those concerned, whether male or female, to mark on the document the lateral lines of their left or right forefingers as evidence) in the Mu-an-chi 牧庵集 have been cited very frequently. According to the former, it is evident that the finger-seal was used in the document pertaining to sale and purchase of slaves during the Sung dynasty. According to the Mu-an-chi, the finger-seal was used in the document pertaining to sale and purchase of slaves and also on court confessions in making finger-seals men and women used the right and left forefingers (probably the forefinger of the left hand for a man and that of the right for a woman), and the stature and age were judged from the length of the intervals between the lateral lines, and a case is actually given in the Mu-an-chi in which the length of the intervals between the lateral lines formed the basis of judging the authenticity of a document pertaining to sale and purchase of slaves. When P'an Tsê 潘澤 was the Ch'ien-shan-pei-liao-tung-tao-t'í-chü-an-ch'a-shih-shih 僉山北遼東道提舉按察使事, a wealthy man who had bought the whole family of seventeen persons as slaves was sued, the government was unable to give a sentence for a long time. When Pan Tsê who noticed in the slave document a finger-seal of a thirteen-year-old person which appeared like that of an adult, compared it with the finger-seals of persons of the same age in the country, and found out that the finger-seal in the slave document was not that of a thirteen-year-old person, and therefore the slave document was false. *Hêng-lí* 橫理 or *chi-lí* 指理 (lateral lines or finger-lines) corresponds to *chi-chieh* 指節 (finger-joints) in the Shan-ku-wai-chi 山谷外集. Some scholars took this to be a finger-print or finger-abdruck, but I cannot

support it.¹⁾ The Shui-hu-chuan 水滸傳 which is said to have been written in the Yüan or Ming dynasty on the basis of a material of the Sung dynasty, contains an account of finger-seals in the section in which Wu Sung 武松 avenges himself for his elder brother Wu Ta-lang 武大郎.²⁾ Wu Ta-lang is a weak character; and while Wu Sung is away, his sister-in-law falls into immoral relations with a rich man named Hsi-men Ching 西門慶. When their relations are found, Hsi-men kicks Wu Ta-lang and severely hurts him; his wife, pretending to give him a medicine, kills him with a poison. Wu Sung discovers this on his return, and examines his sister-in-law and an old woman named Wang 王, who assisted her in her immoral relations and succeeds in making the two confess that they poisoned his brother. He puts this down on a paper, and makes the two affix their finger-seals on it. Some scholars take these finger-seals as finger-prints (*chi-yin* 指印), but I am convinced that it is a mistake. And the Ching-shih-t'ung-yen 警世通言, a novel of the Ming dynasty, also contains a finger-seal material.³⁾ It is a story of a similar nature ascribed to the time of the Emperor Jên-tsuang 仁宗 of the Sung dynasty: while Chiao Chün 喬俊, a wealthy merchant, is away, Chou 周 his concubine contracts immoral relations with a workman named Tung Hsiao-êrh 董小二 who in turn comes to have immoral relations with Yü-hsiu 玉秀, his master's daughter. Chiao Chün's wife, in order to save the family name from disgrace, and conspiring with the concubine, makes the workman drunk on the night of the autumn festival on August 15th and kills him, and has another workman named Hung San 洪三 cast the corpse into a river. Hung San, tried under torture in court, confesses the murder and desertation of the corpse on the part of his master's wife and concubine. The official draws up a record on which Hung San is compelled to affix his finger-seal 畫指. Still another finger-seal material may be found in the Tung-t'ang-lao-tsa-chi 東堂老雜劇 in the Yüan-chü-hsüan 元曲選, a drama of the Yüan dynasty.⁴⁾ This occurs in

1) N. NIIDA: *op. cit.*, p. 51 ff.

2) Shui-hu-chuan 水滸傳 (百二十回本) 第二十六回 供人頭武二郎設祭.

3) Ching-shih-t'ung-yen 警世通言 卷三十三 喬彥傑一妾破家.

4) Yüan-chü-hsüan 元曲選 乙集 (上) 東堂老勸破家子弟雜劇.

a section where an orphan affixes his finger-seal in a document requesting protection of an orphan drawn by the father; but the words *tien-pei-hua-ko-tzu* 點背畫個字 and *tien-pei-hua* 點背畫 appearing there, referring to the foregoing examples, I rather think that they ought to read *tien-chi-hua-ko-tzu* 點指畫個字 and *tien-chi-hua* 點指畫 (Point-sealed with the finger). If so, this work *Yüan-chü-hsüan* 元曲選 also will make up a finger-seal material probably one of the point-type of the Yüan dynasty.¹⁾ Sometime later I consulted two authorities on Chinese classics, Prof. On SHIONOYA 鹽谷溫 and Prof. Masaru AOKI 青木正兒 as to this question of 點指畫 in the *Yüan-chü-hsüan* 元曲選 and I am happy to record that they both favoured my view. The finger-seal was thus practised in modern China. China being such a vast country, I sometimes wonder if finger-seals of this kind are not used there yet. Later forms of Chinese finger-seals are not definitely known. If the Korean finger-shape seals which were practised until recent times have any connection with the Chinese finger-seals of recent times, it would follow that the finger-shape seals were practised in modern China. However, this still is a question I have yet to investigate. Only the presence of the term 點指 in the historical materials of the Yüan and Ming dynasties may suggest the practice of the point-type seals in modern China. What supports me more in this point is the fact that the point-type seal is practised to this day in Annam and that it is called 點指.

(4) Finger-seals in the Neighbouring Countries of China

Finger-seals were practised not only in China, but also in its neighbouring countries. A general discussion of finger-seals in these neighbouring countries has been given in my 唐宋法律文書の研究 (*A Study of Legal Documents in the T'ang and Sung Dynasties*), 1937.²⁾

1) N. NIIDA: 支那近世の戯曲小説に見えたる私法 (*Private Laws in Modern Dramas and Novels of China*), Collection of Legal History Articles Compiled in Commemoration of Prof. NAKADA's 60th Birthday, 1937, p. 367 ff. *Idem*: *op. cit.*, p. 52 ff.

2) N. NIIDA: *op. cit.*, p. 54.

Hsi-hsia 西夏, a state founded by the Tangutes 黨項人 (a Tibetan tribe), which grew stronger and stronger toward the end of the T'ang dynasty and enjoyed prosperity in the Sung dynasty in the present Southern Mongolia and Kansu 甘肅, was naturally under a considerable influence of Chinese culture. In the Hsi-hsia 西夏 document discovered on the back of a broken leaf of the Hsi-hsia translation of the Liu-tsu-t'an-ching 六祖壇經 (西夏譯六祖壇經殘葉紙背文書),¹⁾ point-type seals are observed. (Pl. 17) However, the state having passed out of existence in the early part of the 13th century and also on account of a lack of materials, it would seem extremely difficult to study the finger-seals in Hsi-hsia 西夏. The knowledge of the existence of finger-seals in Hsi-hsia was brought to my attention by Mr. Satoshi NAKAJIMA 中島敏 whose courtesy I must sincerely acknowledge. This was the first time finger-seals were discovered in a Hsi-hsia document.

I have already referred to the provisions for finger-seals stipulated in the statutes of Taihō 大寶 and Yōrō 養老. The presence of many examples of finger-seals in the Shōsōin documents has already been referred to by many scholars. Here will be reproduced the document pertaining to loan of money dated April, the 4th year of Hōki 寶龜 (寶龜四年四月借錢文書) (which corresponds to the 8th year of Ta-li 大曆 of the T'ang dynasty) toward the end of the Nara period.

左
手
本
—
指
乃
里
—
末

(Pl. 18) The style of this finger-seal this—is the uppermost mark indicating the butt of the finger, and the bottom the end of the finger and thus (refer to the figure inserted) it is clear that it was made by holding the finger upside down and by marking the finger-tip and finger-joints (lateral lines) and also the length of the finger.²⁾ Apart from this, there were other finger-seals of the point-type, some of which were of the four-point type with explanatory words telling the butt, the

1) A plate reproduced in the special number on Hsi-hsia materials, Kuo-li Peiping-t'ushu-kuan-kuan'k'an k'an 國立北平圖書館彙刊, Vol. IV, No. 3.

2) K. KUROITA: 大寶令に見えたる官位の稱呼並に畫指について (*Concerning Pronunciation of the Ranks and Finger-seals in the Taihō-ryō 大寶令*). See p. 18 Note (1).

end, and even whether of the right hand or the left. And as has been pointed out, the general rule for a man to use the forefinger of the left hand and for a woman that of the right, according to investigations made by various scholars.¹⁾ As Mr. K. KOBAYAKAWA 小早川欣吾 says, the *Sakata-gun-shi-ge* 坂田郡司解 (*Document of Sakata County Office*) dated December, the 19th year of Tempyô 天平 constitutes one of the oldest finger-seal materials in Japan²⁾ and the finger-seal found in it is of the three-point type which is frequently seen in Chinese documents. By the way, the 19th year of Tempyô corresponds to the 6th year of T'ien-pao 天寶 of the Emperor Hsüan-tsung 玄宗 of the T'ang dynasty. And Mr. Jirô AIDA 相田次郎 kindly informs me that finger-seals in Japan were practised, though somewhat formally, until the end of the Heian period or the beginning of the Kamakura period, but they at last passed away. It is probable that the practice of finger-seals in Japan was brought from China, when Chinese culture was introduced into Japan.

In Korea finger-seals were in use during the Ri 李 dynasty. They showed the size of the finger in a somewhat oblong form in which were given as a rule the words 左寸 in the case of a man and 右寸 in the case of a woman, and they also marked finger-joints. They belong to the finger-shape type according to my classification. As I travelled in Korea and North China in the fall of 1934, I had an opportunity to see Korean finger-seal materials in the possession of the Chû-sû-in 中樞院 at Keijô, and listened to an explanation on them by Mr. Hidetaka NAKAMURA 中村榮孝³⁾. Mr. Fusanoshin AYUGAI 鮎貝房之進 also in his *Zakkô* 雜攷 (*Miscellany*)⁴⁾, and Mr. TAMAI also in his recent work⁵⁾, reproduced copies of the Korean finger-seals. Mr. AYUGAI holds that in Korea, the middle-finger has been used in making finger-seals. Mr. Yoshiyuki SUDÔ 周藤吉之 who collected

1) See p. 25 Note (2).

2) Introduction by Mr. KOBAYAKAWA; see p. 25 Note (2).

3) N. NIIDA: 探訪法律史料 (*Collecting Legal Materials*) *Tôhō-gakuhô* 東方學報, Tokyo, No. 5, (Second Series), Report of Researches in North China, Manchoukuo, and Korea, 1935, p. 45.

4) *Zakkô* 雜攷第六輯下卷.

5) K. TAMAI: *op. cit.*, p. 55 ff.

Korean finger-seal documents while sojourning in Korea has consented to my inserting a photograph (Pl. 19) as a material in this article. I cordially appreciate his courtesy.

Moreover, in Annam finger-seals were and are still in use to this day. They are made by keeping horizontal the finger of the left hand, as a rule, for a man and that of the right for a woman and marking the joints, the end, and the butt end of the nail of the finger. In the Annamese, however, the finger-shape is not drawn as in the Korean. They belong to the point-type, but are said to resemble the Korean finger-shape seal in that the points are marked on either side of the finger. As Annam adjoins China on the north and is so situated to be under her influence, it was usually annexed by China and dominated by Chinese culture whenever Chinese power expanded. Finger-seals may also indicate Chinese influence. Though some scholars made investigations concerning the Annamese finger-seals, a study of the subject has lately been published by M. Albert SALLET.¹⁾ Mr. Tatsurô YAMAMOTO 山本達郎 also has recently succeeded in collecting legal documents of Annam in which such finger-seals of a similar kind as are found in the reports of M. SALLET and others. According to M. SALLET, finger-seals are called *diêm chi*, namely 點指. In view of the fact that in China, as is seen in the *Shui-hu-chuan* 水滸傳 and *Ching-shih-t'ung-yen* 警世通言, a finger-seal is called *tien-chi* 點指, and in Japan as in the *Ryô-no-shûge* 令集解 the term 食指點署 is used, it is evident that all these are terms of the same origin; the terms 點指 and 點署 were probably chosen because dots were used. Mr. Yamamoto has consented to my inserting the photographs of finger-seals which he collected in Annam, (Pl. 20)²⁾ I heartily appreciate his courtesy.

1) See p. 25 Note (4).

2) The Annamese finger-seal documents in Mr. YAMAMOTO's collection to which I have previously referred are borrowed from 安南の不動産賣買文書 (*Annamese Documents Relative to Sale and Purchase of Immovable Property*), *Tôhō-gakuhô* 東方學報 Tokyo, Vol. XI, No. 1, March, 1940. Those interested in details of the documents and the Annamese finger-seals are advised to consult this article.

(5) Conclusion

The history of the study of Chinese finger-seals may be divided roughly into three stages:—the first period (—1912) when the documents from the western parts of China had not yet been presented for investigation; the second period (1912–1926) when the materials from the western parts of China were fully used, the old narrow views were displaced, and even the source of the Japanese finger-seal documents was roughly traced; and the third period (1926–) when with the close investigation of the Tun-huang documents and other materials, the study of the kinds and genealogy of finger-seals became more and more accurate and elaborate. During all these periods Chinese scholars made almost no contribution to this study. Though some European scholars treated finger-seals, their study was too meagre and erroneous to be compared with the searching and accurate study of the Japanese scholars. Some of the latest achievements in this field will be recapitulated now.

(a) The kinds of finger-seals. Formerly the finger-seals known were only those represented with three points, but many finger-seals represented with the finger-shape and finger-joints have been discovered in the Tun-huang documents. They are now investigated under two heads:—the point-type seals and the finger-shape seals.

(b) The method of making finger-seals. It was formerly considered from the Japanese finger-seals that the Chinese were likewise made by marking with dots the joints of the forefinger of the left hand held upside down. Based on an immediate study of Chinese records, however, this research has now become more accurate. It is proved that in China the middle-finger as well as the forefinger was used, that as a rule a man used a finger of his left hand and a woman that of her right, and that finger-seals of the point-type or the finger-shape type were made by marking the finger-joints (lateral lines) with dots or short lines; and through a

measurement of the distances between the points, that some of the Chinese finger-seals were also made by marking the joints of the finger held upside down.

(c) The kinds of documents in which finger-seals are found. Previously it was known that finger-seals are contained only in the documents pertaining to loan of money and those pertaining to loan of unhulled rice between private persons. A later discovery, however, shows that the documents pertaining to sale and purchase (賣買文書), the document pertaining to letting and hiring of land (租田文書), the document pertaining to loan of unhulled rice from the Government (官粟貸付文書) (document pertaining to joint-surety of five persons 五保文書), the document pertaining to contract for work (請負文書), the testament (遺言狀), the lawsuit documents (訟訴文書), the document pertaining to a group-surety (團保文書), and the receipts (受領書) of prices, etc.,—all these contain all sorts of finger-seals, and also that when a man was unable to sign his name when he should, he often affixed a finger-seal as well as a simplified seal-mark. Since the Taihō and Yōrō statutes contain a clause allowing a husband divorcing his wife to affix on his document a finger-seal if unable to sign his name. It is not difficult to assume the existence of the practice of finger-sealing in the T'ang dynasty on a divorce letter or other documents.

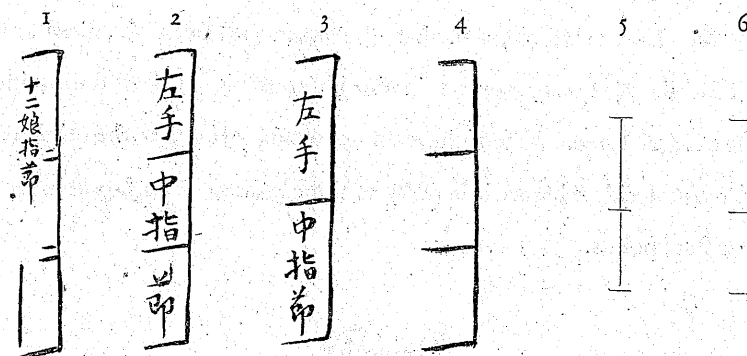
(d) The origin of finger-seals traced beyond the T'ang dynasty; and the finger-seals of the Sung, Yüan, and Ming dynasties also treated. Formerly the study of the finger-seals of the T'ang dynasty had been very inadequate. Much less had been investigated as real finger-seals the finger-seals of the periods prior to the T'ang dynasty and after the Sung dynasty. But today a finger-seal is found in the document pertaining to sale and purchase of land dated September, the 4th year of Chêng-shih 正始 of the North Wei dynasty (北魏正始四年九月土地賣買文書), and investigation is being conducted on materials obtained even from dramas and novels of the Yüan and Ming dynasties. However, the present inaccessibility to the original documents containing finger-seals of these periods leaves most of this study a future task.

(e) Investigation of the original finger-seals of the earlier part of the T'ang dynasty. Formerly the finger-seals of such eras as Ta-li 大曆 and Chien-chung 建中 were the oldest known of the T'ang dynasty. But now it is known that there exist some original finger-seals, not only of K'ai-yüan 開元 and T'ien-pao 天寶 of the Emperor Hsüan-tsung 玄宗, but also of Hsien-hêng 咸亨 of the Emperor Kao-tsung 高宗 one hundred years prior to what was previously known and investigation is being conducted on them. Moreover, the original finger-seal documents of China were formerly set as thirty or forty years younger than the Japanese of the Tempyô 天平 era. However, a later study has disclosed the presence of finger-seal documents of the T'ang dynasty seventy years older than the Japanese. Should we consider the document of the 4th year of Chêng-shih 正始 of the North Wei dynasty, the presence of Chinese finger-seal documents would be placed as far back as almost three centuries prior to what was previously dated.

(f) An inquiry made on the geographical distribution of finger-seals not only in China, but also in the neighbouring countries. Formerly finger-seals were known to have been practised even in a western part such as Khotan, but now as a result of investigating the document containing a finger-seal dated the 4th year of Chêng-shih 正始 of the North Wei dynasty discovered at Cho-chow 涿州, and the finger-seal materials found in the Notes on the Chou-li 周禮 by Chia Kung-yen 賈公彥, it is now evident that finger-seals had been practised in central and other regions of China. Furthermore, it is now generally inferred that not only in Japan, but also in Hsi-hsia 西夏, Korea, Annam and other countries geographically surrounding China, finger-seals were practised and in Korea and Annam they were practised until recent times or are still practised to this day. The finger-seal probably spread from China to its neighbouring countries. It is a conclusion recently drawn after a comparative study of the finger-seals of the various countries of Eastern Asia. Though they appear, at a glance, to differ as to their types, this is due to changes of times and other factors. Despite the diversities, there run consistent characteristics and similarity. For your reference, the finger-seals of the various countries of

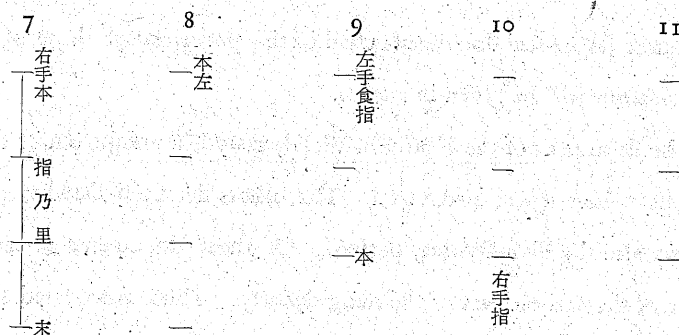
Eastern Asia will be illustrated below. In arranging (1)-(6) of China, the more complex have been given before the simpler. Their sources have previously been

Chinese



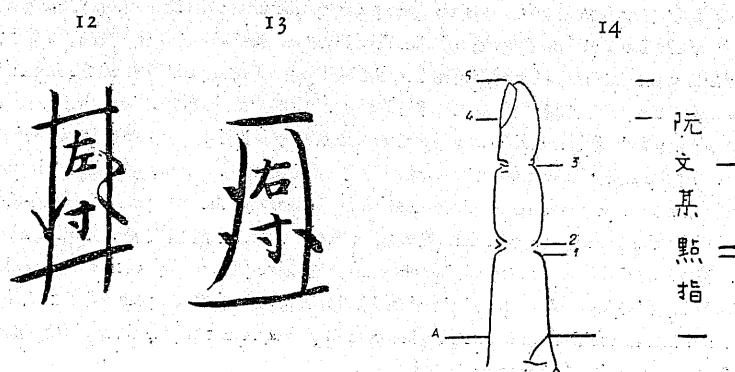
Japanese

Hsi-hsia



Korean

Annamese



mentioned.¹⁾ (7)-(10) of Japan have been given from the Dai-nippon-ko-monjo 大日本古文書 (*Ancients Documents of Japan*). The finger-seal of Hsi-hsia 西夏 is reproduced from the back of a broken piece of the Hsi-hsia translation of the Liu-tsu-t'an-ching 六祖壇經, the Peking Library edition. Those of Korea (12)²⁾ and (13) from Mr. TAMAI: *op. cit.*, and that of Annam (14) from M. Albert SALLET.²⁾ That of Hsi-hsia 西夏 may appear, in the photograph, to be of four points, but here is given as of three. When I have an opportunity to study the original in the future, I must decide whether it is really of three points. The Japanese are either of three or four points.

Appendix

Table of Finger-seal Documents of China

The Chinese finger-seal documents cited in this paper except those of Hsi-hsia and other countries will be given in a table.

(1) The document of the Northern Wei dynasty is a unique one as to its date and the locality where it was discovered. The others definitely dated are all of the T'ang dynasty and the Five-Dynasty period. Of those documents undated there may be some of the earliest part of the Sung dynasty. Those discovered at Turfan, K'u-mu-t'u-la, and Khotan are generally older than those discovered at Tun-

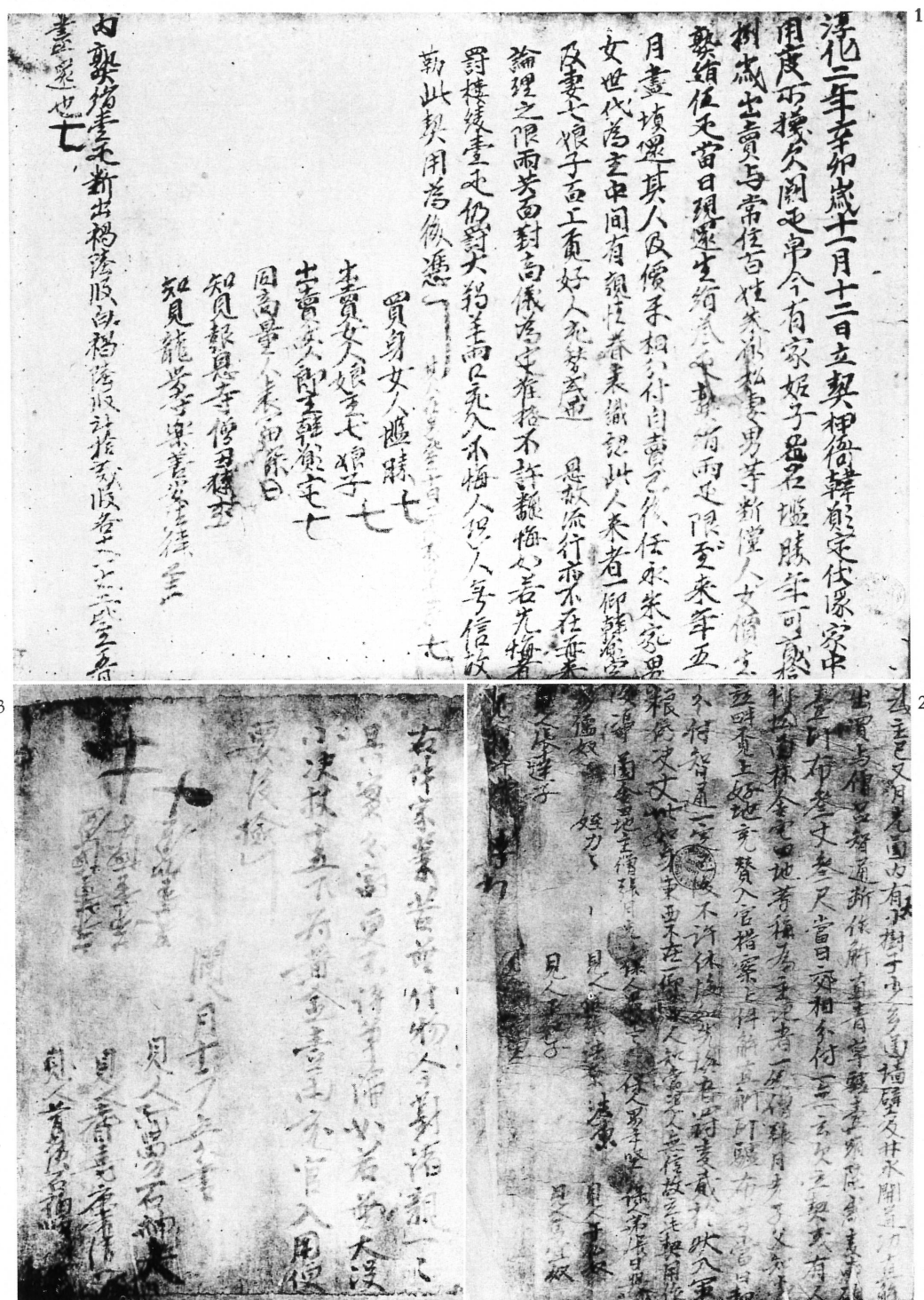
1) (1) occurs in the testament dated October, the 6th year of Hsien-t'ung 咸通 of the T'ang dynasty (唐咸通六年十月遺言狀); (2) in the group-surety document dated February, the 5th year of Hsien-tê 顯德 of the Latter Chou dynasty of the Five-Dynasty period (五代後周顯德五年二月團保文書), and the lawsuit document dated December, the 2nd year of K'ai-yün 開運 of the Latter Chin of the Five-Dynasty period (五代後晉開運二年訴訟文書). 左手 (left hand) shows that it is a finger-seal of a man; a man's finger-seal is in some cases specially marked 男左中指節 (male, left, middle-finger, joint). In the case of a woman it is marked 右手 (right hand). And 指 (finger) is sometimes made 旨. (3) occurs in the group-surety document dated February, the 5th year of Hsien-tê 顯德 of the Latter Chou of the Five-Dynasty period (五代後周顯德五年二月團保文書). This is a simplified form of (2). Many of this kind are found, but they are not given here. (4) occurs in the document pertaining to loan of barley and unhulled rice dated February, an unknown year (某年二月借麥粟文書). The lateral line at the bottom is one supplemented by the present writer through supposition.

2) K. TAMAI: *op. cit.*, A. SALLET: *op. cit.*

huang; those recovered at Turfan are especially so. However, it cannot be said that any more ancient finger-seal materials will not be secured from the documents recovered from Tun-huang or any other locality. Moreover, so far as their types are concerned, (2)-(19) are mostly documents containing finger-seals of the point-type, while (20)-(23) are those containing finger-seals of the finger-shape type. Consequently, the documents containing finger-seals of the point-type are mostly older than those containing finger-seals of the finger-shape type. However, it cannot be rashly concluded that the origin of the point-type is older than that of the finger-shape type and that the latter is an evolution of the former. Even today our materials are not yet quite complete. A rash careless assertion should be avoided. Should it be supposed that one of the two forms was an evolution of the other, the point-type might be a simplified form of the finger-shape type. In view of the fact that both types were in use at the same time during the T'ang and Sung dynasties, is it advisable to attempt to ascribe them to one origin? In a word, the processes of development of the two types of finger-seals and the evolution of these types are problems still to be investigated.¹⁾

1) N. NIIDA: *op. cit.*, p. 57.

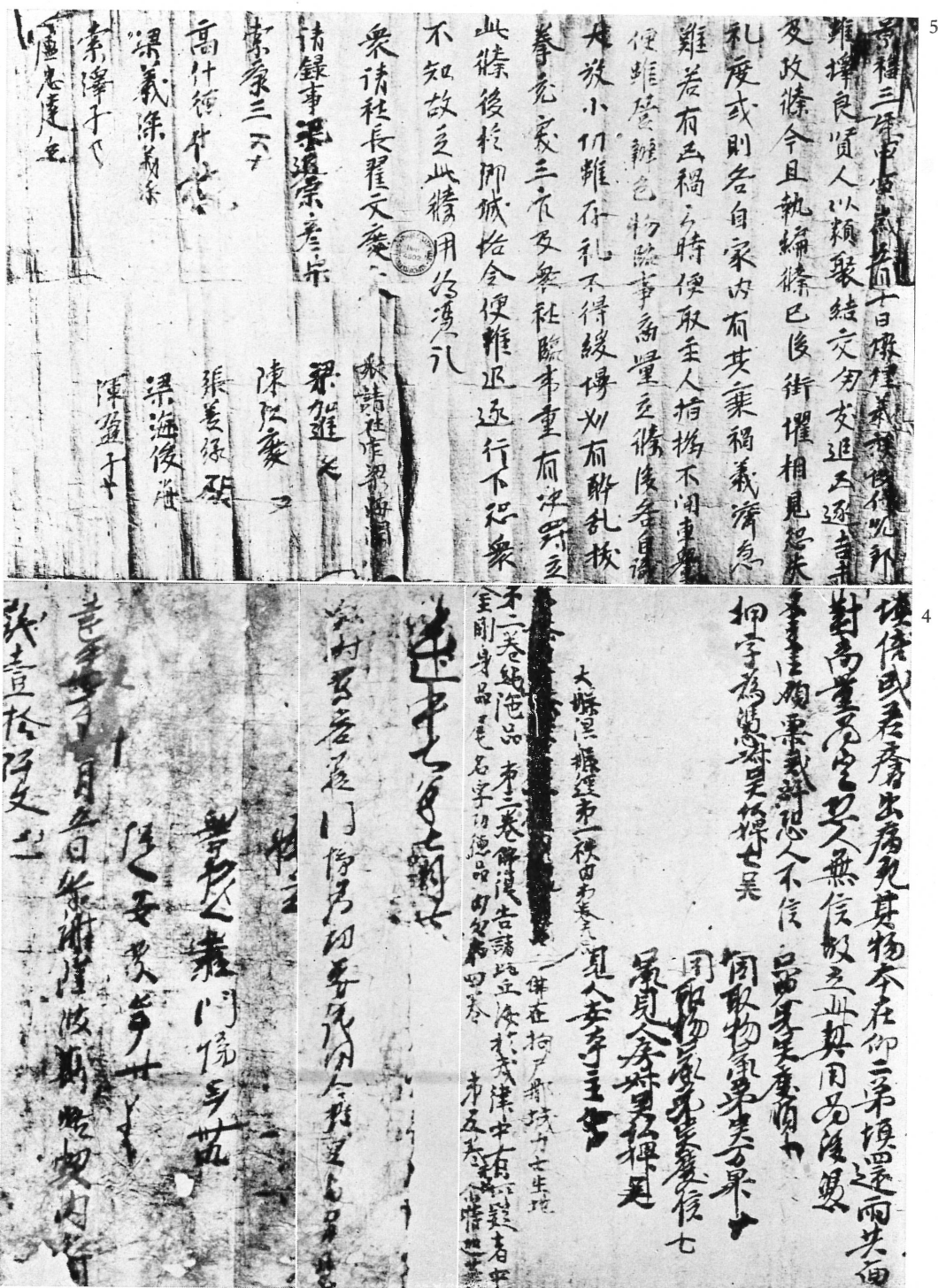
	Dates	Kinds	Discovered at	Discoverers	Owners	Photographs or Reproductions Published in	Pl. Nos. in this paper
1	September, the 4th year Chên-shih 正始, the North Wei dynasty	Tile-document pertaining to sale and purchase of land 土地賣買文書 (磚)	Cho-chou			I-shu-ts'ung-pien 藝術叢編	16
2	April, the 2nd year of Hsien-hêng 咸亨, the T'ang dynasty	Receipt of prices (?) 代價受領書 (?)	Turfan		Nakamura Calligraphic Museum	Tô-Sô Hôritsu-monjo no Kenkyû 唐宋法律文書の研究 (A Study of Legal Documents of the T'ang and Sung Dynasties)	15
3	Unknown	Receipt of freightage 脚價受領書	"		"	"	
4	June, the 29th year of K'ai-yüan 開元, the T'ang dynasty	Document pertaining to sale and purchase of domestic animals 家畜賣買文書	"		"	"	13
5	An unknown month, the 2nd year of T'ien-pao 天寶, the T'ang dynasty		"		Port Arthur Museum (in the custody of)	"	
6	October (intercalary), the 5th year of T'ien-pao 天寶, the T'ang dynasty	Document pertaining to letting and hiring of land 租田文書	"		Nakamura's Calligraphic Museum	"	14
7	February, the 3rd year of Kuang-tê 廣德, the T'ang dynasty	Document pertaining to loan of government unhulled rice 官粟貸借文書	"	Le Coq	Prussian Academy	"	
8	Unknown	Document pertaining to loan of money (?) 借錢 (?) 文書	"	Ôtani Mission		Sai-iki-kôko-dzu-fu 西域考古圖譜 (A Collection of Archaeological Plates of Western Regions)	
9	Unknown	Document pertaining to joint obligations for (?) 同借 (?) 文書	"	"		"	
10	March, the 16th year of Ta-li 大曆, the T'ang dynasty	Document pertaining to loan of money 借錢文書	K'u-mu-t'u-la	"		"	8
11	May, the 16th year of Ta-li 大曆, the T'ang dynasty	Document pertaining to loan of money 借錢文書	"	"		"	
12	June, the 16th year of Ta-li 大曆, the T'ang dynasty	Document pertaining to loan of money 借錢文書	"	"		"	
13	An unknown month, the 17th year of Ta-li 大曆, the T'ang dynasty	Document pertaining to loan of unhulled rice 借粟文書	Khotan	Stein Mission	British Museum	Ancient Khotan	7
14	An unknown month and year of Ta-li 大曆, the T'ang dynasty	Document pertaining to loan of money (document of pledge on movable property) 借錢文書 (動產質文書)	"	"		"	
15	July, the 3rd year of Chien-chung 建中, the T'ang dynasty	Document pertaining to loan of money 借錢文書	"	"	British Museum	"	
16	July, the 7th year of Chien-chung 建中, the T'ang dynasty	Document pertaining to loan of money 借錢文書	"	"		Journal of the Royal Asiatic Society of Bengal, Vol. LXX	6
17	April, the 8th year of Chien-chung 建中, the T'ang dynasty	Document pertaining to loan of money 借錢文書	"	"		Ancient Khotan	
18	October (intercalary), the 19th(?) year of Chên-yüan 貞元, the T'ang dynasty	Document pertaining to sale and purchase of domestic animals 家畜賣買文書	Tun-huang (?)	"	British Museum	Bulletin of the School of Oriental Studies, Vol. IX	
19	February, an unknown year	Document pertaining to contract for work 請負文書	Tun-huang	Pelliot Mission	Bibliothèque Nationale de Paris	Tô-Sô Hôritsu-monjo no Kenkyû 唐宋法律文書の研究 (A Study of Legal Documents of the T'ang and Sung Dynasties)	
20	October, the 6th year of Hsien-t'ung 咸通, the T'ang dynasty	Testament 遺言狀	"	Stein Mission	British Museum	Serindia Tô-sô Hôritsu-monjo no Kenkyû 唐宋法律文書の研究 (A Study of Legal Documents of the T'ang and Sung Dynasties)	10
21	December, the 2nd year of K'ai-yün 開運, the Latter Chin dynasty of the Five-Dynasty period.	Lawsuit document 訴訟文書	"	Pelliot Mission	Bibliothèque Nationale de Paris	Tôhō-gakuhō, Tokyo, Vol. IX 東方學報東京第九冊	11
22	February, the 5th year of Hsien-tê 顯德, the Latter Chou dynasty of the Five-Dynasty period	Group-surety document 團保文書	"	"	"	"	12
23	February, an unknown year	Document pertaining to loan of barley and unhulled rice (document of pledge on movable property) 借麥粟文書 (動產質文書)	"	"	"	Tô-Sô Hôritsu-monjo no Kenkyû 唐宋法律文書の研究 (A Study of Legal Documents of the T'ang and Sung Dynasties)	9
24	October, the year wei 未	Document pertaining to sale and purchase of land 土地賣買文書	"	Stein Mission	British Museum		



Pl. 1 Document pertaining to sale of slaves dated November, the 2nd year of Chun-hua, the Sung dynasty, discovered at Tun-huang in the possession of the British Museum.

Pl. 2 Document pertaining to exchange of lands, the T'ang dynasty, discovered at Tun-huang, in the possession of the Bibliothèque Nationale de Paris.

Pl. 3 Document pertaining to distribution of family property dated August (intercalary), the 9th year of T'ien-fu, discovered at Tun-huang, in the possession of the British Museum.



- Pl. 4 Hostage document dated October, the year *kuai-mao*, discovered at Tun-huang, in the possession of the Bibliothèque Nationale de Paris.
- Pl. 5 Fraternity document dated May, the 3rd year of Ching-fu, the T'ang dynasty, discovered at Tun-huang, in the possession of the Bibliothèque Nationale de Paris, reproduced from the Shirin Vol. XXIII No. 3.
- Pl. 6 Document pertaining to loan of money dated July, the 7th year of Chien-chung, the T'ang dynasty, discovered at Khotan, in the possession of the British Museum, reproduced from J. R. A. S. Bengal Vol. LXX.

唐中宗乙未三月廿日楊無期
 舉茂人楊三娘年廿五
 送人楊三娘年廿五

唐中宗乙未三月廿日楊無期
 舉茂人楊三娘年廿五
 送人楊三娘年廿五

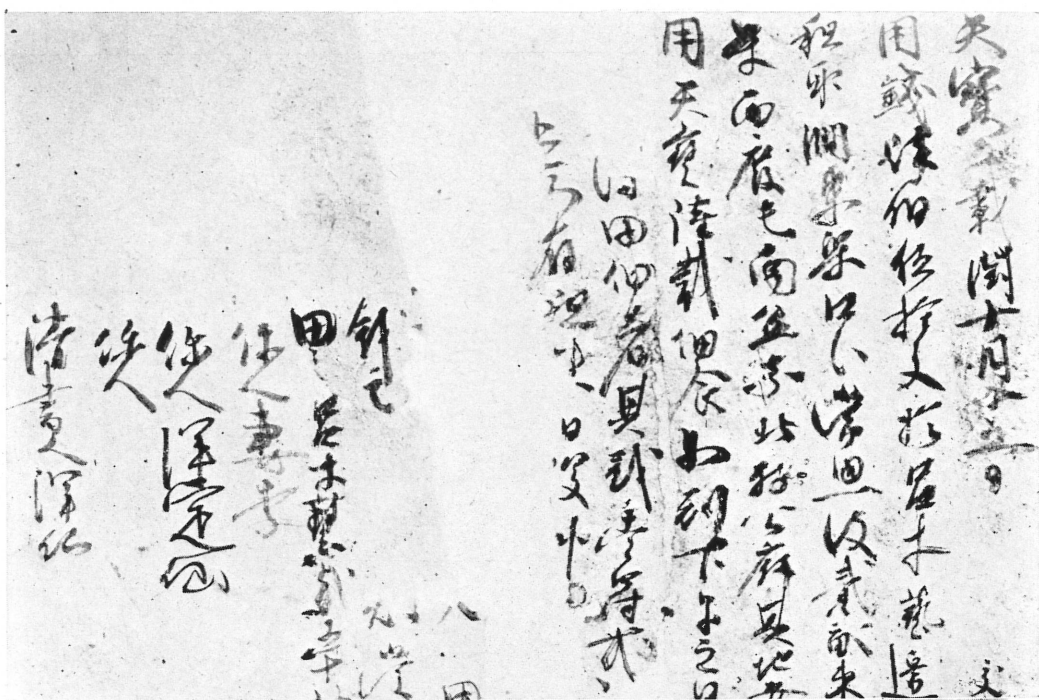
開元廿九年六月十日其愛景於子謹城
 先用大德初迎買興胡安思遠烏柏
 特牛一頭肆歲其中心德即日交相
 付可如後牛有疾盜並仰主保
 知當不忤買人之事兩主對面
 盡指為記

練之
 生已為思遠家
 供出共存年廿二
 見人系系

- Pl. 7 Document pertaining to loan of unhulled rice dated an unknown month, the 17th year of Ta-li, the T'ang dynasty, discovered at Khotan, in the possession of the British Museum, reproduced from the Ancient Khotan.
- Pl. 8 Document pertaining to loan of money dated March, the 16th year of Ta-li, the T'ang dynasty, discovered at K'u-mu-t'u-la, reproduced from the Sai-iki-kôko-dzu-fu.
- Pl. 13 Document pertaining to sale and purchase of domestic animals dated June, the 29th year of Kai-yüan, the T'ang dynasty, discovered at Turfan, in the possession of the Nakamura Calligraphic Museum.



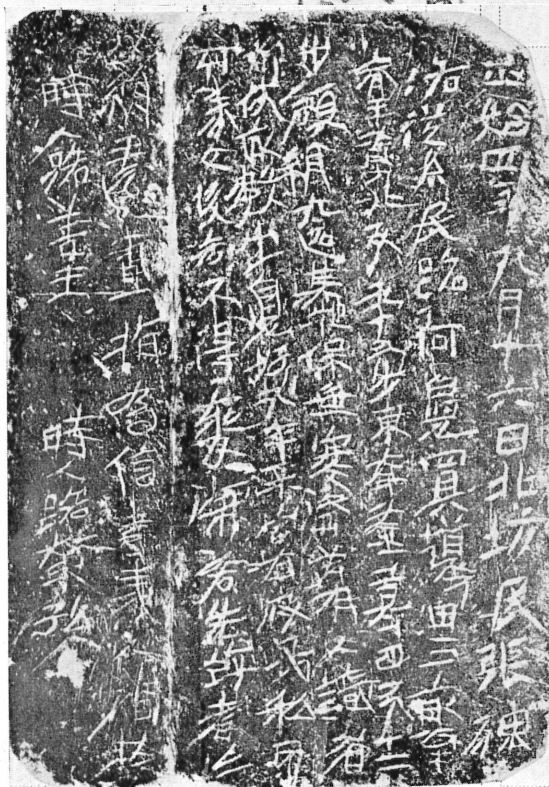
- Pl. 9 Document pertaining to loan of barley and unhulled rice (document of pledge on movable property) dated February, an unknown year, discovered at Tun-huang, in the possession of the Bibliothèque Nationale de Paris.
- Pl. 10 Testament dated October, the 6th year of Hsien-t'ung, the T'ang dynasty, discovered at Tun-huang, in the possession of the British Museum.



14



15



16

- Pl. 14 Document pertaining to letting and hiring of land dated October (intercalary), the 5th year of T'ien-pao, the T'ang dynasty, discovered at Turfan, in the possession of the Nakamura Calligraphic Museum.
- Pl. 15 Receipt of prices dated April, the 2nd year of Hsien-hêng, the T'ang dynasty, discovered at Turfan, in the possession of the Nakamura Calligraphic Museum.
- Pl. 16 Tile-document pertaining to sale and purchase of land dated September, the 4th year of Chên-shih, the North Wei dynasty, discovered at Cho-chou, reproduced from the I-shu-t'sung-pien.

Handwritten text in Chinese characters, likely a document or letter, showing vertical columns of writing.

Handwritten text in Chinese characters, including a date "光緒九年四月" (April, 9th year of Kuang-hsü) and other vertical columns of writing.

Handwritten text in Chinese characters, including a date "光緒九年九月" (September, 9th year of Kuang-hsü) and other vertical columns of writing.

Handwritten text in Chinese characters, including a date "咸泰拾叁年正月" (January, 13th year of Ch'êng-t'ai) and other vertical columns of writing. The document also features a circular seal on the right side.

- Pl. 17 Document discovered on the back of a broken leaf of the Hsi-hsia translation of the Liu-tsu-t'anching, reproduced from the Pei-p'ing Library edition.
- Pl. 18 Document pertaining to loan of money dated April, the 4th year of Hôki, in the possession of the Shôsôin, reproduced from the Dai-nippon-ko-monjo.
- Pl. 19 Document dated September, the 9th year of Kuang-hsü of Korea, in the possession of Mr. H. Sudô.
- Pl. 20 Document dated January, the 13th year of Ch'êng-t'ai of Annam, in the possession of Mr. T. Yamamoto.