

THE TOYO GAKUHO
(REPORTS OF THE ORIENTAL SOCIETY)

Vol. 44, No. 2
September 1961

The Clause of Warrant in the Uigur Documents
of Sale and Purchase

By Masao MORI

Prof. Dr. Noboru NIIDA has proved that the Chinese documents of sale and purchase contain the clauses of warrant against the breach of promise, the clauses of warrant against eviction by the third party and the clauses of warrant against objections from any relatives of the parties concerned, together with some words of penalty on the breach of promise. The present writer, having compared those sorts of clauses of warrant in the Uigur documents with those in the Chinese ones, points out the following facts: Some clauses of warrant in the Uigur documents bear some resemblance to those in the Chinese ones. But some clauses, especially the clauses defining the penalty on the breach of promise, have no counterparts in the Chinese. These points of difference, the present writer concludes, are based on the legal system which the Uigurs had had before they came in contact with the Chinese.

The Negotiation of the Dutch East India Company
with the Ch'ing Dynasty concerning the Attack
of Quemoy and Amoy Islands

by Akira NAGAZUMI

The Dutch attempt to open the Chinese trade dates back to the beginning of the 17th century, but this necessity has become much greater since 1662 when the Dutch fort of Zeelandia in Formosa was occupied by the troop of Coxinga. This resulted in the Dutch embassy to Fukien in 1662 after six years' absence. The author clarifies the great difference in the understandings of Emperor Shun Chih's 順治 Edict of 1656 between the Dutch and Chinese authorities: the former regarded it as the permission of trade every eight year at a Dutch factory to be opened within the Chinese territory, whereas the latter's intention seems to be that the trade might be carried at a building which belonged to the Chinese government. But the Chinese authority regarded the Dutch fleet as a good ally for the conquest, and even promised the Dutchmen to admit the free trade every other year on the condition that the two islands should be conquered. After the successful attack of the islands by the allied forces in November 1663, however, the Ch'ing attitude towards the Dutch embassy has under-

gone a change as to the proposed free trade which was utterly against its traditional policy. In other words the Dutch cooperation did not have much effect on the Ch'ing policy of Ch'ien-chieh ling 遷界令 or the policy of transferring the coastal inhabitants to inner districts. Thus the Dutch negotiation ended in failure, because an edict issued after the conquest clearly tells us that the emperor abolished the Dutch trade which was to be done every other year according to the previous decree.

This policy of Ch'ing did not change until 1684, when the Ch'ing forces finally defeated the Coxinga's and conquered the whole Formosa. It was in 1685 that the Dutch ships were allowed to come to commit trade every five year at Canton and Fukien. Thus the author, investigating the process of negotiation through the European and Chinese sources, states that the Dutch negotiation during the sixth decade of the 17th century must be considered in a longer range of the Ch'ing policy of excluding the Coxinga's between 1661 and 1684.

On the Development of *Chün* 軍 System before the Establishment of *Chieh-tu-shih* 節度使 Organization

by Hideo KIKUCHI

In the first half of the T'ang Dynasty, the word *Chün* 軍 had several different meanings. Usually, it meant not only army corps in general, but also a garrison for the frontier defense.

The stationary troops on the frontier of T'ang were organized into *Chün-chên* 軍鎮 system. It consisted of *Chün* 軍, *Shou-tsu* 守捉, *Cheng* 城 and *Chên* 鎮. According to a popular view, the *Chün* as a frontier garrison first appeared during the reign of *Kao-tsung* 高宗, instead of the declining frontier fort system *Chên* 鎮 and *shu* 戍, which were part of *Fu-ping* 府兵 conscription system. This opinion is reasonable in a way, however, we can find the word *Chün* since the beginning of the T'ang era. In this case, *Chün* meant *Hang-chün* 行軍, expeditionary troops, which were commanded by *Hang-chün-tsung-chien* 行軍總管.

From the first, the frontier fort of *Fu-ping* system was neither strong nor effective. They were supported with diplomatic against barbarian tribes and aggressive defense by such a expeditionary troops. During the reign of *Kao-tsung*, barbarian tribes rose into power. The expeditionary troops were reinforced and stationed in the battlefield. The organization of actual military movements was transformed into organization of stationary troops. The encampment developed into an agency which had a military district and fortified the defence of the frontier under the command of *Chên-chü-ta-shih* 鎮軍大使, *Chên-shou-shih* 鎮守使 and *Ching-lüeh-shih* 經略使 etc. (Commander-in-chief of the barbarian quelling forces). Hitherto the organization of *Hang-chün* has not been clearly analysed. The author explains its system and points out that the *Chieh-tu-shih* 節度使 system developed from it.