

**INTRODUCTION TO THE UYGHUR CIVIL DOCUMENTS
OF EAST TURKESTAN (13th-14th cc.)**

BY

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PREFACE

The present work deals with various historical, formal and legal aspects of some 141 Uyghur civil documents that were written on paper in cursive Uyghur script in the XIII-XIV centuries, and retrieved from archaeological sites in East Turkestan at the beginning of the XX century.

First of all, I have attempted to set these documents within their proper historical (Chapter One), historiographical (Chapter Two) and chronological (Chapter Three) framework. Secondly, I have established a classification of the documents based on both formal features (Chapter Four) and considerations of their content (Chapter Six). Thirdly, I have provided a physical, bibliographical and contextual description of each of the documents (Chapter Six). Lastly, I have discussed the formal features of validation which are found in all legal and most administrative documents (Chapter Five). Throughout the work, numbered documents refer to the apparatus in the final chapter (Chapter Six).

During the preparation of these studies, certain shortcomings became evident. Foremost of these was the lack of facsimiles for a distressing majority

of the texts. This lack hampered a fresh reading of many passages and formulas, and also precluded any serious examination of the physical nature of the seals and personal signs on the documents. This shortcoming has been partially alleviated by exhaustive internal comparison of formulaic expressions in texts for which facsimiles exist and in parallel texts for which they do not.

Moreover, my ignorance of Chinese is a serious disadvantage, not only because the legal documents reflect Chinese legal institutions in Turkic garb, but also because many formulas, terms and proper names are of Chinese origin. This disadvantage has been partially offset by the use of secondary literature devoted to Sinological aspects of these documents.

It is my conclusion that these civil documents, so crucial for the social and economic history of the Uygurs in East Turkestan during the XIII-XIV centuries, have not been made available in an adequate condition for evaluation by scholars in this and related fields. If the present work provides only the foundations for more satisfactory studies, it will have proved to be worthwhile.

It is with pleasure that I take this opportunity to make the following acknowledgments relevant to the completion of this work.

I wish to thank my teachers, Professors Denis Siner, John R. Krueger, and Ilhan Başgöz, all of whom have unselfishly opened their personal libraries for my use and have encouraged my studies over the years with critical but stimulating support.

I wish to thank Professors Krueger, Başgöz and Larry Moses, for reading the present work and pointing out a number of errors. I am especially grateful to Professor Siner, whose critical reading of the manuscript resulted in a vastly improved final version.

Finally, I wish to record the intellectual and emotional debts which I owe to Professor Andras Róna-Tas and Mr. Samuel Grupper, whose understanding of Inner Asian subjects and whose friendship have greatly enriched this and other endeavors of mine.

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PRELIMINARY REMARKS ON ORTHOGRAPHY AND TRANSCRIPTION

The transcription of the Uyghur script employed in the present work requires little explanation, and will be familiar to linguists and specialists in Inner Asian subjects. Diacritics are of two types: (1) those used by the scribes of the original manuscripts; (2) those which are used in etymological interpretation of ambiguous graphs in the script. Illustrations of these two types include:

- (1) ṇ : 7:5 on "ten", 10:9 köni "faithfully", etc.
ö/ü : 19:4 buýday "wheat", 27:6 yaqe "rent", etc.
s/š : 58:2 qarabaš "slave", 60:5 kišim "my wife", etc.
z/ž : 60:16 šazin "disciple", 96:7 užik "letter", etc.
- (2) d : d written instead of etymological t (see below)
t : t written instead of etymological d (below)
s : s written instead of etymological z (below)
z : z written instead of etymological s (below)
a : a written instead of etymological ä
(cf. 22:5 Arsan, 35:13 Alp, etc.)
o/u : o/u written instead of etymological ö/ü
(cf. 35:7 orü "upwards", 15:4 yuz "100", etc.)

Suffixes are for the most part written separately, as are all syllables after -z, a mechanical principle of the orthography. Such separations are not as a

rule indicated in the present work by a hyphen. There are a few cases of run-on spellings, as in the formula for seals: -NYMKWL = -ning ol "(this seal is) that of (name)"; also cf. 10:3 Baydemür, 50:2 Quqd(a)muni, 50:30 Toǵdemür, 78:21 Köǵdemür. The spelling of these proper names reflects the orthography of Mongol in Uyyur script, where -ǵ- is written for -t-.

Abbreviated spellings, that is, the omission of a vowel graph, represent a very old practice in Uyyur orthography. There is a marked tendency to abbreviate the following words: krgek = kargek "necessary", an = nan "I", mnga = manga "to me", tmür = temür "iron", ygrmi/yǵirmi = yiqirmi "20", yme = yime "moreover". I rarely indicate such abbreviations by parentheses.

The always fallible scribe makes his presence known in other ways. Nr.19 begins It yll dǵd, then is rewritten It yll altinǵ ay. Nr.30 is a rental contract for a vineyard, although the requirement clause states that it is for a cultivatable plot. Nr.57 has the beginning of a penalty clause in the wrong order: the scribe breaks off and then completes the clause further into the text.

Dittographies also occur: 9:4 bir bir gap; 30:5-6 bu bu; 50:2 Quqd(a)muni t(a)muni; 57:1 yangiq-a-ga; 57:19 bolsun bolsun; 129:17 birdim birdim. There are a few cases of metathesis: 57:5 torǵu for toǵru "outright"; 88:4 apra for arpa "barley".

Very few scribes seem to have taken the trouble to arrange their compositions visually, that is, to set off the register by indentation (as is done, e.g., in Nrs.14 and 46). In the two petitions, Nrs.96 and 97, the scribes have observed the rule of writing the ruler's name slightly higher than the beginning words of the other lines; this practice is referred to as "the honorific lift".

The Uyyur script abounds in ambiguities, which are only compounded in its cursive ductus. Especially troublesome are the graphs for Q ~ S, Y ~ V ~ R (and this series with z = a, s, n), I ~ W, and other careless writings.

There are several important problems of the phonological interpretation of this script which are ignored in my transcription: (1) the question of long vowels in root and non-root syllables (length is indicated, nearly always correctly, in Clauson's ED); (2) the distinction between e (always written e) and é (written both e and i from text to text) in root syllables; (3) the quality of mid vowels ä, o, ö, in non-root syllables; (4) the articulation of certain resonants β, ð, ǵ. These problems seem to me to be relevant only in connection with the interpretation of other scripts used by Turkic peoples.

Foreign and loanwords are, as a rule, transcribed so as to conform to their forms in the donor language, without, however, violating rules of transcription. Therefore, q may represent g, γ, x or h; č both č and ʃ, and so on. Mongol qubčir is read as such and not as qubčir, Arabic kitab as such and not as kitab, Persian xoʃa as such and not as qoča, etc.

One of the more conspicuous interpretative problems involves the representation of t, d, s, z. There are only a few cases in which t is written for d [=d]: 22:4 gotl "downwards", 33:11 atln "other", 34:3 kitln "west", 35:9 atlrar "which divides" (but 35:8 adlrar), etc. The majority of such spellings are found in Mrs. 33-35, land sale contracts which are formally parallel.

The writing of d for t is frequent, but seems to occur in certain environments: (1) between vowels, as in 6:2 yidi "7", 12:2 oduz "30", 10:5 sadly "sale price", 24:19 qada "copy", 34:6 bidig "contract", etc.; (2) after l, r, n, as in 8:8 aldin "I received", 28:1 ikindi "second", 21:1 tardunč "fourth", 11:6 aldlrar "six each", 25:1 yund "horse", etc.; (3) as a member of the geminate -tt-, as in 29:4 tutdum, 30:5 tudtum "I held", 35:3 sadtim "I sold", etc; as well as in less clearcut cases such as 28:5 badzar "if one plants", 34:5 sözleşdimiz "we have discussed", 16:5 savda

"(witnesses) to this statement", etc. The majority of these cases, then, represent assimilations of t to voiced environments, although (3) represents dissimilation from voiced environments.

It would be hazardous to see in such writings either conditioned sound changes or orthographical norms, as the following makes clear: 24:20 ayidlo bididim, 1:16 ayidlo bitidim, 2:6 ayitlo bitidim, 3:8 ayidlo biditim, 21:13 bididim, 5:11 bitidim, 19:17 biditim, 27:13 bititim. In one or two texts, it does appear that a sound change t > d has taken place (e.g., Nr.25). In other texts, one finds all the possibilities (e.g., Nrs.34 and 35).

There are only a few cases in which z is written for s, and it may be significant that all but a few of these are connected with the abbreviated conditional suffix -sa/-se (see Chapter Three, note 29).

The cases in which s is written for z do not appear to be significant: 4:6 bisdn "he shall give", 5:10 asdm "myself", 12:5 odusar "30 each", 32:6 bisdn "ours", 35:5 asidmdz "we have fixed (a price)", etc.

Those cases in which the interpretation involves a sound change are discussed infra, pp.121-125.

CHAPTER ONE: THE HISTORICAL SETTING

The history of East Turkestan, from the appearance of strong city-states under Turkic rulers in the VIII century until the thorough cultural and political collapse associated with the advent of Islam in the middle of the XV century is shrouded in darkness and neglect. The more spectacular aspects of the kaleidoscopic civilizations of the area— art forms, literatures, religions, etc.— have been the subject of generations of deserved recognition by scholars, whereas the social and economic institutions of the period, not to mention the more mundane facts of its political life, have been virtually ignored.

This neglect, endemic to the study of many areas and epochs of Inner Asia, is especially regrettable for East Turkestan. Throughout its history, the great and desolate trade routes which traverse its deserts, relieved only by populated oases, have witnessed an intense interchange of commerce, peoples and ideas between the East and the West. To bring light into this darkness, we may call upon a historiographical situation that is not entirely hopeless. Apart from voluminous Chinese sources which, through ignorance of what they contain, must be presumed to be of primary importance, there exists a variety of Persian, Arabic, Mongol and medieval

Latin accounts each of which carries some small or occasionally major historical clarification.

The present work concerns still another type of source whose contents, largely social and economic in nature, have scarcely been utilized by historians of the region. This source consists of a body of commercial, legal and administrative documents dating from the XIII-XIV centuries and written in Uyyur, the Turkic literary language of the area. In order to provide some historical background to their study, whose preliminary steps may be found in the chapters below, I shall attempt here a rudimentary arrangement of the salient personages and events of the period.

The history of the Uyyur Turks,¹ whose name eventually came to designate one of the more vibrant civilizations of Northwest China, had its beginnings among some primitive tribes inhabiting the pastures watered by the Selenge River in Northern Mongolia in the VII century.² During the final years of the second Turk dynasty of Mongolia (681-742), the Uyyur tribes vied with and ultimately overcame the Qarluq and Sasmil peoples to establish the Uyyur steppe dynasty of Mongolia (744-840).³

Already during this early period we find a vivid interest on the part of the Uyyur ruling families in

the cultural and religious life of China and of the cities in East Turkestan. This interest was manifested not only in the adoption of Manicheism as the state religion of the Uyyurs (762), but also by military expeditions against the Chinese, Tibetans and Qarluq in the Northern Tarim. Thus, having failed in several assaults in 790 against the Chinese fortresses of Pei-t'ing, later to become known as Baš-balıq ("The Five Cities"), the Uyyurs succeeded in 791 in bringing Pei-t'ing and its environs, as well as the An-hsi (= Kuča) area, under control and adding them to the dominions of their steppe empire.⁴

In 840, this empire was brought to a catastrophic end at the hands of the Qıryız, a Turkic-speaking people who lived along the upper reaches of the Yenisey River.⁵ In the following years of diaspora and disintegration, four separate movements of tribes formerly under the Uyyur can be discerned.

One group of thirteen tribes moved along the northern marches of China until their complete dispersal at the hands of Qıryız and Chinese troops. A second group of tribes, led by the head of the royal Yaylaqar family, migrated into the area of present-day Kansu province, where they became known as the Uyyurs of the Kan-chou and Sha-chou Prefectures. There, these Uyyurs succeeded in establishing a political power that lasted

until 1028, in the case of Kan-chou, or 1035, in the case of Sha-chou (=Tun-huang), when they were subjugated by the Hsi-hsia, or Tangut people.⁷ The descendants of these Uyyurs may still be found in small areas of Kansu province, where they call themselves Sarīy Yuyur ("Yellow Uyyur") and continue to profess the Lamaist sect of Buddhism.⁸

The third group of Uyyurs, led also by a head of the Yaylaqar clan, migrated to the An-hsi (=Kuča) and Yen-ch'i (=Qarašahr) areas, in both of which Qarluq tribes had previously settled. It appears that later the majority of these Uyyurs moved into the Kan-chou region, where they rejoined the other tribes recognizing Yaylaqar suzerainty.⁹ Those who remained were absorbed into the sphere of the Beš-baliq Uyyurs.

The fourth group of migrating Uyyur tribes also ended their migration in an area settled by the Qarluq, that area north of the Eastern T'ien-shan at Pei-t'ing (=Beš-baliq) and that south of this mountain range in the Northern Tarim at Kzo-ch'ang (=Qocho or Qara-xoja). Here, the Uyyur ruling family from the A-tie-cian¹⁰ established a government over the city-states, with their diverse populations, of the Northern Tarim and Eastern T'ien-shan. Although heavily populated by Qarluq and Basmīi Turkic tribes, these regions had long since been part of the dominions of the Uyyur steppe

dynasty, so that in a certain sense we are not witnessing the formation of a "new" kingdom, but of a new seat of government.¹¹

From Chinese and other sources, it is clear that the new capital of the Uygurs was at Beš-baliq in the Eastern T'ien-shan,¹² although the city of Qočo was and remained an important cultural and administrative center.¹³ If scholars speak of the "Qočo Kingdom" and assign to it the rather arbitrary life span of 850-1250, it is primarily due to a few confused Chinese records and to the fact that it is in the ruins of Idikut-šahri, the former Qočo, and other sites around modern Turfan, that the documentation for this Uygur civilization is preserved. It is the case that the ruins of Beš-baliq were never certainly found, and indeed never diligently sought,¹⁴ during the expeditionary period, so that what we know of it comes from Chinese and Islamic sources, from the colophons of Uygur Buddhist translations, accomplished in Beš-baliq, copies of which turned up in Turfan and Kansu (e.g., the works of the famous Šingqu Šalı Tutung), and from an assortment of references in Turkic and other sources.

As with other clichés that have been perpetrated concerning the ethnic composition and political history of East Turkestan, we suffer in such cases from lack of adequate documentation. By scholarly convention, we presume we know who the Uygurs were when we speak

of such entities as "Uyğur script", "Uyğur literature", "Uyğur language", "the Uyğur Kingdom of Qoço", "Uyğur scribes and ministers", etc. However, the actual contribution of the Uyğurs from Mongolia to the civilization that bears their name appears to be vastly overrated.

It is a fact that many of its most distinctive elements— Manichaeism, Buddhism, scripts, literary languages, art, sculpture, architecture, to name but a few— were present in the region prior to the arrival of the Uyğurs in the middle of the IX century. The "Uyğur script", to take one example, is of course nothing other than a form of Sogdian cursive writing adopted by Turks in Mongolia (the Ulān-gom inscription) and in East Turkestan (Manichean texts, the Maitrisimit translation and others) probably at the beginning of the VIII century, prior to the rise to power of the Uyğurs. And the scholarly fiction of the "Uyğur language" has been exposed by many scholars.¹⁶

The only corrective to this situation, namely, the adoption of new and presumably more precise terminology, is, in view of the weight of traditional usage, unthinkable today. However, inaccurately, and with some sense for the synthetic milieu created under the government of the Uyğurs, we term "Uyğur" all those ethnically and linguistically Turkic manifestations of life in East

Turkestan from the immigration of the steppe Uygurs in the middle of the IX century to the Islamic assimilation in the middle of the XV century.

Relatively few events of the history of the Uygurs in Northwest China prior to the XIII century are known. A presentation of the information contained in Chinese annals for the period of the "Five Dynasties" (907-960) is available in the standard work of James Hamilton,¹⁷ and the artistic remains have been analyzed by Annemarie von Gabain in compiling her monograph on the cultural life of the Uygurs.¹⁸ Undoubtedly of the highest importance, but written in a language accessible to few Western scholars, the work of Takeo Abe deals with the VIII-XII centuries and is based substantially on Chinese sources.¹⁹ The nature of the Chinese records and their relevance to the history of the Uygurs forms the subject of a cursory review by A.G. Maljavkin.²⁰

It is known that by 1009 Xotan and the remainder of the Southern Tarim had become Muslim, falling under the rule of the Qaraxanid dynasty (840-1212), with its capital at Kašyar.²¹ Cultural and political interplay between the contiguous kingdoms must be postulated, but the famous Diwān Luyāt at-Turk of Maḥmūd al-Kāšyarī (wr. 1072-1077) nonetheless contains only scattered remarks upon the Uygurs and their language.²² Other

native records of surrounding peoples, those in Tibetan, Xotanese and Tangut, may also be expected to yield information upon the Uyyurs, but have not yet been systematically combed.

Of the Muslim geographers, the works of Gardīzī (ca.1050) and Marvazī (ca.1120), as well as the anonymous Hudūd al-‘Ālam (982), contain some information upon the Uyyurs both of East Turkestan and of Kansu.²³ Due to the complexities of Muslim geography, this data is unusually complicated and still controversial in many respects.

For the Mongol period, particularly during its inceptive stages, we are again dependent upon the largely unexplored Chinese sources. In addition, there is an important body of information in the Persian histories of Juvaynī and Rašīd ad-Dīn, as well as in other Muslim sources, and scattered data in Mongol texts and in the travel accounts of Western travellers to the Mongol courts. For the Ming period (1368-1644), apart from Chinese records, we have the important Persian history of Moyolistan, the Tārīx-i Rašīdī of Muḥammad Haydar (XV c.), and a series of late audience papers in Uyyur that reflect Čayatai tribute missions to the Ming court (XV-XVI cc.).

Only E. Bretschneider, in an invaluable compendium now clearly outdated, has provided us with a reliable

conspectus of the information from Persian and Chinese sources concerning the Uyyurs.²⁴ It is true that Radloff published a number of texts from a variety of sources on the Uyyurs, but his efforts did not meet scientific requirements.²⁵ The Soviet scholar, A.G. Maljavkin, has given a brief account of the XIII century Uyyurs according to Chinese and Persian sources,²⁶ and much the same information was later retailed by M. Kutlukov.²⁷ To a period slightly beyond the chronological range of the present work belong the Uyyur audience papers, now available in the edition of Lajos Ligeti,²⁸ and the data concerning tribute missions from Turfan to the Ming court (1406-1517) brought to light by Morris Rossabi.²⁹

These sources, and the works based on them, leave large gaps in our knowledge of East Turkistan in the XIII-XIV centuries, some of which, as we shall see, may be partially filled in with suggestive indications from the Uyyur civil documents themselves.

The nature of Uyyur power during the Mongol period was neither military nor political, but was foremost of an economic nature, ornamented with high cultural achievements in the fields of art, dress and literature, and in the arts of counsel and administration. These aspects of Uyyur civilization survived and were even fostered by the Mongol Conquest, primarily as a result of the politically sage act on the part of the Iduq-qut

of the Uyyurs of voluntary submission to the Mongols even before the latter had become a major power. This act alone was responsible for the relative security of East Turkestan from the social and geo-political upheavals that struck other peoples of Inner Asia during the first century of Mongol rule.

In 1209, Barčuq,³⁰ the Uyyur Iduq-qut at Beš-baliq, withdrew his allegiance from the Gur-xan of the Qara Qitai dynasty (1122-1234), under whom the Uyyurs had been vassals since around 1132.³¹ Barčuq had the tribute collector (šahna) of the Gur-xan slain,³² and sent an embassy with an offer of submission to Činggis, the young ruler of the Mongols.³³ The embassy was immediately followed by the personal appearance of Barčuq himself. Subsequently, Uyyur troops under Barčuq were sent as auxiliaries to participate in the Conqueror's campaigns against Kūčlūk of the Naiman, the Xvarazm-šah and the Tangut.³⁴

The initiative of the Iduq-qut was to have its beneficial consequences. Apart from the fact that the cities of East Turkestan escaped the expert military attentions of the Mongol armies, Činggis was to bestow a number of favors upon the Uyyurs and to consolidate their ties with a series of royal marriages. Significantly, the Uyyur kingdom received the privileged status

of a fifth ulus, after the four appanages of the sons of the Conqueror, and the Iduq-qut himself the consideration of a fifth son.³⁵ To him was given in marriage a daughter of Činggis named Al Altun.³⁶

This beneficial relationship was by no means a unilateral one. For, beside Uyyur participation in Mongol military campaigns, Uyyur ministers, clerks, and scribes staffed the Mongol administration and chancery, thereby imbuing the latter with the high standards of efficiency and intelligent organization that have become associated with them.³⁷ Moreover, by far the most renowned consequence of this relationship, the adoption of the script used by the Uyyurs and, largely through the mediation of the latter, of the Buddhist religion, initiated the formation of Mongol literature.³⁸

At least one scholar, A.G. Maljavkin, has concluded that this wholesale participation of the best-educated Uyyurs at Mongol courts functioned as a kind of "brain drain" upon the Uyyur people and was a crucial factor in the gradual disintegration of the prestige and power of the Uyyur city-states from the XIII century on.³⁹ This view must be tempered by several other considerations. The cultural contribution of the Uyyurs to the founding Mongol state was not unique in their history, for it is known that they played a similar role in the administration

of the Qitan/Liao dynasty (907-1125), and perhaps even in that of the Jürčən/Chin (1122-1234) of preceding centuries.⁴⁰

But most importantly, we should not forget the destructive effect upon the Uyyurs of the protracted and usually inconclusive wars staged upon Uyyur territory between the two Mongol families of Qubilai, a brother of Möngke and son of Tolui, and Qaidu, a son of Qaši and grandson of Ügödei, during the last quarter of the XIII century.⁴¹ Just as they had done earlier in Qubilai's successful conflict with his younger brother, Ariq Böge, who surrendered in 1264,⁴² the Uyyurs sided with Qubilai in his wars against Qaidu, whose domain centered on the Ili and Ču River valleys.

Far from the protective security of the central government in Peking, the inexpediency of this alliance grounded in a kind of genealogical commitment contracted first between Barčūq and Činggis, undoubtedly involved the Uyyurs in desperate diplomatic maneuverings with Qaidu. It is in this light that we must view the statement of Rašīd ad-Dīn that the Uyyurs "were located between the frontiers of the Xan [=Qubilai] and Qaidu, and they flattered both, and indicated allegiance to both sides,"⁴³ a passage that Barthold has interpreted as position of neutrality, although this does not seem to have been the case.⁴⁴

The more pervasive administrative and legal ties of the Uyyurs were maintained with the Mongol supreme rulers in Qara-qorum until at least 1260 and the rise of Qaidu. This statement receives some confirmation from the Uyyur civil documents where, in the earliest of the dated texts, Nr.65 (and interrelated Nrs.66.68), the penalty clause begins with the invocation: Ügödey sÜsinge "to His Majesty, Ügödei (shall be paid a specified fine)" (see p.110). Thus, the direct allegiance to the supreme Mongol ruler which began with Barčuq in 1209 continued under the latter's second son and successor, Kesmez,⁴⁵ during the reign of Ügödei (1228-1241).⁴⁶

This allegiance continued under the regency of Töregene (1241-1246) who, Juvaynī informs us, appointed Iduq-qut the brother of Kesmez, Salındı.⁴⁷ As this man appears to have died in 1266, we may presume that he continued to legitimate Mongol line during the rule of Güyük (1246-1248), the regency of Oyul-yaymiş (1248-1251) and the rule of Möngke (1251-1259), although perhaps indirectly through Möngke's financial director in the Čayatai ulus, Maş'ud Yalavač, son of Mahmud Yalavač.⁴⁸ Indeed, it is known that Salındı participated in Möngke's campaign in Southern China against the Sung dynasty.⁴⁹

It has already been pointed out that the Uyyurs supported Qubilai in his rivalry with Ariq Böge during the first years of the 1260's. In 1266, Qubilai appointed Iduq-qut of the Uyyurs the son of Salindī, Qočqar.⁵⁰ There are other direct reflections in the Uyyur civil documents of the sovereignty of the Yüan dynasty that began under the fourth son of Tolui, Qubilai (1260-1294), a sovereignty that was constantly in dispute due to the rival claims of the grandson of Ögödei, Qaidu (ca. 1269-1301).

It is certain that the mention of čao (=ch'ao) in the Uyyur documents always constitutes a reference to the Yüan, as this distinctively Yüan currency was never introduced in the Čayatai realm, although it knew brief periods of usage among the Ilxanids of Persia.⁵¹ Equally certain is the fact that the čunodung pao čao of Uyyur documents Nrs. 45 and 46 refers to a regnal device from Qubilai's reign (ch'ung t'ung = 1260-1263) (see p. 164). Similarly, the "Pin-tung" texts (Nrs. 58, 60, 87, and the later Nr. 96) are internally dated to the keng ch'on year of the Yüan dynasty (= 1260), during the reign of Qubilai. Finally, I consider it extremely probable that in the penalty clause mentioned above the occurrence of the phrase uluy süsinge "to His Majesty" always referred to the Yüan emperor, specifically to Qubilai himself. None of the documents in which it

occurs can be dated to the later Čayatai period, and many of them contain as well an occurrence of čao (Nrs. 42, 45, 46, 58, 60, 87). Together, these indications culled from the Uyyur documents provide very strong evidence for the direct, if often politically ambiguous allegiance of the Uyyur Iduq-quts to the Yüan emperor until the end of the XIII century.

The major factor that led to the loss of East Turkestan for the Yüan was the untenable position of the Uyyurs between Qaidu and Qubilai. Weakened by the campaigns of Činggis and his successors, as well as depleted of troops required to do garrison duty in various parts of China, the Uyyurs were unable to offer Qubilai any effective aid.⁵² As a result of their enfeebled position at Beš-baliq in the Eastern T'ien-shan, nearly at the center of Qaidu's operations, the Uyyur Iduq-qut, Qočqar, moved his court and administrative center south to Qočo in the year 1270.⁵³

Even after their migration, however, Qaidu continued to harass the Uyyurs. In 1274, Qaidu had already taken Kašyar, Yarkend and Xotan from Qubilai, although the latter was able to regain them temporarily in 1276. Then, in the following year, 1275, Qaidu's son, Duva, along with Buzma, the fifth son of Baraq, and better than 100,000 troops, encircled Qara-xoja (=Qočo) on the pretext that several rebellious princes

of the house of Čayatai, Aǰigi, Čöbei and Aluyu, had fled there.⁵⁴

As Qubilai was engaged in military operations in Southern China, the Uyyurs recognized the hopelessness of the situation and in 1280 moved their court from Qočo to Qomul (=Xami). After the death of their Iduq-qut in 1282/3, the court was moved again in 1283/4 to Yung-ch'ang in Kansu, where Uyyurs had lived for centuries.⁵⁵ In Kansu, the new Iduq-qut became the absolute subject of the Yüan emperor, who henceforth bestowed upon the successive Uyyur rulers the purely nominal title of Kao-ch'ang wang ("Prince of Qočo").⁵⁶

In these transfers of the Uyyur court, we witness the termination of any effectual Yüan presence in the Northern Tarim, even although military operations in the area under Qubilai and his successor, Temür (1295-1307), continued for some years. The subsequent internal history of the Uyyurs in the cities of East Turkestan is no longer that of a viable political entity, but rather that of key cities on the important trade and communication route between Yüan, and later Ming China and the realm of the Čayatai, and later Timür and Möğöl rulers. Of their internal politics and events, we know virtually nothing, although it appears that various cities at various times enjoyed varying degrees of local

autonomy despite their direct subjugation to the Čayatai and Moyol realms.⁵⁷

Confirmation of the supposition— inasmuch as it does not appear to have been recorded in contemporary sources— that the Northern Tarim fell under the control of the Čayatai realm at the beginning of the XIV century comes from both the Uyyur and the Mongol civil documents recovered from the ruined cities of East Turkestan.

Firmly to the Čayatai period may be attached the Uyyur document Nr.97 (and interrelated Nrs.78 and 102) (see pp.108-110), a petition to the Čayatai Xan, Tuyluy Temür (1347-1363), that was found at Murtuq. This petition is constructed in such a way that all the Xans prior to Tuyluy Temür are mentioned as having maintained certain policies of taxation through their daruyas "tax collectors" toward the authors of the text, a group of inju bayčılar "crown vineyard workers". The names of these Xans, although largely damaged or missing, are written with a clearly distinguishable "honorific lift" in a recurrent phrase: [Name of the ruler "honorifically lifted" above other lines] xan čayinta "in the reign of [Name of ruler] Xan". This feature alone assures that a name had been written, and— the crucial point!— that the vineyard workers of the

Northern Tarim recognized the authority of the named Xan from the Čayatai realm.

The following table will clarify the situation. The first column contains a list of known Čayatai and Moyol rulers with their reign dates,⁵⁸ and the second column an indication of whether and in what line their names appear in Nr.97 (square brackets indicate that their name must be assumed by the presence of an "honorific lift" but is damaged or missing):

<u>Čayatai/Moyol Rulers</u>	<u>Names of Rulers in Nr.97</u>
Duva (ca.1278-1306)	(Does not occur?)
Künčük (1306-1307)	(Does not occur?)
Taliku (1308)	(Does not occur?)
Kebek (1309)	(Does not occur?)
Esen Buqa (1309-1320)	Esen Buqa (11,16)
Kebek (1320-1326)	[Kebek] (20)
Elfigidei (1326)	[Elj]igidey (23)
Duva Temür (1326)	(Does not occur)
Darmaširin (1326-1333)	[Darmaširin] (26)
Čengšī (1334-1338)	[Čengš]i (31)
Yisün Temür (1338-1339)	[Yis]ün Temür (34)
Muhammad (1339- ?)	[Muhammad] (37)
(Unknown: ? - 1347) ⁵⁹	[.....]k (40)
Tuyluy Temür (1347-1363)	Tuyluy Temür (45,53)

I have indicated that the occurrence of the names of the first four Xans of this list is questionable. Lines 1-10 of Nr.97 are considerably damaged, but do reveal an "honorific lift" in line 6, and must surely have contained another royal name in line 2. Therefore, two of the four missing Xans were undoubtedly mentioned in this text. Whether we are justified in discarding the transient reigns of Taliku (1308) and Kebek (1309), during succession troubles that might have prohibited decisive taxation policies in East Turkestan, and in identifying the two names as Duva (1278-1306) and KOnčuk (1306-1307),⁶⁰ is perhaps a moot question. Certainly, Čayatai rule was effective in the first decade of the XIV century, and it seems very probable that the incorporation of the Northern Tarim under its aegis occurred during the last years of the reign of the very capable Duva.

Elsewhere (pp.179-180), I have shown that to this group of Čayatai documents (Nrs.78,97,102) must be attached still three large groups of documents, namely, the "Tur1" (Nrs.73,74,80,86,99,100), "Nom-Qul1" (Nrs. 9,30,103,129) and "Qaylmtu" (Nrs.5-8,10-13,26,28,31, 41?,52?,86,122,130,131) groups. Taken together, these texts substantiate the continuity of the legal and commercial institutions of the Northern Tarim from Mongol and Yüan to Čayatai and Moğol rule. To this, we may add the evidence to be found once more in Nr.97

of the continued existence of an Iduq-qut in the area long after the departure of the Uyyur court. Thus, in line 6 of this text occurs the damaged [...]a Iduq-qut, in line 12 (during the reign of Esan Buqa) the damaged [?KÜnčö]k Iduq-qut, and in line 27 (during the reign of Darmaširin) the name KÜnčök Iduq-qut. The succession and extent of authority of these Iduq-quts must remain unknown, but there can be no serious doubt that they were investitured by the Čayatai not the Yüan rulers.

Finally, we have the witness of the Mongol civil documents found at Qočo, all of which date from the XIV century. Those which may be certainly dated and assigned to specific reigns are the following: MTDoc 10: Kebek/1326; 1: Yisün Temür/1338; 8: Yisün Temür/1339;⁶¹ 7: Tuyluy Temür/1352; 2: Tuyluy Temür/1353; 11: Tuyluy Temür/1348 or 1360; 5: Ilas-xoja/1369.⁶²

In view of this conclusive native evidence, it may be stated that at a time near the beginning of the XIV century, the Uyyurs of the Northern Tarim were incorporated into the Čayatai ulus, and thereafter were subject to its complicated political fortunes. It is therefore appropriate to give at least an abbreviated account of the main course of the history of this realm.⁶³

The lands on the western borders of the country of the Uyyurs comprised the ulus originally bestowed upon Čayatai, the second of the four sons born to Činggis by Börte.⁶⁴ It included Transoxiana, Kašyaria, the Semireč'e and Jungaria, over which Čayatai ruled indifferent to the possibilities of forming a state, as was to be done by the other successors of Činggis in China, Persia and the Dašt-i Qipčaq. Following the death of Čayatai in 1242, the families of several of the sons of Činggis contended for control over the Čayatai domain.

The grandson of Čayatai, Qara Hūlegū, appointed by Čayatai himself, ruled from 1242 to 1246, after which the succession was dictated directly from Qara-qorum for several years. In 1246, Gūyūk appointed ruler the younger brother of Čayatai, Yissū Mengū. Upon his death in 1252, Mōngke reinstated Qara Hūlegū who, however, died before the year was over. The widow of Qara Hūlegū, Organa, served as regent from 1252 to 1261. In that year, Ariy Bōge appointed ruler Aluyu, a grandson of Čayatai. During his reign (1261-1266), Aluyu married Organa, appointed Mas'ud Yalavač his own minister of finance, defeated the forces of Qaidu in battle, and succeeded in establishing the autonomy of the Čayatai line from Qara-qorum. His successor,

Mubarak-šah, the son of Qara Hūlagū and Organa, was unable to retain control of his reign.

In 1266, Qubilai appointed co-regent with Mubarak-šah a great grandson of Čayatai named Baraq.⁶⁵ Intended as a check against Qaidu, Baraq was defeated in battle by the latter and at a diet convened on the Talas River in 1269 concluded an alliance with him against Qubilai. Qaidu installed Baraq as the ruler of the Čayatai ulus, although in fact he was sent to Buxara to rule over Transoxiana where the real power lay in the hands of the perennial Mas'ud Yalavāč, Qaidu's minister of finance. After Baraq's death in 1271, Qaidu was entirely free to devote his energies to Qubilai.

The throne of the Čayatai ulus was held by several sovereigns appointed by Qaidu, until the succession of Baraq's son, Duva (?1278-1306). When Qaidu died of wounds received at the battle of Qara-qata(?) with a Yüan army led by Qaišan in 1301,⁶⁶ Duva took steps to assure that Qaidu's son, Čapar, would succeed him. In 1303, Duva and Čapar concluded a peace agreement with Temür (1295-1307), the successor of Qubilai. The Ilxanid ruler, Öljaitü, refers to this "mongol peace" in his letter of 1305 to Phillip the Fair.⁶⁷

However, the peace was short-lived. In 1305/6, war broke out between Duva and Čapar, from which Duva emerged victorious, in full possession of the both the Western and Eastern portions of the Čayatai ulus, and with the line of Qaidu dispersed.⁶⁸ After Duva's death in 1306, Čapar attacked his successor, Kebek, in 1309, but was beaten and took refuge in China, where eventually he was named Prince of Jou-ning in 1315.⁶⁹ With the repossession of the lands formerly controlled by Qaidu in 1306, or perhaps a few years earlier, it may be supposed that the Northern Tarim was also incorporated into the newly unified Čayatai ulus.

The royal succession after Duva's death in 1306 was disorderly. First to take the throne was the eldest son of Duva, Künčük (1306-1307), followed by a son of Būri and a grandson of Čayatai, Taliku (1308), who was killed at a banquet by the Duva family. Kebek, another son of Duva, took the throne in 1309, but at a diet convened the same year relinquished power to his brother, Esen Buqa (1309-1320). Upon the death of Esen Buqa, his older brother, Kebek, once more seized power and moved the center of government to Transoxiana, where he ruled until 1326. Kebek was immediately succeeded by three sons of Duva: Eljigidei (1326), Duva Temür (1326) & Darmaširin (1326-1334).

The latter, whose name is a Mongolized form of Sanskrit dharmaśrī, assumed the name Ala'ad-din upon his later conversion to Islam. With his successor, Jengšī (1334-1338), there begins the disintegration into two separate areas of the Čayatai ulus.

The Western half centered on Transoxiana. It was ruled by a succession of Čayatai heirs until the ascendancy of Timūr in 1370.⁷⁰ The Eastern half of the former Čayatai realm, comprised of the country around Isiq-köl and Kašyar, became known as Moyolistan. It was ruled by members of the powerful Duxlat clan, or their nominees, centered on Kašyar and Aqsu. The first recognized ruler of this line was Buzun (1335-1338?), but as we have seen above (pp.18-19), Jengšī (1334-1338) appears to have retained actual control of these areas. He, and not Buzun, is listed in the document Nr.97. However, Yisün Temür (1338-1339) indeed ruled over East Turkestan, as did his successor, Muhammad (1339-?), and the unknown ruler who followed Muhammad.⁷¹

In 1347, the Duxlats elevated to the throne a son of Ezen Buqa and grandson of Duva named Tuyluy Temür. In 1360, this ruler marched into Transoxiana and reunited the area with Moyolistan, thereby reconstituting the former ulus, at least until Timūr came to power.

in 1370. Upon the death of Tuyluy-Temür in 1363, the Duylat family murdered all his descendants and once more assumed direct power in Moyolistan by installing Ilas-xoĵa (1363-1365) as sovereign.

Timür was to attack Moyolistan several times during his career, but never succeeded in fully reassembling the old Čayatai ulus, of which he claimed to be the legitimate heir. The brunt of these campaigns was received by Qumar ad-Din, the Duylat Amir who had killed Ilas-xoĵa and proclaimed himself Xan over Moyolistan and Kaşyaria. He ruled from 1366 until his death in 1389/90, following the devastatin campaign of Timür through the heart of the country.

After this campaign, Timür evidently had some influence upon the succession in Moyolistan, for the legitimate Čayatai heir, Xizr Xan (1389-1399), son of Tuyluy Temür, who had been ousted by Qumar ad-Din, was apparently a recognized vassal of Timür. It is to Xizr Xan that Muĥammad Haydar attributes the conquest of Turfan and Qara-xoĵa, and the forced conversion of its inhabitants to Islam. Moreover, Haydar states: "In that campaign, this country was divided up in the manner ordained by the Holy Shariat."⁷² We shall return to this interesting statement below.

Subsequently, the throne of Moyolistan fell to the sons of Xizr Xan during several decades of disorders, Šam-i Jahān (1399-1408), Muhammad Xan (1408-1416) and Naxši Jahān (1416-1418). Then, the throne was taken by Vais Xan (1418-1428), a grandson of Muhammad Xan, and great grandson of Xizr Xan, who spent much of his reign in unsuccessful military confrontation with the Copts of Jungaria.

The death of Vais Xan in 1428 was followed by a conflict between rival factions supporting his sons, Esen Buqa and Yunus, which was to result in a split into two areas of Moyolistan.⁷³ Esen Buqa, supported by the Duylat Amir of Kašyaria, Sayyid 'Alī, gained the throne, which he occupied from 1429 to 1462. During this time, his brother, Yunus, lived at Samarqand, a member of the court of Uluy Beg (1447-1449), son of Šahrux (1407-1447).

Following the reigns of Esen Buqa's sons, Dost Muhammad (1462-1469) and Kebek (1469-1479), Yunus returned to rule Moyolistan from 1479 to 1486. The division within Moyolistan, which had begun at the death of Vais Xan, was deepened after the death of Yunus. One of his sons, Mahmud (1487-1508), retained his father's capital at Taškent and ruled over Western Moyolistan, which was lost after his death. His other

son, Ahmad (1486-1503), succeeded by his son, Mansur (1503-1543), ruled over Eastern Moyolistan and Uyyuristan, as the cities of the Northern Tarim, west of Kuča, had come to be called in Persian sources.⁷⁴

By this time, it may be assumed that the Moyol state, including the inhabitants of Uyyuristan, had long since become thoroughly Muslim in religion, law and statecraft. The transformation of the area from Buddhism to Islam is not actually documented, but several indications occur in the sources.

We have already seen that the Islamicization of Uyyuristan began during the reign of Xizi xan (1389-1399), after his conquest of Turfan and Qara-xoja. Furthermore, it appears from Muḥammad Ḥaydar's history that the country was thereafter governed according to the šarf'āt, the legal and religious code of Islam, which would have entailed a complete departure from the legal and administrative practices of the area. This process of transformation, however, must be seen as gradual.

In 1419, envoys of a trade delegation to the Ming court sent by the Timūrid, Šahrux (1417-1447) spent several days in Turfan,⁷⁵ and left some notes on the Buddhist temples and idols they encountered there.⁷⁶

A few years earlier, a Chinese envoy to Turfan had also described the Buddhist temples and monasteries, and indeed Chinese sources for the first decades of the XV century apparently fail to mention Islam in connection with Turfan and the surrounding areas.⁷⁷ However, in the 1450's, the Chinese records begin to document the Islamicization of the Northern Tarim, remarking, for example, that the area was "dotted with mosques."⁷⁸

Thus, we may suppose that the conversion was accomplished rather gradually over the first half of the XV century, with both Islamic and Buddhist institutions surviving side by side. However, one may not entirely rule out the suspicion voiced by many scholars that the conversion was accompanied by oppressive measures and the indiscriminate destruction of the Buddhist church, that is, by the almost fanatic intolerance normally associated with the spread of Islam. What is sure is the utter lack of traces of Buddhism among the modern inhabitants of East Turkestan.

Islam is a total world-view charged with a freight of closely interwoven, indeed, inseparable religious and legal institutions that have never failed to manifest themselves in Islamic texts in whatever language. Whereas, to be sure, we find a number of Persian and Arabic elements in the Uygur documents (see pp. 165-171) to be accounted for in part as reflections of the fluid

societies during the Mongol epoch and in part as the direct influence of Çayatai and Möngke rule, we do not see the invocations to God, the pious attestations, the Arab-Persian legal terminology, nor other features that are the hallmarks of legal texts drawn up within an Islamic milieu.⁷⁹ Thus, we must always orient our investigation of these documents toward China and the Mongols in the East and toward Persia during Mongol rule in the West, and toward the historical and socio-economic conditions in these areas.

We have seen that the Uyyur civil documents occasionally carry some unexpected clarifications to their historical setting. However, their central importance resides in the information which they contain on all aspects of the social, economic and daily life of East Turkestan during the XIII-XIV centuries. This information has yet to be evaluated in a satisfactory manner primarily because the documents themselves have yet to be properly edited.

NOTES TO CHAPTER ONE

1. There are several general but unsatisfactory works devoted to the history of the Uygurs. Some of the earliest and now completely outdated works include: M.A. Kazem-Bek, Issledovanis ob ujugurakh, Zurnal Ministerstva Narodnogo Prosveščeniya XXXI/2, 1841, pp.37-122; Karl Ritter, Zemlevedeniia. Geografija stran Azii, nakhodjaščikhsja v neposredstvennykh snošenijakh s Rossieju. Vostočnyj ili Kitajskij Turkestan, [Translated from German with additions by V.V. Grigor'ev] I-II, SPb. 1869-1873; W. Radloff, Das Kudatku Bilik, Teil I, SPb. 1891, pp.i-xciii [=K voprosu ob ujugurakh (Iz predisloviya k izdaniyu Kudatku-Bilike)], Zapiski AN LXXII/2, 1893, 130pp.]; D. Pozdnasev, Istoričeskij očerk ujugurov (po kitajskim istočnikam), SPb. 1899. To these may be added the still useful sketches in Bretschneider, Mediaeval Researches I, pp.236-263; Elias-Ross, A History of the Mochuls of Central Asia, pp.22*-114*; Wittfogel-Feng 1949, pp.92-93, 102-104; and the relevant sections of Barthold's Turkestan Down to the Mongol Invasion and Grousset's The Empire of the Steppes. Apart from these and newer works, full bibliographical indications of the standard sources and research

may be found in Sinor, Introduction, pp.240-243.

For etymologies of the word Uyyur, not one of which is acceptable, see the older discussion of Radloff in the work quoted above (pp.ii-x) and the recent survey of G. Clauson, The Name Uyğur, JRAS 1963, pp.140-149.

2. Cf. A. von Gabain, Die Frühgeschichte der Uiguren, 607-745, Nachrichten der Gesellschaft für Natur- und Völkerkunde Ostasiens LXXII, 1952, pp.18-32; É. Chavannes, Documents sur les Tou-kiue (Turcs) Occidentaux, SPb. 1903, pp.87-94; Hamilton 1955, pp.1-2; E. Pinks, Die Uiguren von Kan-chou in der frühen Sung-Zeit (960-1028), Wiesbaden 1968, pp.56-57.
3. Beside the standard works listed in Sinor's Introduction for this period, see: Colin Mackerras, The Uighur Empire (744-840), According to the T'ang Dynastic Histories, Canberra 1968; idem., Sino-Uighur Diplomatic and Trade Contacts (744-840), CAJ XIII, 1969, pp.215-240; B. Ügel, Uygur Devletinin Tesekkül ve Yükseliş Devri, Türk Tarih Kurumu Bülteni XIX, 1955, pp.331-376; Hamilton 1955, pp.2-6; Pinks, Die Uiguren von Kan-chou, pp.58-60.
4. This episode is now fully treated by Hilda Ecsady, Uigurs and Tibetans in Pei-t'ing (790-791 A.D.), AOR XVII, 1964, pp.83-104. Liu Mao-Tsai (CAJ IV,

1958, p.74) has pointed out that the A-tie family extended the Uyyur domain after 795 to Qara-xoĵa, Kuĉa and Balasayun, and evidently as far as the Syr-Darĵa. Moreover, the Iranian Mahrnâmaq, a text dedicated to the Uyyur Xayan (either Pao-i or Bögü Xayan, 808-821) speaks of the installation of Uyyur ministers in the cities of Pentapolis (=Beš-baliq) and Ćinanĉkath (=Qoĉo or Qara-xoĵa); cf. F.W.K. Möller, Ein Doppelblatt aus einem manichäischen Hymnenbuch (Mahrnâmaq), AAW, 1912, Abh. V, p.10, 30.

5. Very little is known of the Qıryız, nor of their conquest of the Uyyurs and subsequent events. Basic works are listed in Sinor's Introduction, pp.246-248, to which we may add an interesting interpretation of the runic inscription found at Sūĵi and often attributed to the Qıryız by S.G. Kljaštornyj, Istoriko-kul'turnoe znaĉenie sudĵinskoj nadpisi, Problemy Vostokovedenija 1950, Nr.5, pp.162-163.
6. Cf. Hamilton 1955, pp.6-11; Bretschneider, Mediaeval Researches I, p.241; and note 9 below.
7. Cf. Pinks, Die Uiguren von Kan-chou; E.I. Kyĉanov, Iz istorii tangutsko-ujgurskikh vojn v pervoj polovine XI veka, Voprosy istorii Kazakhstana i Vostoĉnogo Turkestan, Alma-Ata 1962, pp.146-153; idem., Oĉerk istorii tangutskogo gosudarstva, M. 1966.

8. The life and language of this people have been the subject of description in the well-known works of G. Potanin, Carl Mannerheim, Wł. Kotwicz, S.E. Malov and E.R. Tenišev. See the bibliography in the latter's Jazyk želtykh ujgurov, Moskva 1966, pp.9-10.
9. Cf. Minorsky, Hudūd al-‘Ālam, pp.265n, 272; Abe 1954, pp.439, 442, 444-445; Liu Mao-Tsai, CAJ IV, 1958, p.75; Pinks, Die Uiguren von Kan-chou, p.180 (n.572).
10. The A-tie clan (also called Hsieh-t'ieh in Chinese sources) appears to have replaced the Yaylaqar clan as the royal family of the Uyyurs around 795. Since Chavannes, Documents sur les Tou-king, p.88n, the name has been convincingly compared to the Ediz of Kūl-Tegin N 5 and the Eki-Ediz of Bilge Xayan E 1; cf. Hamilton 1955, p.2 (n.14), and Abe 1954, p.440. Abe has identified the first ruler of this line, Huai-sin Xayan, with the legendary Bögü Xayan, but see Liu Mao-Tsai, CAJ IV, 1958, p.74.
11. Cf. Liu Mao-Tsai, CAJ IV, 1958, p.77.
12. That Beš-baliq and not Qočo was the capital of the Uyyurs is the firmly documented thesis of Takao Abe, who propounded it in his book in Japanese, Nishi-Uiguru Kokushi No Kenkyū, Kyoto 1955, and

in an English article in Abe 1954. There are two very helpful summarizing reviews of the larger work by Liu Mao-Tsai, CAJ IV, 1958, pp.73-81, and by a group of scholars (von Gabain, Spuler, Pritsak, Glaubitz), Der Islam XXXV, 1960, pp.130-137; also cf. J. Hamilton, TP LII, 1966, p.328, and M. Honda, UAI XXVIII, 1956, p102. Further on Beš-balīq: Bretschneider, Mediaeval Researches II, pp.27-30; Barthold, EI¹ I, pp.758-760 [=Sočinenija III, 1965, pp.374-377]; Pelliot, Notes I, p.163; Minorsky, Hudūd al-‘Ālam, pp.267-269, 271-272; Boyle, Juvayni, p.61.

13. On Qočo see: Paul Pelliot, Kao-tch'ang, Qočo, Houo-tcheou et Qara-Khodja, JA 1912, I, pp.579-603; idem., Notes I, pp.161-165; Wittfogel-Feng 1949, p.1.
14. Marc Aurel Stein in 1914 had explored some ruins at Jimsa, some thirty miles from modern Ku-ch'ang, and concluded that they were the ruins of Beš-balīq cf. Innermost Asia, II, Oxford 1928, pp.554-559. This identification, never verified, has become embedded in the literature; cf. Pelliot, TP XXVIII, 1931/2, pp.140, 460; Cleaves, S-M 1362, p.104 (n.55); von Gabain, Der Islam XXXV, 1960, pp.134-135; Hamilton, TP LII, 1966, p.327. In his article on Beš-balīq for the EI, Barthold noted that the

Turks call the present-day Ku-ch'eng by the name Kušanq. Based on this, Abe demonstrates that the Kušan of Muslim chronicles, said to be the capital of the Tcyuzyz (the designation of the Uyyurs in Muslim sources), is none other than Ku-ch'eng, so that the ruins of Baš-baliq must be at Ku-ch'eng; cf. Abe 1954, pp.448-449.

15. For the Ulān-gom inscription, whose existence and significance have yet to be recognized in the literature, see: A.M. Ščerbak, *Nadpisi' na drevne-ujgurskom jazyke iz Mongolii*, EV XIV, 1961, pp. 23-25; S.G. Kljaštornyj, *K istoriografičeskoj otsenke ulankomskoj nadpisi*, Ibid., pp.26-28. For early Uyyur script texts from Turfan, see: A. von Gabain, *Alttürkische Datierungsformen*, UAI XXVII, 1955, pp.191-203.

16. Most effectively by Denis Sinor, *À propos de la biographie ouigoure de Hiuan-tsang*, JA CCXXXI, 1939/42, pp.561-572, where we find the proposal, accepted by a number of scholars, to designate this pseudo-Uyyur language of texts found in East Turkestan and Kansu as "Turfan Turkish". Clauson has similarly proposed to designate "Uyyur" most of the later texts in uyyur script from these areas (Sinor's "Turfan Turkish"), while he reserves for certain of these latter and for Runic

and Manichean texts the designation "Uyyur-A"; cf. Studies, pp.42-43; ED, pp.xv-xvi. On a broader historical and linguistic basis, Ščerbak advances the ethno-linguistic terms "Uyyur-Dyuz dialect" for the more authentic Uyyur language (Clauson's "Uyyur-A") and "Qarluq-Uyyur dialect" for the later language of East Turkestan/Kansu (Clauson's "Uyyur", Sinor's "Turfan Turkish"); cf. Ščerbak 1961, pp.17-26. Although useful in their way for scholarship, none of these terms is especially correct. The native designation of the language was simply türk tili "language of the Türks". The designation is found in all but three of the colophons of texts from East Turkestan/Kansu: (1) the Āryā-rājāvavāḍaka-sūtra was translated uyyur tilinče "into the Uyyur language" from Tibetan during the Mongol period (cf. Radloff, Kuan-šī-im Pusa, SPb. 1911, pp.69-90); (2) the XVII century copy of the Suvarnaprabhāsa obtained by Malov in Kansu was translated türk uyyur tilinče "into the Türk Uyyur language" (cf. the sample in ATG, p.259), but that the word uyyur is here merely a late insertion is evident from the colophon of the earlier, X century or so, Berlin-fragments of this text which has simply been translated türk tilinče "into the Türk language" (cf. Müller,

Uigurica I, p.14); (3) the Maitrisimit colophon with the signature T III M 120 states that this copy was translated kuyšan tilintin ... barčuq tilinče "from the Kuyšan language...into the Barčuq language" (cf. Müller, Toxri und Kuišan, SBAW 1918, p.580, Plate I). The first two cases reflect the fact that the name Uyyur was attached to the language and to the Sogdian script only during the Mongol epoch, probably as a generalization from the political and ethnic appellation. The third case presents a special interest. Scholars have rashly supposed that barčuq tili in this Turkic language colophon refers to a Turkic language, but it patently does not. All of these colophons to the Maitrisimit and the Daśakarmapatha-avadāna-mālā speak of two translations, the first from Kuyšan into Toyri, the second from Toyri into Türk. In T-III M 120, barčuq tili stands in stead of toyri tili, and is probably a hitherto unknown variety of that language (Barčuq is an older designation for the modern Maralbaşı, a locality near Aqsu); the second translation, that is, from barčuq tili into türk tili is by chance not mentioned in this colophon. Whatever modern scholarship wishes to call this language, it is clear that the differences in the language of all

pre-XIII century Turkic literary monuments (apart from the material in the Divān Luyāt at-Turk) are so trifling and linguistically uninteresting that it is inappropriate to even speak of separate languages in any but a cultural or historical sense.

17. Cf. Hamilton 1955; Pinks, Die Uiguran von Kan-chou, pp.61-62.
18. Cf. A. von Gabain, Das Leben im uigurischen Königreich von Qočo im 9.-14. Jahrhundert, Wiesbaden 1973, which supercedes her previous monograph: Das uigurische Königreich von Chotscho, 850-1250; SDAW Nr.5, Berlin 1961. The works of D.I. Tikhonov (1966, etc.), which deal with social and economic aspects of Uyyur life, cannot be recommended for reasons stated below, pp.
19. Takeo Abe, Nishi-Uiguru Kokushi No Kenkyū [Studies on the History of the Western Uyyur Kingdom], Kyoto 1955 (see above, note 12).
20. A.G. Maljavkin, Kitajskie istočniki po istorii ujugurov XI-XII vekov, Izvestija AN Kazakhskoj SSR. Serija istorii, arkheologii i etnografii 1961, Nr.2, pp.72-77.
21. For the embassy of 1009 from the Muslim ruler of Xotan to China, see: H.W. Bailey, Khotanese Texts, IV, Cambridge 1961, p.3.

22. In his Divān, Kāšyarī referred to East Turkestan as Ma Sin or Tavyač (see the translation in ED 438; cf. Pelliot, Notes I, pp.273-275), and cited a series of historical, geographical and linguistic data on the Uygurs. Much of this information has been studied in: Tahsin Banguoglu, Kāšgarlı'dan Notlar, I. Uygurlar ve Uygurca Üzerine, TDAYB 1958, pp.87-113. There are also in the Divān fragments of an epic poem concerning a battle between Muslims and Uygurs that possibly reflects some historical reality; cf. the new edition of I.V. Stebleva, Razvitie tjurkskikh poetičeskikh form v XI veke, Moskva 1971, pp.124-127, 247, and the remarks of Barthold, Sočinenija V, 1968, p.82.
23. For Gardīzī, see: V. Bartol'd, Otčet o poezdke v Srednjuju Aziju s naučnoju tsel'ju, 1893-1894 gg., Sočinenija IV, 1966, pp.21-91. For Marvazī: V. Minorsky, Sharaf al-Zāmān Tāhir Marvazī on China, the Turks and India, London 1942. — The Muslim sources formed the basis of the remarks of A. Ju. Jakubovskij, Arabskie i persidskie istočniki ob ujugurskom turfanskom knjažestve v IX-X vekakh, Trudy otdela Vostoka Gosudarstvennogo Ermitaža IV, 1947, pp.423-443. Still the best survey of Muslim sources for the history of Turkestan is Barthold, Turkestan Down to the Mongol Invasion, pp.1-58.

24. Bretschneider, Medieval Researches, I-II.
25. This work of Radloff has been cited above, note 1; it presents the following sources: (1) a translation of the Uyyur script "Legend of Oyuz Xayan", pp. x-xiii; (2) the "Oyuz Xayan" legend from Rašid ad-Dīn, pp. xiv-xxviii; (3) the "Oyuz Xayan" legend from Abū'l-yāzī, pp. xxviii-xl; (4) the sections on the Uyyur in Juvaynī, pp. xli-xlix; (5) similar information from a later copy of Juvaynī, pp. xlix-l; (6) chapter CXXII from the Yüan-shih translated by Vasil'ev, pp. 1-11; (7) assorted Chinese texts, pp. lvi-lxix; (8) assorted European sources, pp. lxxi-lxxvi; (9) assorted Islamic sources, pp. lxxv-lxxx; (10) an overview of Uyyur history, pp. lxxx-lxxxiii. Altogether, this compilation was an impressive undertaking, which does not alter the fact that the reading and identification of names and toponyms is consistently mistaken, nor that in the end we are unable to extract from the presentation a coherent picture of the history of the Uyyurs.
26. Maljavkin 1962.
27. Kutlukov 1970.
28. Ligeti, KYD.
29. Rossabi 1972.

30. There is a biography of Barčuq Art Tigin in the Yüan-shih, Ch.CXXII, 1a4-5a3, of which 1a4-4b9 were translated in Bretschneider, Mediaeval Researches I, pp.247-250; cf. the informative notes of Cleaves, S-M 1362, p.43 (n.29), p.100 (n.28), and of Hambis, YS CVIII, p.133 (n.9).
31. Cf. Bretschneider, Mediaeval Researches I, p.253 (n.680); von Gabain, et.al., Der Islam XXXV, 1960, p.135.
32. Cf. Wittfogel-Feng 1949, pp.667-668; Boyle, Juvayni, pp.44-45.
33. This episode is reflected in several sources: Secret History of the Mongols 238; S-M 1362, lines 3-5; Juvayni, p.45; Rašid ad-Dīn I/2, pp.152-154 (ed. A.A. Semenov, Moskva 1952); cf. Bretschneider, Medieval Researches I, p.260. Concerning the names of those who made up this embassy, see Ligeti 1973, p.9 (n.34). On a second audience of Barčuq with Činggis in 1211, see Cleaves, S-M 1362, p.42 (n.25).
34. Cf. Bretschneider, Mediaeval Researches I, pp.260-261; Boyle, Juvayni, p.46; Kutlukov 1970, p.88.
35. Cf. Abū 1954, p.435, where it is said that this grant was made at the request of Barčuq, and Maljavkin 1962, p.61 (n.3).
36. On the various forms of this name, see: Boyle, Juvayni, p.47 (n.17); Hambis, YS CVIII, p.133 (n.9); Maljavkin 1962, p.62.

37. According to Maljavkin 1962, p.62, there are around 100 such high-ranking Uyyurs mentioned in the Yüan-shih. Of these, Abe 1954, p.447, notes that 30 were from Beš-baliq, another 20 were almost certainly from Beš-baliq, 20 were from Qočo, 20 were from indeterminable places, and 4 were from cities other than Beš-baliq and Qočo. Another important source that deals with an Uyyur family that served the Mongols for five generations is the Sino-Mongol Inscription of 1362 edited by Cleaves.
38. For a recent account, see Gy. Kara, Knigi mongol'skikh kočevnikov, Moskva 1972, pp.15-20.
39. Cf. Maljavkin 1962, p.63.
40. In the Liao-shih edited by Wittfogel-Feng 1949, we find frequent mention of Uyyur emissaries, officials and merchants in the Liao capital (e.g., p.179, 255, 494, 645). It was also noted that intermarriage took place on a large scale between one Qitan clan and the Uyyurs (p.142), although it was also the case that the Liao refused official Uyyur requests for apparently royal marriages (p.51, 579, 585), despite the fact that the Uyyurs provided the consort family for the Liao imperial house (p.93). It should be borne in mind, however, that references to the Uyyurs

in the Liao-shih are to the Uyyurs in Kao-chou and Sha-chou, both of which groups were recognized vassals of the Qitan. (p.179, 554). In the table of tribute missions, we find only a single mission from the Uyyurs of Kao-ch'ang listed under the year 1049 (pp.320-324). During the Jürčän/Chin dynasty, the Uyyurs of the Northern Tarim appear to have been, at least for a time, nominally subject to the Jürčän, as we find the Uyyurs of Kao-ch'ang sending captured prisoners of the fleeing Yeh-lü Ta-shih of the Qitan to the Jürčän in 1311 (p.637). Moreover, the Uyyurs also sent a tribute mission with news of the death of Yeh-lü Ta-shih to the Chin in 1144 (p.643).

41. Cf. Barthold, Turkestan, pp.490-493; Grousset, The Empire of the Steppes, pp.291-295, 333-336; Pelliot, Notes I, pp.124-129.

42. Cf. Maljavkin 1962, p.64.

43. Cf. Pelliot, Notes I, p.164; Maljavkin 1962, pp.66-67.

44. Cf. Bartol'd, Sočinenija V, p.150.

45. Barčuq's son and successor had the name Kesmes, that is, Kesmez = Turkic kes - "to cut" + -mez, a negative participle; thus "he that does not cut" (Boyle, Juvavni, pp.47-48; the Yüan-shih calls this man *YÜQÜZÜLČI TİQIN according to Hambis, YS CVIII, p.134).

46. Cf. Bartol'd, Sočinenija V, p.146.

47. The brother of Kesmez is named Salindī ("he was sold") in Boyle, Juvaynī, p.48, but *Mamula Tiqin in the Yüan-shih and other Chinese sources; cf. Hambis, YS CVIII, p.134; Cleaves, S-M 1362, p.49 (n.8).
48. Cf. Liu Mao-Tsai, CAJ IV, 1958, p.73; Bartol'd, Sočinenija V, p.148; Kutlukov 1970, p.90.
49. Cf. Hambis, YS CVIII, p.134.
50. Information and sources on Qočqar may be found in Hambis, YS CVIII, p.134, and Cleaves, S-M 1362, p.49 (n.87).
51. Cf. Karl Jahn, Paper Currency in Iran. A Contribution to the Cultural and Economic History of Iran in the Mongol Period, Journal of Asian History IV, 1970, pp.101-135.
52. Cf. Maljavkin 1962, p.64; Kutlukov 1970, p.89.
53. Cf. Abe 1954, pp.437-438; Cleaves, S-M 1362, p.32; Maljavkin 1962, pp.64-65; Kutlukov 1970, p.95.
54. The Chinese texts in the Yüan-shih concerning this episode in 1275 (note 1285 as Pelliot, Notes I, p.127, 164, nor the misprint 1375 as in Hambis) have been translated in Cleaves, S-M 1362, p.32 (Chinese text), p.86 (Mongol text), cf. p.50 (n.92); cf. Hambis, YS CVIII, p.134; Pelliot, Notes I, p.262; Maljavkin 1962, p.65; Kutlukov 1970, p.95.

55. Cf. Abe 1954, p.438; Cleaves, S-M 1362, pp.33, 86-87; Maljavkin 1962, p.66; Kutlukov 1970, p.95. That some degree of Yüan influence continued in the Northern Tarim is evidenced by the fact that in 1283 Qubilai established four post-horse stations at four cities in the country of the Uyyurs, as well as a treasury for handling paper currency; cf. Bretschneider, Mediaeval Researches II, p.26. Moreover, the Yüan-shih records the fact that in 1286 Qubilai sent grain and meat to the populations of Qomul (=Xami) and Qočo due to severe famine in those areas; cf. Kutlukov 1970, p.92. The latter indication may refer to those Uyyurs who had come to Yung-ch'ang in Kansu after stopping over at Qomul in 1282-1284 (see p.16) and were now governed by the "Prince of Qočo".
56. On the genealogy of the "Princes of Qočo", see especially Hambis, YS CVIII, pp.130-137 (with Table 11), and Henry Serruys, The Mongols in China During the Hung-wu Period (1368-1396), Mélanges chinois et bouddhiques publiés par l'Institut Belge des Hautes Études Chinoises XI, Bruxelles 1959, pp.220-221 (n.281), p.282.
57. As Elias notes (Haydar, p.99*), the local princes and rulers of Uyyuristan are nowhere mentioned in contemporary sources.

58. A convenient list of these rulers may be found in Ligeti, MLMC II/1, 1972, p.113 (with several obvious typographical errors).
59. In the very unstable period prior to the accession of Tuyluy Temür, it is entirely possible that the rule of Moyolistan, and thus of the Uyyur country, was assumed by one of the Duylat Amirs, if only for a brief period. The heads of the Duylat clan at this time were a family of brothers, the chief of whom was named Amir Töleq (=Tulik in Ross' translation of Haydar), with his center at Kaşyar; cf. Haydar, p.38 (n.51). With some reservation, one may compare this name with the damaged name in Nr.97, line 40, and read [Töle]q??
60. In his edition of this text, Arat 1937 restored line 12 as [Künčük]k Iduq-qut, taking this man to be one of the ministers of Esen Buqa. The restoration is quite dubious and, in any case, has nothing to do with the name of Duva's son and successor, Künčük Xan.
61. MTDoc 8 was first edited by Gy. Kara, Knigi mongol'skikh kočevnikov, Moskva 1972, pp.170-171, where the name of the ruler is read [...]m[.].r. In his edition of this text, Ligeti retained this reading, but added that the name ought to be Tuyluy Temür, since "pour certaines raisons.

Yisün-temür est hors de cause" (MLMC II/1, p.222).

Unnoticed by both Kara and Licati is the occurrence in line 2 of the name Qulun Qaya, a minister of the ruler who has issued this text. In the Uyur civil document, Nr.97, lines 34-35, we read:

[Yis]ün Temür xan čayinta Qulun Qy-a galan kasip

"In the reign of Yisün Temür Xan, Qulun Qaya levied the galan-tax." Obviously, the two men are the same, and the ruler in MTDoc 3 must be restored [Yisün Təlm[Ü]r. To clinch the argument,

let us recall that this man ruled for two years, 1338-1339, and that the other Mongol document issued by him, MTDoc 1, was written in the fourth year of the animal cycle, the sars jil, or 1338.

The present document, Nr.8, was written in the fifth year of this cycle, the taulai jil, or 1339!

[Further remarks on this text may be found in my article "On a Mongol Decree of Yisün Temür (1339)", to appear in CAJ XVIII, 1975.]

62. On the dating of these texts, see: Herbert Franke, Zur Datierung der mongolischen Schreiben aus Turfan, Oriens XV, 1962, pp.399-410.

63. In this summary presentation, I have made otherwise unacknowledged use of the following general works and surveys: Bretschneider, Mediaeval Researches II, pp.225-244; Elias-Ross, Haydar, pp.26*-50*.

99*-114*; W. Barthold, Four Studies on the History of Central Asia, I. A Short History of Turkestan, History of the Semirechye, Leiden 1962, II. Ulugh-Beg, Leiden 1963; Grousset, The Empire of the Steppes, pp.326-346, 422-426, 491-501; Gavin Hambly, Central Asia, New York 1969, pp.127-139; Liesl. KYD, pp.255-259; Hambly, YS CVII, pp.57-64 (with Tables 21-24). The primary source utilized in all these works is, of course, the Tārīx-i Rašīdī of Muḥammad Haydar.

64. Cf. Pelliot, Notes I, pp.250-254; Barthold, EI¹, I, pp.846-849 [=Sočinenija II/2, 1964, pp.538-544].
65. Cf. Pelliot, Notes I, pp.75-76; Barthold, EI¹, I, pp.828-830 [=Sočinenija II/2, 1964, pp.509-512].
66. Cf. Pelliot, Notes I, p.128.
67. Cf. Mostaert-Cleaves 1962, pp.56, 71.
68. Cf. Pelliot, Notes I, p.128.
69. On Čapar, see: Pelliot 1949, pp.183-184; Hambly, YS CVIII, p.96.
70. On the succession of this line, see: Grousset, The Empire of the Steppes, pp.342-343.
71. See above, note 59.
72. Cf. Elias-Ross, Haydar, p.52.
73. Cf. Annette S. Beveridge, The Bābur-nāma in English, London 1922, p.19. As is known, the mother of Babur, Qutluy Niyar Xanim, was the second daughter of Yunus Xan.

74. On the name Uyyuristan, which appears already in Marco Polo, see Pelliot, Notes II, pp.753-754.
75. The city of Turfan was not of real prominence until Ming times when, around 1400, it replaced Qara-xoĵa as the most important city south of the T'ien-shan; cf. Pelliot, Notes I, p.163; Barthold, El¹ IV, pp.967-969 [=Sočinenija III, 1965, pp.521-523].
76. Cf. K.M. Maitra, A Persian Embassy to China, Being an Extract from Zubdatu't Tawarikh of Hafiz Abru, New York 1970 [Reprint edition], p.13; cf. Pelliot, Notes I, p.164; Rossabi 1972, p.212.
77. Cf. Rossabi 1972, p.212.
78. Cf. Rossabi 1972, p.213.
79. One may compare the Uyyur contractual style with that found in a handful of texts written in Arabic, Persian and, indeed, in one case, Turkic, surviving from the Yarkend and Xotan of the Qaraxanid period. Three Arabic contracts for the sale of land and dated 1096, 1112 and 1114, were published by Cl. Huart, Trois actes notariés arabes de Yarkend, JA 1914, II, pp.607-627; cf. Pelliot, Notes II, p.877. In these contracts, the formula for the attesting witnesses is in Uyyur script and language, and begin men (Name of Witness) and and taniq men, fundamentally different from that of Uyyur contracts.

In 1911, some fifteen documents were found in Yarkend by Ross, who later described the find in a note appended to Barthold's edition of one of them: W. Barthold, *The Bughra Khan. Mentioned in the Qudatqu Bilik*, BSOS III, 1923, pp.151-158 (see p.158). Seven of these texts are in Arabic, five are in Turkic in Arabic script and three are in Turkic in Uyyur script, but even the Arabic documents bear the witnesses' signatures in Uyyur script. One of the Turkic texts in Arabic script dated 1121 was edited by V. Minorsky, *Some Early Documents in Persian*, JRAS 1942, pp.181-194 (see pp.191-194). The contract begins with an invocation to God, followed by the terms of the land sale, and ends with a date in the Muslim calendar and the register of attesting witnesses. The legal terminology of the contract is without exception Arab-Persian, and no specific similarities between this Qaraxanid contract and the Uyyur contracts can be detected. It is a great pity, I might add, that this lot of papers from Yarkend has completely escaped the attention of Turkologists (even their whereabouts are unknown!), for, in addition to being the oldest surviving texts in Arabic script, the Uyyur script texts ought to be written in that ductus described in detail by Maḥmud al-Kāshgarī; cf. Clauson, Studies, pp.131-134, 176-178.

CHAPTER TWO: THE DISCOVERY AND STUDY OF THE CIVIL DOCUMENTS

Prior to the XX century, virtually nothing was known of the Uyyurs and their literary language. Some historical notices had been culled from Chinese and Islamic sources,¹ the Sino-Uyyur vocabulary had been studied by Amiot and Klaproth,² the Uyyur script copy of the Qutadyu Bilig had been edited by Vambery and by Radloff,³ and certain late Islamic texts in Uyyur script had been read or edited by early French Orientalists.⁴ Clearly, little of this activity bore directly upon the study of the city-states of the VIII-XV centuries that existed in East Turkestan and Kansu, and the reason for this is simply that the material for this study had not yet been excavated.

An accumulation of random reports and purchases of manuscripts in odd scripts by European travellers and officials in Chinese Turkestan at the beginning of the 1890's set the stage for the series of great expeditions following the turn of the XX century. Intrigued by such rare items as the "Bower" and "Hoernle" manuscripts, European governments and institutions began to mount the archaeological expeditions that in the course of a few years unearthed a mass of evidence of hitherto unsuspected civilizations, including the works of art and literature of the Turkic peoples of the region. The Uyyur civil documents form an integral

part of these discoveries, and their study has been conducted hand in hand with that of the culturally more fascinating religious literature.

In the present chapter, the Turkestan expeditions are listed according to their country of origin, accompanied by a brief characterization of the present collections of Uyyur civil documents and a list of their signatures. Following this, I shall discuss the course of study of these documents in all their aspects.

Expeditions and Collections

In the descriptions below, I have made grateful use of the indications of Yamada's cursory survey of the number and location of documents in collections throughout the world (Yamada 1970). Otherwise, only the Kyoto collection of Uyyurica has been fully catalogued (Haneda-Yamada 1961), so that we must rely on incomplete or incidental information to form some idea of the state and extent of the other collection. Mary Boyce's catalogue of the Manichean Iranica in Berlin contains an exceptionally informative introduction upon the German expeditions and the Berlin collection (Boyce 1960), whereas Dmitrieva's notes upon the Leningrad collection only skim the surface of the subject (Dmitrieva 1969).

Berlin

The Berlin collection of manuscripts from East Turkestan was gathered through excavations and purchase by four German expeditions:

- I. the first expedition from November 1902 to March 1903, led by Albert Grünwedel;⁵
- II. the second expedition from September 1904 to December 1905, led by Albert von Le Coq;⁶
- III. the third expedition from December 1905 to June 1907, led by von Le Coq who joined Grünwedel already in the field, but who had to leave in June 1906 due to illness;⁷
- IV. the fourth expedition of January 1913-February 1914, led by von Le Coq.⁸

With two exceptions, all of the documents collected by these expeditions are today housed in the Akademie der Wissenschaften der Deutsche Demokratische Republik in East Berlin. As is known, a portion of this collection had been jarred loose during World War II and had found its way to the Akademie der Wissenschaften und der Literatur in Mainz.⁹ Later, this collection was moved to the Staatsbibliothek in Marburg, and more recently still to the Deutsche Staatsbibliothek in West Berlin. Yet another group of texts may be found in the Museum für Völkerkunde in Dahlem, West Berlin.

Yamada located but one document [T I D 187 (M206)] in Mainz, and a second [T II Čiqtim 6] in Dahlem. Of the seventy German documents published by Radloff and von Le Coq, Yamada was able to locate fifty eight, including the two in Mainz and Dahlem. The fate of the remaining twelve is unknown, but photographs of seven of them (Nrs. 6, 11, 94, 95, 130, 137, 138) were found by Yamada in Leningrad. These photographs are, of course, those sent to Radloff by Grünwedel for publication. An eighth lost manuscript survives as Plate 7 in von Le Coq 1919 (Nr. 82).

Of great importance is Yamada's report that there are in the Berlin collection forty six documents that have never been published. This scholar has quoted words and passages from these unpublished documents, bearing the following signatures: T I (m73), (m75), (m76), (m81), (m83), (m86), (m95), (m100), (m101), (m106), (m109, 103a), T II D 149c, T II D 204, T II Toyoq 1330. T II Toyoq (two texts without signature numbers), T III 518, T III (M205), T III (M205d), and a further text without signature (cf. Yamada 1965).

The document Nr. 33 stems from the third German expedition, but the remainder of the published documents originate with the first and second expeditions, and bear the following signatures (the rubric "D" stands for Daqianus, the name of one ruin sites):

T I (M68) Present Nr.111

" (m78)	31
" D 181 (m95)	50
" D 135 (m205)	74
" D 187 (m206)	52
" D 176 (m207)	129
" (m211)	28
" (m212)	13
" (m215)	7
" (m220)	86
" (m221)	97
" D 51 (m222)	1
" D 200 (m223)	132
" (m224)	94
" D 168 (m224)	41
" (m225)	82
" D 176 (m226)	3
" (m227)	73
" (m228)	122
" D 176 (m230)	9
" D 176 (m232)	30
" (m233)	8
" (m234)	12
" (m235)	24
" D 176 (m236)	10
" (m237)	26
" D 176 (m238)	45

T II Nr.3 Present Nr.32

" 035	98
" Bulayiq 21	124
" Ćiqtim 1	101
" Ćiqtim 2	18
" Ćiqtim 5	70
" Ćiqtim 5	75
" Ćiqtim 7	62
" D 43	14
" D 68	115
" D 147a	123
" D 148a	113
" D 149a	16
" D 149b	29
" D 173	54
" D 205a	121
" D 238a	114
" D 238b	118
" D 321	117
" D 360	125
" D 373a	90
" D 373b	91
" D 388 (7338)	77
" Murtuq 11a	27
" Sengim 18	110
" Toyoq (no nr.)	15
T III Murtuq 205	33

Leningrad

The contribution of Russian scholars in the field of collection and publication of Turkic manuscripts has been very great. Already, the Turfan expedition of G.E. Grumm-Gržimajlo and M.V. Pevtsov in 1889-1890 had apparently come across Uyyur manuscripts (Malov, PDP, p.102), and the first Russian Consul in Kašyar, N.R. Petrovskij, had shipped some manuscripts to the Russian Academy of Sciences in 1892 (Dmitrieva 1969, p.223). But it was the expedition of V.I. Roborovskij and P.K. Kozlov in 1893-1895 that led to the first publication of Uyyur documents. In 1897, Kozlov handed over to W. Radloff a group of Uyyur manuscripts obtained at the Qara-xoja ruins, four of which Radloff edited in an appendix attached to the report of the 1898 Turfan expedition of D. Klementz (Radloff 1899).¹⁰ All of the documents of the Roborovskij-Kozlov and Klementz expeditions were published, all without signatures, as US 47-57 (Nrs.2,3,51,53,67,69,81,83, 105-108,132,135).

However, the largest part of the Leningrad collection was obtained by the Russian Consuls in East Turkestan, who accounted for an estimated 90% of the material.¹¹ Of these, the most important for our subject was N.N. Krotkov, Consul first at Kulja and later at Urumči,

who sent back to Petersburg in the years 1907-1909 some 4073 units (Dmitrieva 1969, p.224), among which were the civil documents edited by Radloff as US 107-127, the document edited in Tikhonov 1966 (Nr.78), and the large account book (Nr.120). The remainder of the Russian documents is accounted for by the expeditions of S.F. Ol'denburg in 1909-1910 and 1914-1915¹² and S.E. Malov in 1909-1911 and 1913-1914.¹³ Only a small part of the Ol'denburg documents has been edited, two as US 98 and 105, the latter a Buddhist text, and five obtained at Čiqtim and Bezeklik by Malov 1932. Malov has presumably published all the documents found by him, two in Malov 1927 and two in Malov 1951.

All of these Uyyur civil documents, with the exception of one of the Malov texts (Nr.96), are housed in the Institut Vostokovedeniia Akademii Nauk SSR (formerly Institut Narodov Azii, formerly Aziatskij Muzej) in Leningrad. There, Yamada located all of the published texts of Krotkov, Ol'denburg and Malov, and all but two (US 56-57 = Present Nrs.53,51) of the Roborovskij-Kozlov and Klementz texts. The status of unpublished documents is unknown, but the entire collection in Leningrad is in the process of being re-inventoried and catalogued.¹⁴ Below are listed the published signatures (Kr = Krotkov; M = Malov; O = Ol'denburg; SJ = ?);

3 Kr 29a	Present Nr.119	3 Kr 37a	Present Nr.92
" 29b	112	" 37b	61
" 30a	136	" 38	55
" 30b	139	" 39	39
" 30c	140	" 40	76
" 31a	72	" 41	38
" 31b	89	Kr IV 618	78
" 31c	88	SJ/Kr 4/638 Paket 8	120
" 32a	93	SJ m.6	57
" 32b	84	SJ m.7	21
" 33a	79	0.1	64
" 33b	4	0.6 (SJ 0/45)	68
" 34	56	0.7 (SJ 0/70)	65
" 35	63	0.8 (SJ 0/55)	66
" 36	40	0.9	141

Kyoto

The Japanese expeditions to East Turkestan/Kansu were either led or financed by Count Kozui Otani, and are thus referred to as the Otani expeditions. The first of 1902-1904 was led by Count Otani himself, the second of 1908-1909 and third of 1910-1914 were led by Zuicho Tachibana. All three expeditions explored the area around Turfan, while the second also worked in the Lobnor region, and the oases of Kuča and Xotan, and the third visited the walled library at Tun-huang.

The relics collected by these expeditions fared poorly, as it seems that those which were not acquired by private antiquarians were either lost or destroyed during World War II. In 1949, a hoard of some 6000 texts from these expeditions was found by accident in a storehouse of a temple in Kyoto, and thereafter transferred to their present housing in the library of Ryukoku University in Kyoto. It is but one of the conspicuous merits of Japanese scholarship that the entire collection was soon described, catalogued and some of the most important pieces published in the Monumenta Serindica I-VI, Kyoto 1958-1963.

There are some 2758 Uyyur script pieces in this collection, all thought to have been excavated around the oases of the Northern Tarim. Very few were identified with notation on the discovery site, but some such identifications include the sites of Qara-xoja, Toyoq, Čiqtim, Yar-xoto, Sengim, Yarkend, Qumtura and Kuča, that is, much the same as the German expeditions. The contents of only some 629 texts have been determined, of which 16 are commercial papers, and 43 are of a socio-economic nature.¹⁵ The signatures of the edited documents are (Ot. = Otani; Ry. = Ryukoku University Library);

Ot.Ry.543 ¹⁶	Present Nr.43	Ot.Ry.2149a	Present Nr.22
" 1097a	36	" 2150a	23
" 1106(+2149a)	22	" 2718b	126
" 1414a	34	" 2733a-b	17
" 1414b	71	" 2734a-b	20
" 1415	127	" 2782	128
" 1792	48		

London

Three expeditions to East Turkestan/Kansu under English auspices were led by Marc Aurel Stein, Hungarian by birth and later knighted by England. Stein's first expedition of 1900-1901 did not yield Turkic manuscripts, and the finds of the third expedition of 1913-1915 were not very substantial, consisting of a runic fragment and a few Uyyur pieces from Toyuq described by von Le Coq.¹⁷ It was the second Stein expedition in 1906-1908, reported in Serindia I-IV, Oxford 1921, that resulted in especially rich finds of Turkic texts, including civil documents.

Yamada located twelve such documents in the Stein collection of the British Museum, of which only B.M. Or.8212 (106) (=Nr.35) from Yar-xoto has been published, although passages of two others, Or.8212 (131) and (151a), have been quoted by Yamada 1965. Apart from

Yamada, the Polish Turkologist, Edward Tryjarski, has inspected these documents, confining his attention to the seals on them (Tryjarski 1969).

Of unknown content are some 18 fragmentary papers in cursive Uyyur script with read seals found at Cong-hassar by Stein (Serindia, III, p.1162).

Istanbul

Among the thousands of manuscripts in the library of Istanbul University, in a group of texts transferred there from the Yildiz Saray, Osman Nedim Tuna came upon a large envelope containing a bunch of papers in Uyyur and other scripts, and turned them over to R. Arat.¹⁸ Arat published one of the texts (Nr.42) and gave a general description of the find (Arat 1965).

A few years later, Yamada reexamined the texts, edited two more documents (Nrs.19,116), and gave a more detailed description of the others (Yamada 1968a).

Evidently, there remain three civil documents there in too fragmentary a condition for editing.

How this packet found its way to Istanbul is obscure, but it is certain that it originated in East Turkestan. This is evident not only from the unique combination of scripts and languages involved, but also from the interrelationship that exists between Nr.42 and Nrs. 69 and 82 (see pp.166-187).

Helsinki

So far as can be determined, the 1907-1909 expedition of Carl Mannerheim brought back only the four civil documents edited by Ramstedt 1940 and now preserved in the National Museum of Finland in Helsinki.

China

There can be no hope that even a measurable part of the civilized debris of the East Turkestan/Kansu regions has been placed in our hands by the European and Japanese expeditions. No truly encouraging signs of more to come through the activities of scholars in the People's Republic of China can be observed.

From the joint Sino-Swedish expedition of 1953 come the two documents published by Feng 1954 (Nrs. 46, 49), and it is possible that this was the source of many of the documents published in facsimile in the important Huang Wen-pi 1954, which are said by von Gabain (PTF II, p. 171) to be housed in the Academy of Nationalities of the Academia S. S. in Peking. Two (Nrs. 58, 87) of the three contracts edited first by Feng 1958 and then jointly by Feng-Tenišev 1960 are in the Ku-kun(?) Museum in Peking, while the third of this set (Nr. 60) is in a regional museum in Urumči, as is the first document of Malov 1951 (Nr. 96).

Paris

The French expedition of 1906-1909 led by Paul Pelliot¹⁹ is perhaps best known for the discoveries of Chinese and Tibetan manuscripts at Tun-huang. But it is known that Pelliot also retrieved a large collection of Uyyur texts at this site. Housed in the Bibliothèque Nationale in Paris, this collection has lain in an astonishingly stagnant state for over six decades. A catalogue of the collection compiled by James Hamilton in 1955 was never published, and only recently has this scholar edited for the third time the only previously edited Uyyur text of the collection (Hamilton, Le Conte). The great master of Uyyur studies, Reşid Rahmeti Arat, was unaccountably turned away from the collection by its caretakers (Arat 1965, pp.263-264), but apparently Yamada did succeed in viewing it, as he has reported the existence of eighteen documents there (Yamada 1970).

Provenance

All of the presently known civil documents have been recovered from sites in the Northern Tarim basin. The majority of them was found during the excavation of the ruins around Idikut-Şähri, the modern name of the site of ancient Qoço (=Qara-xoşa) which retains

in its name some distant memory ("The City of the Iduq-qut"). All those Berlin texts with the rubric "D", for the Daqianus "digs", are from this important site. A very large group of texts was obtained by Krotkov at Urumči, and it is unlikely that their actual origin will ever be known. All the other identified texts, with two exceptions, are from sites grouped around the Turfan oasis: Astan, Bezeklik, Bulayiq, Čiqtim, Murtuq, Sengim, Toyoq, and Yar-xoto. The two exceptions are the texts obtained by the Sino-Swedish expedition at Kuča, the second major oasis, after Qarašahr, to the west of Turfan. To the large group of texts whose origin is unknown belong the Otani texts, but it will be remembered that these expeditions worked in and around Turfan, Kuča and Yarkend, the latter of which may be excluded from consideration.

The distribution of the provenance of the texts is as follows: Idiqut-šahrī: Nrs. 1-3, 5-14, 16, 24, 25, 26, 28-32, 41, 45, 49-54, 58, 60, 67, 69, 73, 74, 77, 80-83, 87, 90, 91, 96, 94, 95, 98-100, 102-111, 113-115, 117, 118, 121-125, 129-132, 134, 135, 137, 138; Astan: Nr. 37; Bezeklik: Nrs. 64-66, 68; Bulayiq: Nr. 124; Čiqtim: Nrs. 18, 62, 70, 75, 101, 141; Murtuq: Nrs. 27, 33, 97; Sengim: Nr. 110; Toyoq: Nr. 15; Yar-xoto: Nr. 35; Kuča: Nrs. 46, 49; Urumči (< ?): Nrs. 4, 38, 39, 40, 55, 56, 61, 63, 72, 76, 78, 79, 81, 88, 89, 92, 93, 96, 112, 119, 120, 136, 139, 140; Unknown: Nrs. 17, 19-23, 34, 36, 47, 42-44, 48, 57, 59, 71, 85, 116, 126-128, 133.

History of Study

The study of the Uyyur civil documents was first undertaken in Russia by the great but flawed giant of Turkology, Friedrich Wilhelm Radloff (=Vasilij Vasil'evič Radlov; 1837-1918).²⁰ His work upon the documents occupied the years 1897-1909 and, with two exceptions, only saw the light after his death as the posthumous Uigurische Sprachdenkmäler (1928). It is appropriate, then, to begin our discussion with this volume, which remains the largest and most convenient source of Uyyur civil documents.

The composition of the US developed in the following way. The first group of texts which Radloff worked upon was that obtained by the Roborovskij-Kozlov expedition, two of which (Nos. 51, 53) he edited in an appendix to the expeditionary account of Klementz (Radloff 1899),²¹ and by the Klementz expedition of 1898. All of these texts appeared as US 47-60, of which 56-57 were the two documents published earlier.²²

The second component originated with the first German expedition of Grünwedel in 1902-1903. After his return to Berlin in 1903, Grünwedel sent to Radloff the photographs of an indeterminable number of texts found in the Qara-xoja ruins (US, p. 68).

Radloff published readings of 23 texts as an appendix to Grünwedel's expeditionary account (Radloff 1909). His readings of these and the other texts had been completed in 1904 (US, p.v), but fully appeared as US 1-46,²³ along with philological notes (US, pp.68-76), and a further group of notes (pp.76-81) compiled two years later in 1906 (US, p.76).

In 1908, Radloff visited Berlin, where he was presented with the photographs of another 42 documents, all from the second German expedition of 1904-1905, by F.W.K. Müller (US, p.112). Of this number, 32 were edited by Radloff and appeared as US 61-76, 78-93, along with some philological commentary.²⁴ The remaining 10 texts were evidently too damaged to permit a useful reading.²⁵

Radloff also had access to documents obtained by the expedition of S.F. Oldenburg in 1909-1910, as his reading of one of these appeared as US 98 (US, p170).

The final group of documents were those acquired during the years 1907-1909 by the Russian Consul in Urumci, N.N. Krotkov (US, p.202). Radloff's translations of these texts appeared as US 107-127.

Of the 128 texts in the Uigurische Sprachdenkmäler, 78 were from the first and second German expeditions, and 50 from Russian sources. Of the total, 27 cannot

be classified with the civil documents.²⁶ The degree of completion varies from group to group: US 1-46 were edited by Radloff in printed Uyyur script transliteration, Cyrillic transcription and German translation; US 47-106 in Uyyur script transliteration and German translation; US 107-128 only in German translation. Thus, 101 of the 141 Uyyur civil documents published to date were first edited in full or in part by Radloff in the Uigurische Sprachdenkmäler, which leaves little room for doubt as to its importance.

Sergej Efimovič Malov (1880-1957) conducted his Turkological studies under Radloff in the years 1904-1909.²⁷ Thereafter, the two scholars collaborated in editing the 1687 copy of the Uyyur translation of the Suvarnaprabhāsa obtained by Malov among the Sarīy Yuyur in 1910. During this collaboration, Malov became intimately acquainted both with Uyyur and the methods of Radloff. It is unknown when Malov turned to the task of shaping up Radloff's editions of the civil documents for publication, but the task must have been difficult and time-consuming. Far from merely preparing Radloff's manuscript(s) for the press, Malov made several improvements in the main body and wrote a brief and rather uninformative preface (US, pp.v-viii).

The most important of Malov's improvements was his re-examination of those original manuscripts and

photographs available to him,²⁸ the results of which he published in Russian as "Addenda and Corrigenda" (US, pp.217-259). In this line, Malov also published the Uyyur script transliterations of the Krotkov manuscripts which Radloff had left in German translation only as US 107-128 (US, pp.244-259). Malov furthermore compiled a glossary to all the texts which has proven useful in Uyyur studies despite the fact that it contains the errors stemming from the faulty readings of the texts (US, pp.260-305).

Malov's efforts partially alleviated a textological near disaster. Radloff was one of the great masters of the Uyyur script, but as a pioneer in this and other areas of Old Turkic studies, he frequently fell victim both to ambiguities in the script, particularly in its cursive ductus, and to the unknown cultural and linguistic meaning of rare or specialized words. Also, it must be admitted, he was a victim of his own stature as the premier scholar in a field which he created practically single-handedly, in the sense that he was often unwilling to be critical of his own mistakes.

One of the most conspicuous faults of the Uigurische Sprachdenkmäler is the system of transcription of the Uyyur script employed by Radloff. This system had already been formulated in his edition of the Herat/

Vienna copy of the Qutadyu Biliq and, in essence, required that all initial, final and medially geminate non-resonant consonants be voiceless, and all intervocalic consonants be voiced. At the base of this rule was Radioff's determination that the language of the Uyyurs conformed to the phonological patterns of some of the modern Altay Turkic dialects.²⁹ Even the demonstration of Vilhelm Thomsen, on the basis of metrical rhymes in the Qutadyu Biliq, that the "Altay" transcription was patently false did nothing to alter Radioff's practice.³⁰ However, it should be pointed out that a positive aspect of Radioff's editing procedure was his custom of giving the text in a printed Uyyur script transliteration, thereby permitting a more plausible interpretation of a given text.³¹ On the unfortunate side of this custom, for Radioff this transliteration almost entirely took the place of the publication of facsimiles of the texts edited by him,³² and the lack of facsimiles continues to plague the users of the Uigurische Sprachdenkmäler.

So far as the interpretation of the documents is concerned, Radioff's most frequent types of error involved the elucidation of rare or unknown Turkic words, the understanding of loanwords in general, and the interpretation of legalistic phrases and formulas. To be fair, many of these misinterpretations were

unavoidable considering the state of Turkology and the extent of knowledge of the history of East Turkestan at the time Radloff worked. Whatever their cause, however, the defects which permeate the Uigurische Sprachdenkmäler force the conclusion that this is a work that has not stood the test of time.

The first to take a new look at some of the civil documents published by Radloff was Albert von Le Coq (1860-1930), one of the co-founders of Turfan studies. In one of his few excursions into non-Manichean Uyyur texts, von Le Coq 1918 re-edited with facsimiles four of the contracts published by Radloff 1909 (Nrs. 5, 30, 41, 52). His editions, which employed the accepted transcription of Uyyur script, clarified several words and legalistic phrases, and his introduction (1918, pp. 449-455) still constitutes the best introduction to the documents as a whole, a telling comment on the state of study. In a second article, which was otherwise devoted to a study of the varieties of Uyyur script employed in Turfan texts, von Le Coq 1919 re-edited with facsimiles two more of the contracts published by Radloff 1909 (Nrs. 1, 82).

In 1920, F.W.K. Müller (1863-1930), the other co-founder of Turfan studies, published his Uigurische Glossen consisting of seven philological notes. Three of these were devoted to words occurring in the civil

documents: 5. sidir (see p. 376), 6. yastuq (see p. 376), 7. nišan, tamya (see pp. 325-328). In these few pages, Müller explained the currency system employed in the documents and clarified the distinction between seals and personal signs. It is a great pity that these two masters, von Le Coq and Müller, did not devote further attention to the Uyyur civil documents.

Prior to the appearance of the Uigurische Sprachdenkmäler in 1928, Malov 1927 edited in facsimile and in the universally accepted transcription system of Thomsen two contracts (Nrs. 21, 57) obtained by him during his expeditions to East Turkestan. A few years later, Malov 1932 edited five Ol'denburg documents (Nrs. 25, 65, 66, 68, 141) in facsimile, Uyyur script transliteration, Roman transcription, Russian translation, along with a few orthographical and philological remarks. An appendix to that article was devoted to the discussion of seven words appearing in Uyyur Buddhist texts (Malov 1932, pp. 144-149; Zametki po ujugurskoj leksike). Malov was to return once more to the civil documents in his Pamjatniki drevnetjurkskoj pis'mennosti (1951), wherein he edited with facsimiles two further texts obtained by him (Nrs. 37, 96) and re-edited four of the contracts previously published in the Uigurische Sprachdenkmäler (Nrs. 5, 31, 41, 52). On this occasion, however, Malov

provided no commentary in support of his readings, which in numerous instances remained open to doubt.

Ahmet Caferoğlu, the Azeri-born Turkologist resident in Turkey, published the first extensive article devoted to the financial and legal terms found in the documents (Caferoğlu 1934). This article consists of an introduction in which Caferoğlu briefly outlines the subject and form of the documents, and discusses the stipulations for payment, interest and remunerative interest in the loan contracts (pp.1-13). There follow articles devoted to some 33 legal terms and phrases (pp.16-34) and 17 financial terms (pp.35-43). However, several of these terms do not in fact occur in the civil documents; e.g., yarqan, which is discussed by Caferoğlu (p.29) as a legal term occurs in US 96, a Nestorian Christian text. Otherwise, Caferoğlu provides some lexicographical and, in the case of tax terms, mostly historical citations in an attempt to establish the meaning of each term. If there is any major fault in this early work, it is that Caferoğlu did not use the documents themselves as the most important source of comparative material.

One of the most important documents was recognizably the petition of the crown vineyard workers to the Çayatai ruler, Tuyluy Temür, first published by

Radloff in 1909, then again as US 22 (=Nr.97). The late historian of medieval Russian history, George Vernadsky, wrote an article in which he reviewed the study of the civil documents and provided an often idiosyncratic transcription and translation of US 22. This article unaccountably carried the title "Notes on the History of the Uigurs in the Late Middle Ages" (1936), as well as the statement that Vernadsky was actively engaged in analysis of the documents. However, to my knowledge, nothing further concerning them appeared from Vernadsky's pen.

At this time, Reşid Rahmeti Arat (1900-1964), the most outstanding of the Uyyur specialists who followed in the footsteps of Müller, von Le Coq and Bang, gave a full edition of the long petition to Tuyluy Temür (Arat 1937). The edition, which included a facsimile, proved to be, as all the works of this scholar, of lasting value, and remains the best edition of the text.

Gustav Ramstedt (1873-1950), the great Mongolist and Altaicist, entered the area of Uyyur studies with his edition, accompanied by facsimiles, of four civil documents (Nrs.44,59,85,133) obtained by Carl Mannerheim in East Turkestan (Ramstedt 1940). With minor exceptions, his readings remain acceptable.

No further editions of Uyyur civil documents appeared until 1951 with the publication of Malov's Pamjatniki (see above). During the 1950's, all of the activity in this area was by scholars of the Chinese People's Republic. In 1954, Huzng Wen-pi published a monograph upon archaeological finds in East Turkestan to which he appended over a hundred facsimiles of texts in all languages. Of these, Nrs. 73-117 (=Nrs. 78-110 in Arabic numerals) were of Uyyur script texts and inscriptions. Only three of the non-religious texts from this collection of photographs have been edited, including the contract Nr. 46.³³ There remain at least eight contracts and decrees among these papers which demand the attention of a specialist in Uyyur.³⁴

In 1954, Feng Chia-sheng edited in Chinese two Uyyur contracts for the sale of properties (Nrs. 46, 49), and in 1958 the set of documents dealing with the sale and manumission of the slave boy named Pin-tung (Nrs. 58, 60, 87). The latter publication was totally revised and appeared in a Russian version in collaboration with E.R. Tenišev in 1960. The publication of facsimiles greatly enhanced the value of this otherwise error-ridden edition (Feng-Tenišev-1960).

The primary thrust in publications up to this point had been the editing of texts, and the main

technical improvement in this matter was the publication of facsimiles in all works appearing after the Uigurische Sprachdenkmäler. Also, several works had been devoted to the elucidation of specialized vocabulary appearing in the documents. The first scholar to approach them exclusively as legal documents, that is, formally, was Herrfahrdt 1934, from all indications an interesting work (sometimes quoted in Mori 1961) but unavailable to me. Brief comments upon the formulas in the loan contracts had also been made by Caferoğlu 1934.

In 1940, A-N. Bernštam published an article in which he tried to draw attention to the historiographical importance of the Uyyur civil documents as sources upon the history of the Uyyurs of the XIII-XIV centuries. After a brief characterization of the general form of the loan and sale contracts (1940, pp.65-69), Bernštam approaches the question of the origin of the formulas of the documents (pp.69-74), emphasizing that future editors of these texts ought to be aware of the strong Chinese influence upon the formal structure and standards found in them. As samples of class exploitation among the Uyyurs, Bernštam examines the terms and conditions in the contracts for sale of slaves and securities for indentured servitude (pp.75-79), the inju institution (pp.79-80),

loan contracts (pp.80-81), and popular grievances (pp.81-84).

A. Kibirov followed Bernštam in this line of investigation, dedicating his doctoral work (Kibirov 1950, unavailable to me) to the utilization of the Uyyur documents as sources upon the social and economic structure of the Uyyurs. A single available selection (Kibirov 1952) from this work indicates that Kibirov has utilized only the works of Radloff, Malov and Bernštam, but has no firm philological grasp of the subject and provides no close comparative analysis of the texts themselves.

In 1958, D.I. Tikhonov began publishing a series of articles dealing with the economic and social structure of the Uyyur kingdom of the X-XIV centuries as reflected in the civil documents. The articles were collected without any change and added to some new material, the whole of which formed a book published in 1966. This work attempts on a grand scale what the works of Bernštam and possibly Kibirov only hinted at, namely, the exhaustive characterization of economic and social institutions in the Northern Tarim basin for a period of five centuries. He uses the Uyyur documents as primary sources and the European and Russian historical literature as secondary sources. This attempt must be regarded as a failure.

One of the causes of this failure is Tikhonov's treatment of these institutions as static bodies throughout the period. His historical conception of the Uyyur kingdom is that of the IX-X centuries, and does not take into account the catalytic influences of the Qaraxanid dynasty, the Mongol Conquest, the structure and presence of the Yüan dynasty, nor the constant cultural and political encroachment, culminating in the dominance of the Čayatai and Moyol rulers.

Perhaps the most damaging criticism of Tikhonov's work is his misuse and obvious miscomprehension of the sources he relies most heavily upon— the Uyyur documents. Tikhonov is unable to overcome the poor condition in which these texts have been left by Radloff and Malov, and so frequently falls prey to the erroneous readings and explanations of Radloff that his conclusions are invalidated (see pp.103-104).

Tikhonov's work ends, one may hope, one trend of study of the Uyyur civil documents. This trend has as its defining features the preoccupation with the mere editing of texts, the heavy reliance upon and the lack of a critical approach toward the inadequate corpus of texts in the Uigurische Sprachdenkmäler, the lack of sufficient utilization of the methods and sources of comparative Turkic lexicography.

the unawareness of the Mongol and Chinese background of the documents and, in general, insufficient use of the comparative method.

The foundations of a viable approach to the study of these documents was already evident in the works of Caferoğlu 1934, Harrfahrdt 1934 and Bernštam 1940. The real foundations, however, were laid in an article of Francis Woodman Cleaves. In his edition of a Mongol loan contract obtained at Qara-xoto by Kozlov, Cleaves employed not only his outstanding knowledge of Mongol philology in the interpretation of this document, but also brought into formal comparison the Chinese and Uyyur loan contracts, which greatly aided in the understanding of certain formulas (Cleaves 1955).³⁵

The new trend in study of the civil documents is associated with the names of the Japanese scholars, Masao Mori and Nobuo Yamada. Although neither is completely at home with Turkic linguistics, Mori less so than Yamada, both have excellent backgrounds in the Chinese language and Japanese study of Chinese legal institutions,³⁶ and both approach the documents as essentially legal contracts whose institutional character can only be understood through a close comparative analysis of their formulas. There is no question that the work of these two scholars forms the

focal point of present research, and we are fortunate that a good deal of it is in English.

Prior to the publication of the Kyoto catalogue by Haneda-Yamada 1961, one of the Otani documents (Nr.43) had been edited by Toru Haneda in 1916 (reprinted in Haneda 1958). Haneda failed to provide a satisfactory reading and in fact took the contract to concern the sale of the daughter of Sinsudin, although it concerns the sale of a vineyard to Qiyasudin. A new and far more successful Japanese edition of the text was published by Mori 1960.

Masao Mori has concentrated his attention upon the historical and legal aspects of the documents. His primary publication in the field is his study of the loan contracts, published first in Japanese in Monumenta Serindica IV, and then in English (Mori 1961). In a very effective manner, Mori demonstrated that the majority of the loan contracts followed a standard format, analyzable as a coherent succession of formulas stipulating various conditions of the loan. Moreover, he was able to show that most of the formulas in the Uyyur contracts were modelled upon or calqued from the same formulas in the Chinese contracts. Finally, he provided evidence that the specific terms in the contracts referred to conditions prevailing during the Yüan dynasty. In another work,

Mori studied the Chinese loanword ssŭ-chih that appears in the Uyyur contracts as slčl "boundary" (Mori 1967).

Nobuo Yamada's work in this field covers all aspects, from the publication and edition of texts, to their formal and historical analysis. Indeed, it is Yamada's avowed intention to provide a comprehensive edition of all the published and unpublished Uyyur legal contracts in international collections.³⁷

One of the strongest features of his work is that he has energetically set about examining the documents first-hand (cf. Yamada 1970), so that the majority of his editions are based upon personal inspection of the manuscripts or the use of facsimiles, for the publication of which he is largely responsible.

Yamada's first publications in the field were in Japanese. In Monumenta Serindica IV, he collaborated in the preparation of the catalogue of the Kyoto collection of Uyyurica, and it is he who transcribed and translated a number of the texts in this work (Haneda-Yamada 1961). At the same time, his study of the documents on trade and loan appeared (Yamada 1961). In Monumenta Serindica VI, Yamada published an investigation of the formal structure of sale contracts (Yamada 1963). This article was translated into English and appeared, along with editions of most of the Otani sale and loan contracts, in a

later work (Yamada 1964).

Yamada then turned his attention to the loan contracts in a monograph in which he re-edited twelve of them, appended six facsimiles, and analyzed their formal structure in introductory chapters in Japanese (Yamada 1965). After inspecting the manuscripts found in Istanbul University Library, Yamada published full editions of three of the contracts (Yamada 1968). Most recently, he published another major work in which fifteen of the contracts connected with slavery and adoption were edited together with twelve facsimiles (Yamada 1972; cf. Yamada 1968b).

Yamada has also contributed an important paper on terms of weight and measurement found in the documents (Yamada 1971), and two brief papers on the seals and personal signs (Yamada 1963a,b). In these, he emphasizes the importance of the study of these signs from the legal and historical points-of-view.

Unlike Mori, who must depend to a large degree on the linguistic interpretations of others, Yamada has a fair grasp of the principles of Old Turkic lexicography, even although he, too, ultimately places too much reliance upon certain limited sources (Radloff, Malov, Mahmud al-Kāshgarī), and does not fully utilize the methods of historical and areal lexicography. However, both Mori and Yamada approach the documents

as essentially legal contracts whose full meaning can only be revealed after an exhaustive comparative analysis of their formulas and historical background. As a result of this sound approach, certain of their works (Mori 1961; Yamada 1964, 1965, 1972) are indispensable aids to anyone interested in the study of Uyyur civil documents.

In 1964, there appeared a major monograph on the subject by Reşid Rahmeti Arat, his Eski Türk Hukuk Vesikaları. The sections which compose this work are as follows: I. a brief sketch of East Turkestan studies (pp.13-18); II. a bibliography of works on the civil documents (pp.19-23); III. a short characterization of the civil documents (pp.23-26); IV. a full list of the types of civil documents from the chancery point-of-view (pp.26-37); V. a valuable study of the formal structure of the documents (pp.38-60); VI. a classification of the documents from the formal and contextual points-of-view (pp.60-61); VII. the transcription and Turkish translation of eight illustrative documents (pp.62-71), along with their facsimiles (pp.72-77). As the basis of his work, Arat utilizes both published and unpublished documents of the Berlin collection, and scattered through the pages of this monograph may be found

a number of concise and useful summary characterizations of these texts. The Eski Türk Hukuk Vasikaları contains a rich assortment of information and conclusions based on the documents themselves, and takes its place as one of the indispensable works upon the documents.

The remainder of recent publications consists of text editions and incidental studies. Arat 1955 calls attention to and edits one of the Istanbul documents. Tenišev 1965 and then Clauson 1971 edit one of the more significant civil documents, the long 200 line personal account book (Nr.120), the facsimiles of which were published in Tikhonov 1966, pp.242-251. Also in this work of Tikhonov may be found the facsimile and hopelessly inaccurate edition of Nr.87 (Tikhonov 1966, pp.240-241). Adams 1968 provides a much superior reading of the petition of Pin-tung (Nr.96) to that first published by Malov 1951, pp.201-204. Hamilton 1969 edits in an exemplary manner a land sale contract from the Stein expedition (Nr.35). Zieme 1974 edits an interesting land sale contract from Murtuq obtained by the third German expedition (Nr.33). In an important commentary to one of the texts (Nr.60) edited by Yamada 1972, Ligeti 1973 clarified the formal and linguistic structure of several sections. Unaware of Yamada's articles

on seals (Yamada 1963a,b), Farquhar omitted from his discussion of Yüan period Chinese and Mongol seals and personal signs those of the Uyyur civil documents, although he did call attention to the fact that one of the seals on a Mongol document from East Turkestan was written in Turkic in hp'ags-pa script (Farquhar 1966, pp.388-389). Tryjarski, aware of Yamada's works, added some information on the documents bearing seals in the Stein collection, but commented specifically only on those of Nr.35 (Tryjarski 1969).

An important aspect of the history of study of Uyyur civil documents is the study of their language. It has been supposed by some scholars that these texts, because they concern matters of everyday life, reflect the everyday language of East Turkestan in the XIII-XIV cc., that is, "spoken Uyyur" as opposed to the book language of the religious literature. It is surprising, in view of this supposition, that this language has not previously been described.

The basic grammatical handbooks of Old Turkic and Uyyur contain but a few illustrative examples drawn from the documents. To be precise, von Gabain's Alttürkische Grammatik and Brockelmann's Osttürkische Grammatik ignore the documents entirely. Nasilov 1963

quotes but two sentences (pp.51,58), while Ščerbak 1961 quotes only a few words and phrases (pp.57,58, 78,85,89,90,91,105,112,122,123,127,128,131,137,138,140, 144,146,147,151,158,160,176,177,189,190,192), the sum of which hardly begins to treat this language systematically. To put this disregard in its proper perspective, it should be pointed out that the language of the civil documents barely differs from that of the Uyğur religious literature. Moreover, the supposed "spoken" element in these texts is not distinguishable, due on one hand to their rigidly formal character, and on the other to the haphazard manner in which many of them are written (see pp.116-171).

There are two separate lines of study of their vocabulary. One of these stretches back to the index provided by Malov to the readings of himself and Radloff in the Uigurisc. Sprachdenkmäler (pp.260-305). To the extent that these readings are in error, and they are too frequently so, the usefulness of this index is impaired. Nonetheless, Caferoğlu rather uncritically incorporated this index in his Eski Uyğur Türkçesi Sözlüğü of 1934-1938, which was republished virtually unchanged in 1968. The formerly standard glossaries of von Gabain, ATG, pp.291-357, and Malov, PDP, pp.353-444, contained very little of

this vocabulary, apart from that of the documents edited by Malov in PDP.

To an unfortunate degree, the important Dravne-tjurkskij slovar' of 1969 did not advance far beyond the index of the US, although within its pages are found nearly all the words in the documents published by Radloff and Malov. Not only were the editors not sufficiently critical of the readings of these two Russian masters, but they failed to give comprehensive citations from the documents for a given word. Nonetheless, many new interpretations and etymologies of phrases and words in the documents may be found in the DTS.

A significant advance in methodology in the study of Uyyur civil documents is found in Ligeti's edition of the Sino-Uyyur vocabulary and ambassadorial addresses of the XV-XVI cc. (KY, KYD, KYS). Ligeti documents all the words in this source with references to the glossaries of von Gabain's ATG and Radloff-Malov's US, without, however, adopting any critical stance to their phonetic and semantic interpretations. But Ligeti goes a step further by following through the occurrence of a given word in the modern dialects of East Turkestan, thereby establishing an important principle of historical and areal lexicography. The result is a key lexicographical aid in the study of the vocabulary of the Uyyur civil documents.

By far the most important work upon the pre-XIII century literary languages of Mongolia and Turkestan published to date is the Etymological Dictionary of Pre-Thirteenth Century Turkish of Sir Gerard Clauson. This dictionary provides a comprehensive and reliable stock-taking of the vocabulary of early Turkic texts, and arranges the material in a fairly rigid chronological and contextual order, so that it facilitates the establishment of the phonetic, semantic and historical shape of any given word. Moreover, having this material at hand in a convenient arrangement enabled Clauson to make a number of corrections and clarifications of passages from the civil documents, so that his quotations of these are at once the most comprehensive and trustworthy available anywhere. Apart from the fact that Clauson does not include purely foreign words and some kinds of loanwords (Arab, Persian, Mongol), the only minor cavil that one might make concerning its treatment of the documents, is that citations from them are included as part of the Uyyur literature and placed before the XI century Qaraxanid texts— thus, they are out of chronological order.

The primary importance of the Uyyur civil documents is historical and cultural. Before their full value as source materials for the social and economic history of East Turkestan in the XIII-XIV centuries can be realized, a new edition of nearly all of them must be made, one which itself must be subject to certain methodological requirements.

The first order is the publication of facsimiles, indispensable for the control of any edition, but particularly for those of the texts in the Uigurische Sprachdenkmäler. It is regrettable that of the 141 civil documents, facsimiles for only 56 have seen the light (see Appendix II). Regret turns to frustration when we consider that of the 101 documents edited in the US, photographs of only 18 (Nrs. 1, 5, 30, 41, 45, 52, 54, 55, 56, 62, 67, 69, 70, 81, 82, 94, 97, 110) are available for consultation. It should also be emphasized that it will not do to simply publish photographs of the main text. Rather, it shall greatly benefit further study to have photographs of the verso when there is a text of any sort present, as well as large blow-ups of the seals of each text.

Secondly, the principles of historical and areal Turkic lexicography must be observed in the discussion of the unusual, specialized and obscure terms and words in the documents. It is not enough

to simply state the definition of a word as found in the XI century Divān of Maḥmud al-Kāšyarī, although this source is invaluable, or in some secondary dictionary or glossary. In order to determine the true texture of a word, one must chart the chronological trajectory of its phonetic shape and meaning within the older Turkic literary languages, as well as in sources contemporary or subsequent to the documents. This is essentially the principle so successfully accomplished in the Etymological Dictionary of Sir Gerard Clauson.

Furthermore, one must chart the areal or geographical distribution of the word, particularly its meaning, both in the older sources and in the modern languages. In this respect, it is clear that the modern languages which pertain most directly to the older literary languages of East Turkestan and Kansu are the dialects spoken today in these areas: East Turki and its dialects, Salar and Sarīy Yuḡur. This is the principle introduced by Lajos Ligeti in his edition of the Sino-Uyḡur vocabulary. It may be expanded to include all the major languages of Central Asia (in its narrow sense), especially Qırız, Qazaq, Qaraqalpaq, Ūzbek, Turkmen, and various dialects in Afghanistan and the Southern Altay. The mechanics and importance

of this method will be repeatedly demonstrated in my notes to the editions of these documents which I hope to publish in the near future.

Thirdly, it is impossible to over-emphasize the value of internal comparison within the documents themselves of the contexts and phrases in which a formula, term or word occur. And one may add the final remark that external comparisons are equally important, especially, in the case of the civil documents, with the chancery practices of the Chinese and the Mongols.

With the application of these, and other less important methodological approaches, the Uygur civil documents may be edited in such a way as to prepare them for utilization as economic and social sources, and for eventual integration of their data into a comprehensive history of the Uygurs of East Turkestan in the XIII-XIV centuries.

NOTES TO CHAPTER TWO

1. Cf. the works of Kazem-Bek, Ritter, Radloff and Pozdnasev cited in Chapter 1, note 1.
2. For references concerning the study of this source see Ligeti, KY, pp.117-118.
3. Cf. Armenius Vambery, Uigurische Sprachmonumente und das Kudatku Bilik, Innsbruck 1870; W. Radloff, Kudatku Bilik. Facsimile der uigurischen Handschrift der K.K. Hofbibliothek in Wien, SPb. 1890, Das Kudatku Bilik des Jusuf Chass-Hadschib aus Balasagun, I. Der Text in Transcription, SPb. 1891.
4. Cf. A. Jaubert, Notice et extrait de la version turque du Bakhtiarnaméh, d'après le manuscrit en caractères ouïgours que possède la bibliothèque bodléienne d'Oxford, JA 1827, I, pp.146-167, 214-225; A. Pavet de Courteille, Mirâdj-nâmeh, Paris 1882, Tezkereh-i evliâ, Paris 1889/90; and others.
5. Albert Grünwedel, Bericht über archäologische Arbeiten in Idikutschahri und Umgebung, im Winter 1902-1903, ABAW XXIV/1, München 1909.
6. Albert von Le Coq, Chotscho. Facsimile Wiedergaben der wichtigeren Funde der Ersten Königlich-Preussischen Expedition nach Turfan, Berlin 1913.
7. A. von Le Coq, Buried Treasures of Chinese Turkestan, London 1928; A. Grünwedel, Altbuddhistische Kult-

- stätten in Chinesisch-Turkestan. Bericht über archäologische Arbeiten von 1906 bis 1907 bei Kuča, Qarašahr und in der Oase Turfan, Berlin 1912.
8. A. von Le Coq, Von Land und Leuten in Ostturkistan, Leipzig 1928.
 9. A still unpublished catalogue of the Uyyur texts in Mainz was drawn up during the 1950's by Sinasi Tekin; see his: Der heutige Zustand der Turcica der Turfan-Sammlung in Mainz, Trudy XXV-ogo Meždunarodnogo Kongressa Vostokovedov, III, 1963, pp.319-321.
 10. D. Klementz, Nachrichten über die von der Kaiserliche Akademie der Wissenschaften zu St. Petersburg im Jahre 1898 ausgerüsteten Expedition nach Turfan, SPb. 1899, Heft 1.
 11. D.M. Nasilov, Izučenie pamjatnikov drevneujgurskogo jazyka v otačestvennom vostokovedenii, Tjurkologičeskij sbornik 1970, Moskva 1970, p. 5.
 12. S.F. Ol'denburg, Russkaja Turkestanskaja ekspeditsija 1909-1910 gg., Kratkij predvaritel'nyj otčet, SPb. 1914; cf. Malov 1932, p.129.
 13. S.E. Malov, Otčet o putešestvii k ujguram i salaram, Izvestija Russkogo komiteta dlja izučenija Srednej i Vostočnoj Azii, Serija II/11, SPb. 1912, pp.94-99; O vtorom putešestvii k ujguram, Ibid., Serija II/3, Petrograd 1914, pp.85-88.
 14. Cf. Nasilov, Op. cit., pp.94-96; Dmitrieva 1969.

15. I wish to thank Mr. Fumiaki Tominaga for preparing a valuable detailed report "On Uighur Documents Discovered by the Otani Expeditions", from which all of my information on the Otani collection is derived.
16. For the sake of precision, it should be pointed out that Ot.Ry.543 was first published in 1915 (in facsimile only?), and then edited by Toru Hanada in 1916; cf. Hanada 1958, p.74*. Properly speaking, therefore, it does not belong to the hoard found in Kyoto in 1949.
17. A. von Le Coq, Inventory List of Manuscript Fragments in Uighur, Mongol and Sogdian, in: Aurel Stein, Innermost Asia II, Oxford 1928, pp. 1047-1049.
18. Osman Nedim Tuna and James E. Bosson, A Mongolian 'Phags-pa Text and its Turkish Translation in the 'Collection of Curicities', JSFOu LXIII/3, 1962, p.15, note 1.
19. Paul Pelliot, Rapport de M. Paul Pelliot sur sa Mission au Turkestan chinois (1906-1909), Comptes rendus des séances de l'Académie des Inscriptions et Belles-Lettres 1910, pp.58-68.
20. An entire volume, with ample bio-bibliographical material, has been devoted to Radloff; cf. Tjurkologičeskij sbornik 1971, Moskva 1972.

21. According to von Le Coq 1918, p.452, who was much closer to and more familiar with the archaeological scene in Turkestan, these documents had been given to Radloff by Kozlov. Nonetheless, it is still sometimes stated that these documents were obtained by the Klamantz expedition; cf. D.M. Nasilov, V.V. Radlov i izučenie drevneujgurskikh pamjatnikov, Tjurkologičeskij sbornik 1971, p.75.
22. US 58-60 are Buddhist texts, on which see below, note 26.
23. Of these, Nrs.23,26,42-44,46, are Buddhist texts (see below, note 26), and Nr.45 is perhaps a personal petition written within a Buddhist context (see Chapter 4, note 8).
24. Of this group, US 77 and 88 are ecclesiastical papers (see Chapter 4, note 8). Nrs.89-90 are Buddhist texts, and Nr.92 has been characterized as a letter; cf. Tezcan-Zieme 1971, p.451.
25. A list of the signatures of these damaged pieces is given in US, p.156; T II D 147b, 148b, 149b, 149d, 149e, 205b, 375.
26. The following are religious texts: Buddhist manuscripts and blockprints (Nrs.23, 43-44,46, 58-60,90,94,99-106,128); Manichean texts (Nrs. 95,97); a Christian text (Nr.96); ecclesiastical papers (Nrs.26,45,77,88). In addition, there is a divination text (Nr.42) and a personal letter (Nr.92).

27. Cf. E.I. Ubrjatova, O naučnoj i obščestvennoj dejatel'nosti Sergeja Efimoviča Malova, Tjurkologičeskij sbornik I, Moskva-Leningrad 1951, p.8.
28. The texts not available to him for re-examination are enumerated in US, p.vii, note 1.
29. Cf. Malov 1951, pp.97-99; D.M. Nasilov, Tjurkologičeskij sbornik 1970, p.103; 1971, pp.87-94.
30. Vilhelm Thomsen, Sur le système des consonnes dans la langue ouigoure, KSz II, 1901, pp.241-259.
31. On the development of this printed font of Uyyur script in St. Petersburg, see D.M. Nasilov, Tjurkologičeskij sbornik 1970, p.98.
32. In fairness, it must be said that prior to the present upsurge in Old Turkic and Uyyur studies, the Berlin editors, too, rarely published more than token facsimiles of the texts edited by them and in only one case (TT VIII Brahmi script texts) did a transliteration appear.
33. Huang Wen-pi 1954, Plates 87-88 [=86] is a brief petition edited in Tezcan-Zieme 1971 (Letter A); Plate 81 [=79] is a post-XIII century personal letter edited in Tezcan-Zieme 1971 (Letter C); Plate 104 [=94] is the land sale sale contract edited by Feng 1954 (=Nr.46).
34. These are: Huang Wen-pi 1954, Plate 82 [=80] (a contract); Plates 83-84 [=81] (a yarlyq);

plate 85 [=82] (a contract); Plate 86 [=84] (a loan contract); Plates 89-94 [=87,1-6] (a large register of goods); Plate 105 [=95] (an inheritance document of some kind).

35. Another excellent comparativist, H.F. Schurmann, utilized several of the Uyur tax documents to investigate "Mongolian Tributary Practices of the Thirteenth Century", HJAS XIX, 1956, pp.304-389 (see pp.335,358-359), but was still dependent upon the readings in US. This shortcoming is also present in the recent work of John Masson Smith, Jr., Mongol and Nomadic Taxation, HJAS XXX, 1970, pp.46-85 (see pp.54-55).
36. In fact, both Mori and Yamada, as Cleaves before them and Hamilton after them, rely upon the seminal work on Chinese legal institutions due to Noboru Niida 1937 (in Japanese). Hamilton has also made effective use of Gernet 1957, a study of Chinese sale contracts of the IX-X cc.
37. From personal communication with Dr. Georg Hazai of the Akademie der Wissenschaften in Berlin, I have learned that Nobuo Yamada has been given the publication rights to all the previously unedited contracts in the Berlin collection, and that his edition of these is expected to appear as one of the volumes in the new series, Berliner Turfantexte.

CHAPTER THREE: THE CHRONOLOGY OF THE CIVIL DOCUMENTS

All of the Uyyur legal contracts and many of the other documents contain an explicit date. The date is given in a phrase consisting of an indication of the year, month and day on which the document is drawn up (see pp.266-297). The year in this phrase is expressed in terms of the Inner Asian twelve year animal cycle, whose distinctive flaw is that any given set of twelve years has no relative chronological connection with any other set, thereby rendering its alignment with other calendar systems impossible. In a word, the twelve year animal cycle is, by itself, a wholly inadequate means of dating, and one must express some surprise that it was the exclusive means employed in these legal contracts which ought, to assure the correct and valid application of judicial processes, to have relied upon an exact system of reference.

Therefore, one of the most important external questions posed by the Uyyur civil documents is in which era do they originate, and is it possible to utilize other means of dating them? Without an answer to this question, the utilization of these documents as historical and economic sources— their primary

importance— is jeopardized. There has not yet appeared a systematic investigation of the problem, although there are a number of vague statements in the literature.

The views of Radloff are difficult to determine, as his final statement concerning the question of dating, if such a statement existed, was not among the papers edited posthumously by Malov in the Uigurische Sprachdenkmäler. Nonetheless, we are able to gather some idea of Radloff's approach to the problem from his notes appended to the readings of the first 46 pieces (US, pp.68-71). Radloff recognizes that Nr.97 (=US 22) is a petition to Tuyluy Temür, a ruler of the XIV century, and consequently considers this text the "latest" in his collection (US, p.69).

Apart from this, Radloff argues that certain elements in the language of Nr.97 also belong to a later time; e.g., the use of bay "vineyard" and bayčl "vineyard worker" in place of borluq and borluqčl, which he considers to be the "older" words. Further, he cites the occurrence of alban and yasaq, the names of taxes first appearing in the Mongol period, and of the Arabic urub "a quarter (share)", apparently also considered a late feature by Radloff. Other suggestions concerning the date of Nr.97 are invalidated by Radloff's incorrect readings.

The approach of Radloff is surely a valid one, but one must point out that bay is not a "new" word, as it appears in the XI century Divān (ED 311) and in the Buddhist confession text TT IV B6 bay borluq. Nor is borluq an exclusively "old" word, as it occurs in the Uyyur document Nr.102, which is contemporary to Nr.97. Generally speaking, one can not use such arguments based on the occurrence of native Turkic words to date these documents (see pp.136-137).

Radloff further considers Nr.47 (=US 30) to be the "earliest" of his collection (US, p.69), primarily because the script ductus is most similar to the ductus of the "old book script" (that is, of Buddhist texts?) and the "half-cursive" of the Stake Inscription. Moreover, this text contains the phrase ičim inim "my older and younger brothers", whereas by chance the other texts in US:1-46 have only ayamainim with the Mongol aga "older brother" in place of the Turkic iči. Radloff concluded that iči occurred only in the earliest time which was, considering the material available to him, a not wholly unreasonable conclusion. However, it is now clear that iči was not entirely replaced by aya, inasmuch as iči may be found in other civil documents that can be dated to the Mongol period (cf. Nr.63:12 iči, but line 16 uluy sūsingə "to His Majesty", referring to the Yüan emperor).

Radloff goes on to discuss various grammatical features, Arabic loanwords, and the ductus in these texts (US, pp.69-71). On the whole, he determined that these documents originated from times throughout the period of Uyyur political hegemony in the oases of Turfan, that is, from the IX-XIV cc., but the means by which he determined this was largely an impressionistic judgment of the relative age of orthographical and grammatical features.

Von Le Coq made only two statements on this subject, the first that "the documents ought to belong to a rather late time" (1919, p.450), and the second that the presence of Arabic loanwords in some of the documents "could hardly be earlier than around the end of the XIV century" (1919, p.451).

There are several conflicting remarks in the works of Malov. In the preface to the US, there is the laconic indication "XII-XIV cc." (US, p.vi), whereas in his later chrestomathy, he wrote "the Uyyur juridical documents give us a complete map of the economic life of the ancient Uyyurs of the X-XIII cc." (1951, p.200). One of the documents published in Malov 1932 (Nr.65) mentions Ügödei (1228-1241), so that Malov was inclined to date the set of five documents to the XIII century for "this and "language" features, which he does not specify (1932, p.129). We shall see that only three of the five documents edited here by Malov pertain to the Ügödei period with certainty.

As scholars before and after him, Caferoğlu 1934 recognized that Nr.97, with the mention of Tuyluy Temür, and Nr.65, with the mention of Ögödei, were to be dated to the XIII century or later. Moreover, Caferoğlu reasoned that the presence of Arabic and Persian words in some of the documents, especially since such loanwords occurred in the XI century Qutadyu Bilig, could be taken as strong evidence that these texts were written after the XI century (Caferoğlu 1934, p.6).¹

Ramstedt did not have a definite view upon the dating of the documents, but contented himself with the statement "writings of this kind seem to have been very common among the Uigurians of the X-XIVth centuries" (1940, p.3).

The first extensive discussion of the question of dating was that of Mori (1961, pp.115, 148), who realized that the arguments of Radloff, based on the orthography and grammar of the texts, were weak. Mori thought that the only viable approach was one based upon vocabulary and formal aspects, especially insofar as these could be proven to reflect a background of the Yüan dynasty. Mori emphasized the equivalency of the currency system employed in the documents with that in use during the Yüan (see p.376), as well as Uyyur phrases based upon Chinese prototypes in loan

contracts from the Yüan period (Mori 1961, p.148). Mori's contribution to the problem was a definite advance in methodology.

The views of Yamada are largely inaccessible to me, as the majority of this scholar's work is in Japanese. In his paper delivered to the Fifth PIAC, Yamada spoke of the many kinds of documents written in the Turfan region "during well-nigh five centuries" (Yamada 1963a, p.253), while in his paper read at the XXV International Orientalist's Congress, Yamada expressed his opinion that all documents with the words aya "older brother", nišan "personal sign" and čao "paper currency", were from the Mongol Yüan dynasty, although he believed that the texts generally "belong mainly to the period after their migration from Mongolia (the IXth century) down to the XIVth century" (1963b, p.322). No further statements can be located in Yamada 1964, nor in the English summaries of the later editions of documents edited by this scholar.

It is surprising to find that R.R. Arat has not ventured in his writings an opinion on the dating of these texts, apart from his recognition of the dated documents Nr.65 (Ügödei) and Nr.97 (Tuyluy Temür) (Arat 1938, p.101; 1964, p.40).

With some reservations as to their scientific validity, the opinions of Tikhonov concerning the dating of various documents shall be mentioned here. On one hand, Tikhonov begins from Radloff's vague assumptions of an orthographical and linguistic nature, and on the other, does not keep distinct the several kinds of texts published together in US. For example, it is certainly true that the Uyyur Stake Inscriptions are to be dated X century or possibly even earlier, but the inclusion of an edition of one of these as US 26 does not make the Stake Inscription a civil document of the same class as the contracts and decrees (as Tikhonov 1966, p.16; 1971, p.78; etc.). This equally applies to US 43 and 92, neither of which is a civil document.

- Tikhonov is at his weakest when he must use linguistic data in his argumentation on any given issue. Convinced that US 88 is an "old" document, Tikhonov argues from this false assumption that the word qubčir "a tax" which supposedly— but does not!—² occur in line 44 of this text must therefore be Turkic not Mongol. Tikhonov further reasons that as both US 77 and 88 contain the word sangiq "belonging to the monastery" (← Sogdian snk'yk ← Sanskrit sangha), and as US 88 is "old", then US 77 is "old" as well. He is then in a position to claim that the word galan "a tax", which occurs in US 77, is also Turkic!

This sort of reasoning is also the means by which Tikhonov decides that US 78 (=Nr.70) is an "old" document. Without questioning Radloff's false reading of quvaq~quyaq "assessment" in place of the correct quvray "religious community" (ED 583), Tikhonov finds this word in US 88, 77, and 78, and promptly decides that the latter text too is "old".

Every element in these arguments is mistaken. The word qubčir occurs in neither US 88 nor 77. The occurrence of the word saagio has no known chronological implications, as it appears in early Buddhist confession texts (UigII 86:41; ETŚ18:8, the latter a XIII- blockprint, however). The reading quvaq~quyaq is an error, but quvray occurs from the IX to the XIV cc. (ED 585). Both US 77 and 88 are certainly Mongol period texts; US 77 has the Mongol qalan (see p.149) and the Persian nišan (see p.167), and US 88 has terminology that reflects the Mongol chancery style (see note 2). Similarly, US 78 (=Nr.70) has the Mongol loanword asira- "to raise" (see p.147). Tikhonov's manifest incomprehension of Turkic and Mongol linguistics has resulted in a confused and error-stricken treatment of this as well as other issues connected with these civil documents (see above, pp.76-78).

James Hamilton has attempted to date the text published by him (Nr.35) "from the period of the domination of the Qara Qitai...in the XII century, after 1130, or even, by default, from the beginning of the period of the Mongol occupation of the XIII century" (1969, p.27). He supports this in one way by interpreting the name of the scribe of the text, Busartu Singqay Qaya, as a Mongol name, thereby supposing "a date at least after the arrival of the Qara Qitai in Qočo around 1130", although qualifying this assertion by saying that it could also have been written "after the arrival of the Mongols in the first years of the XIII century" (1969, p.51). Moreover, he adduces in Nr.79:4 (=US 111) the name Qitay Yalavač, which "could very well be an 'envoy of the Qitai' probably from the XII century, or even an 'envoy of the Chinese' from the Mongol era" (1969, p.27).

However, Hamilton's "Mongol" identification for the scribe's name is based upon a negligent error and cannot be retained (see p.140). Moreover, the document Nr.79 is certainly from the Mongol epoch, as it contains the Mongol yasa "law" and forms part of the "Toyrıl" archive (see pp.157,174-176).

Qitay in these documents always refers to China or to a Chinese, but has no particular Mongol connotation.

Finally, the notion of a Qara Qitai element in the Uyyur literature of East Turkestan, from whatever century and of whatever contents, is novel, but finds support from no other text. It is still impossible, in any case, to demonstrate that the language of the Qara Qitai belonged to the Mongol language family, as did that of the Qitan/Liao dynasty (907-1125), and the episode of their passage through Turfan hardly qualifies as proof of substantial linguistic contact between them and the Uyyurs.

There are a few other opinions in the literature, but none that surpasses the vagueness of those already briefly surveyed. In the following pages, I shall systematically examine every means of establishing the date of the Uyyur civil documents in an attempt to provide an acceptable solution to this problem.

Absolute Dates

We have already seen that the texts themselves do not contain meaningful internal dates. However, the third of the set of documents concerning the sale of the slave boy, Pin-tung, published by Feng-Tenišev 1960, has a line in Chinese appended at the end of the text (Nr.60). In translation from the Russian, it reads:

"This deed of purchase [sic!] has been newly received by the Buddhist novice, Shan Pin, on the twenty-sixth day of the eighth month of the keng ch'en year."

In their note to this line, Feng-Tenišev remark:

"In the period of the rule of the Yüan dynasty (1280-1368), there are two keng ch'en years according to the cyclical calendar: 1280 and 1340. It is unlikely that there would be reflected in the documents an event that occurred in 1340. At that time, Kao-ch'ang was under the rule of the Čayatai, and these documents could hardly have contained texts or resolutions in Chinese. It would be more correct to attach these documents to the 17th year of chih yüan of the rule of Shih-tzu (=Qubilai, 1264-1294), that is, to 1280... The date in the Chinese postscript of the third document...corresponds to 21 September 1280 of the European calendar" (Feng-Tenišev 1960, pp.148-149; cf. Ligeti 1973, p.1).

The argument of these scholars in favor of the year 1280 rather than 1340, which would fall within the reign of the last Yüan emperor, Toyon Temür (1333-1368), is, despite certain weaknesses, acceptable. The conclusive evidence for this date, however, is the fact that the office of ančaiši "inspector" mentioned in Nr.6013 was suppressed in 1291 and replaced by another, thereby precluding the later date (Ligeti 1973, p.9). Thus, the three texts

Nrs. 58, 60, 87, all written in the Dragon year, may be precisely dated 1280. Moreover, the fourth text in this group, Nr. 96, a petition written by Pin-tung some years after his sale and manumission, may be dated post-1280.

Historical Identifications

A second means of dating can be used if the text contains the mention of some personage or event whose dates are known through other historical sources. Several of the Uyyur civil documents fall under this heading.

The best-known case is that of Nr. 97 (=US 22), a petition of a group of crown vineyard workers: 97:45 [xanım1]z Tuyluy Temürke "to our Xan, Tuyluy Temür". Radloff had already recognized this man as a ruler of the XIV century, and termed the document the "latest" of his collection (US, p. 68). Arat went further with the remark: "...since it was submitted to Toqluy Temür, the ruler of that time, the document was written in the years 1347/8-1365(?)" (1937, p. 101). Historical sources of this period are hardly better studied today than in Arat's day, yet we know that Tuyluy Temür was a Čayatai Xan who ruled from 1347 to 1363.³

Ligeti has utilized the dated Nr.97 to date Nr.102 (KYD, p.257, n.9). He calls attention to the following line in a Mongol document issued by Tuyluy Temür in 1352: MTDoc 7:4 Turmiš-temür Tökel-qy-a Kerei ekiten tüşmed "officials led by Turmiš-temür, Tökel-qyaa and Kerei". I would add that in another Mongol document issued by this ruler in 1346 or 1360, and not mentioned by Ligeti, we find the same people: MTDoc 11:4-6 [...] -širi [...] -buyan Turmiš-te[m]ür Tökel-qy-a Kerei ekiten tüşmed "the officials led by [?Buda]-širi, [?]-buyan, Turmiš-temür, Tökel-qy-a and Kerei". As Ligeti states, these officials were in the service of Tuyluy Temür, with posts in East Turkestan. Ligeti then cites the occurrence of their names in Nr.102 (=US 21). Indeed, there we find: 102:5-6 biz Turmiš Temür, Tökel Qay-a, Kerey, KÜČ Temür başlıy beqler "we, the lords led by Turmiš Temür, Tökel Qaya, Kerey and KÜČ Temür (have siezed a vineyard and handed a vineyard worker over to Buda-širi)". This firmly dates Nr.102 to the same period as Nr.97.

There is still a third document which may be aligned with Nrs.97 and 102. This is Nr.78, a Krotkov acquisition first published in Tikhonov 1966, pp.240-241. The document is written by Mungsuz Qaya and addressed to Turmiš Temür, and it concerns a litigation

over a vineyard. Unlike other contracts, the line of witnesses runs as follows: 78:12 KÜČdamür, Enč Buqa, Tükel Qay-a, Buyan Qay-a tanuq "Witnesses (to this statement are): KÜČ Temür, Enč Buqa, Tükel Qaya and Buyan Qaya". Clearly, the Turmiš Temür, KÜČ Temür and Tükel Qaya of this text are to be identified with the persons in the Mongol and Uyyur documents cited above. Thus, Nr.78 may also be drawn into the period of Tuyluy Temür's reign.

Another document containing the name of a historical personage is Nr.65, a contract in which Qaytsu Tutung gives his son, Titsu, in adoption to Čintsu, a monk. The penalty clause of this contract begins with the phrase: 65:13 Ügöday sösinge "to His Majesty, Ügödei" (cf. Ligeti 1973, pp.14-15).⁴ Ügödei, the second son of Činggis, succeeded his father in 1228 and ruled until 1241. Thus, three of the documents edited by Malov 1932 (Nrs.65,66,68), all dealing with Titsu, the son of Qaytsu Tutung, may be firmly dated to the years 1228-1241.

There is a final, extremely questionable occurrence of a name, Tuy Temir, in Nr.104:9, that might, subject to a careful reading, be that of the Yüan emperor who ruled 1328, 1329-1332. The damaged condition of this text precludes any serious consideration of this possibility at the present time.

Archaeological Dating

Among the broad range of techniques available to archaeologists to date cultural remains, not one has ever been applied to the hoards of Turkic-language manuscripts found in the oases of East Turkestan and Kansu. At one time, it was believed that the famous "sealed library" at Tunghuang, explored by Aurel Stein and Paul Pelliot, had been sealed prior to the Tangut invasion of 1035 and never opened again, as no Tangut texts were found within. This is partially correct, but it has been shown that the Taoist monk who originally opened the cave had imported from nearby caves an indeterminable number of manuscripts, including many from the Mongol epoch, into the "sealed library", thereby excluding any hope of relative datings involving the 1035 date.⁵

Apart from this, it is possible that the type of paper used for the civil documents may be important for the question of dating. Von Le Coq noted that this paper was quite distinct from the fine, thick and strong paper used in the Buddhist and Manichean manuscripts, and concluded that "...it would be not unimportant for the study of the history of paper to determine what pulp was used in its manufacture. The documents ought to belong to a quite late time" (1918, pp.449-450).

Evidently, von Le Coq handed over to A. Rajtš a number of paper samples from the fourth German expedition for chemical analysis with a view toward dating them. Unfortunately, Rajtš's brief communication on the subject did not include any chronological conclusions.⁶ Von Gabain has recently called for the continuation of an investigation of the Turfan paper undertaken at the Klasse für Chemie, Geologie und Biologie der Berliner Akademie der Wissenschaften.⁷

Script

Radloff, among others, strongly believed that the relative age of a document could be determined from the ductus of the script, whether it was "cursive", "half-cursive" or a "book script". Although such an approach is a standard procedure in the study of European and other diplomatics, when it is applied to the Uyğur script remains the results are entirely ambiguous and conjectural.

The earliest surviving Uyğur script Turkic text is probably that found inscribed on the Ulān-gom stone in Northern Mongolia, which might be dated to the first quarter of the VIII century.⁸ In any event, certain Manichean and Buddhist texts in this script from East Turkestan may confidently be dated to the

VIII century.⁹ The latest Uyyur script text in the West is the fathnāma describing the battle in which Mehmed II defeated Uzun Hasan in 1473,¹⁰ in Central Asia an audience paper from the reign of Sultan Mansur (1503-1545) in the Sino-Uyyur compilation (Ligeti, KYD, pp.305-306), and in Kansu the 1687 copy of the Suvarnaprabhāsa translation within the leaves of which was found an Uyyur piece dated 1702 (Dmitrieva 1969, p.226).

Between the two outer dates— VIII and XVIII-cc.— fall hundreds of Uyyur script texts in a variety of scribal and calligraphic styles, whose typology has yet to be analyzed, let alone established in any chronological sequence. Those Uyyur civil documents available in facsimile are all written in the so-called "cursive" style, that is, in a ductus characterized by the abraded and ambiguous appearance of its signs due to the speed and negligence with which it is written.

Although an Uyyur cursive script text may reflect a degraded writing habit, this "degradation" is not a temporal development, and certainly does not constitute a necessarily later phase of the script. Rather, the cursive ductus is found predominantly in a certain type of text, largely secular texts such as those dealing with medicine, astrology, calendar,

or daily life. As an example, one may examine the facsimiles of the divination text published in IT I, where the script is grossly (providing for inconsequential scribal peculiarities) the same as that in the civil documents, and where it is unlikely that we are dealing with a text older than the XI century. Such a cursive style is also evident in the facsimiles of the medicine texts in Heilkunde I-II, and of some of the secular texts in IT VII, some of which are, however, to be dated XIII-.

A type of cursive, perhaps what Radloff and others mean by "half-cursive", can also be found in non-doctrinal portions of religious texts, such as colophons or scribal notes. As an example, one may examine the facsimiles of the "Transfer of Merit" colophon to the confession text published in Uigurica II, Nr.7:60-72, where the ductus differs substantially from the fine style of the doctrinal part of the confession.

The fine "book style" of Uyyur script is normally the rule for religious texts of both the pre- and post-Mongol eras precisely because the conscientious copying of such texts was considered a pious act in itself, and for Buddhists, even an act which accrued religious merit (buyan ← Skt. punya) for the copyist.¹¹

The "cursive" style used in the civil documents is only that, a style, which scribes employed as the most convenient and appropriate for the type of

texts they had to write.

There is, nonetheless, one aspect of the orthography which might prove of minor importance in the question of dating. Von Le Coq first pointed to the possibility, but not certainty, of "an influence of the writing practices of the Mongols" in the script of the documents (1918, pp.450-451). Indeed, when the Mongols adopted the Uyyur script at the beginning of the XIII century, they also effected certain orthographical modifications and conventions in this script by which it can be distinguished from the orthography used in Uyyur literature.¹² The "Mongolian Official Alphabet", as it has been called, was used by Turk scribes in such texts as the Herat/vienna copy of the Qutadyu Bilig, the Uyyur script "Legend of Oyuz Xayan" and a number of religious, literary and civil texts from Timūrid and Jūcid courts in the XIV-XV centuries.

It is certainly possible to detect traces of the M.O.A. in certain Uyyur documents (Nrs.78,97, et al.), but a adequate treatment of this subject is impossible without all of the facsimiles or original manuscripts of these texts in hand.

Language

There appears to be but one method of establishing the relative date of a text written in the literary language of East Turkestan/Kansu according to linguistic features. For the relative aspect one must first of all accept a seemingly arbitrary median date as a border between the occurrence of "old" ("early") vs. "new" ("late") features. There is an appropriate median date of this kind for the East Turkestan literary language, namely, the era of the Mongol Conquest at the beginning of the XIII century.

This event was without question a great watershed in Inner Asian history. In terms of geo-political realignments and opportunities for cultural contacts and newly mixed populations, a radically different ethnic map and cultural life emerged from which no area or people was able to remain completely isolated. Some of the consequences of this period for the literary languages of Central Asia and, to a lesser degree, East Turkestan, included: (1) contact with Persian cultural life and the resultant influence of Persian syntax and Arab-Persian vocabulary; (2) contact with the Mongol language on a primary linguistic level, as well as in connection with institutions, systems and forms introduced during the era of Mongol rule.

Any linguistic feature which can sufficiently be shown to reflect this new set of historical and social circumstances can consequently be assigned a relative date of XIII- .

One must establish the distribution of a given linguistic feature in the texts over time and, insofar as it affects occurrences in the Qaraxanid texts, across space as well. It is only occasionally possible to date Uyyur secular and non-secular texts, but there are certain of these which are definitely XIII- :

- (1) blockprint editions of Uyyur Buddhist texts all of which date from the Yüan or later periods when this type of printing was first used, although in a few cases such editions may be of translations made prior to the XIII century;¹³
- (2) late Buddhist texts, such as the 1328 translation of the Yitiken Sudur or the XIII- Ārya-rājāvavā-dakā-sūtra translated from Tibetan, and late manuscript copies of early translations, such as the 1687 Leningrad copy of the Suvarnaprabhāsa;¹⁴
- (3) late secular texts of a quasi-scientific nature, either dated to the XIII-XIV cc., as TT VII Nr.4 (1202) or Nr.5 (1367-1368), or datable according to late features, as TT VII Nr.31 (Persian loans, -sa conditional, additive counting);

- (4) late personal papers, of which only one, Letter C, with the Mongol loanword aya and the change d > y in gayyu, can be certainly dated XIII- thus far,¹⁵
- (5) the so-called "Turfan Songbook" consisting of a set of six rather moralistic songs with a decided Islamic tone, with the -sa conditional, the change d > y, and Arab-Persian loans;¹⁶
- (6) the Uyyur script copy of the "Legend of Oyuz Xayan" written in the "Mongol Official Alphabet" and containing Mongol, Arabic, and Persian loans, as well as other late indicators;¹⁷
- (7) the XVI century compilation of the Sino-Uyyur vocabulary and audience papers called the Kao-ch'ang-kuan Yi-yü and originating at the Ming Bureau of Translators.¹⁸

When a given feature occurs exclusively in these texts, or in these as well as in texts which may be suspected of being late (especially among the secular texts), then we are justified in speaking of a XIII-feature. If we did not have the control of such texts vis-à-vis the civil documents, there would be the danger of circularity in that if we assume the documents to be XIII-XIV cc., and if we find certain features only in these documents, then the features could themselves be falsely considered XIII- .

Nonetheless, even with the application of the method outlined above, there are further dimensions to the problem of the chronological delimitation of the civil documents according to linguistic features. These involve certain variables in the definition of the East Turkestan literary language itself:

- (1) the "book language" found in religious and quasi-scientific secular texts was a largely monolithic one subject to conservative influences from its inception in the VIII century through its disappearance in the early XV century, so that XIII- Buddhist and other works reflect this conservatism and rarely contain "late" features;
- (2) the language of secular and civil texts was essentially the same as that in religious texts and therefore, in principle at least, subject to the same conservative influence;
- (3) moreover, the language of the legal contracts in particular was further governed by rigid formulas and legalistic expressions that would not be subject to temporal developments;
- (4) a further aspect of the above would be that scribes of both secular and non-secular texts were presumably trained in a single literary language, that is, in a conservative medium

- whose style and principles could be observed to varying degrees in different situations, as in copying a sūtra or in writing out a contract,
- (5) within the framework of a conservative literary language constantly subject to "progressive" influence over time, there is the possibility of an influence from the "spoken" language, a possibility that involves such complex questions as by what standard could we judge what is a "spoken" and what a "literary" feature, or from what specific "spoken" dialect and type (idiolect, class, city vs. nomadic) dialect such a feature arises, a factor further complicated by the mobile atmosphere obtaining in the trade centers of East Turkestan;
- (6) a final factor to be considered is the possibility of linguistic influence from the Qaraxanid literary language, in existence since the XI century at Kašgar and certainly at other centers of this dynasty; the questions of cultural and economic contacts between the Qaraxanids of West Turkestan and the Uygurs in East Turkestan, as well as the linguistic definition of their literary languages, both arising from a common Qarluq ethnic basis, have not received the attention of specialists;

and in any case there is no obvious body of evidence to call upon to support a special interaction between the two.

By taking into account these variable factors, I believe it is a reasonable procedure to use linguistic features as dating indicators, and we shall see that several such features may be interpreted with a fair degree of surety as having existed in the XIII-XIV cc. literary language of East Turkestan, and not earlier.

Phonetic Features

The phonology of the civil documents is, practically speaking, that of the language of the Uyghur religious literature. It shares with that language the conspicuous sound change $\tilde{n} > y$, which would classify it as an ayly-dialect according to the von Gabain-Sinor displacement of Old Turkic dialects;¹⁹ cf. 60:8 qıday < qıtañ "China, Chinese; Qitan/Liao dynasty", 70:3 ayly < añly "evil", as well as gayu < qañu "what" and goyn < qoñ "sheep" (see pp. 280 - 281) throughout.

Other than this, the following exceptional phonetic features have been noted:

d > y : This sound change is noted in other XIII-texts; cf. Songbook 1:8, 2:12 qayyu < qadyu "grief", 5:5 eyqū < edqū "good" (but 3:5 edqū!), 4:8 qoy- < qod- "to place", 5:11 key- < ked- "to wear"; Letter C 10 qayyu < qadyu "grief"; ETŞ 11:23 qayyu < qadyu (but 11:21 qatyu!); LOX 164 qayyu < qadyu "grief", 136 uyu- < udu- "to sleep", 278 qoy- < qod- "to place", 373 ayyır < adyır "stallion" (but LOX 12 adaq "foot", 22 bedük "big", 33 adly "bear", 263 ud "cow!").

Such a change occurs in no certainly pre-XIII century text, and the indication of von Gabain, ATG, p.54, that kidiz > kiiz (i.e. kiyiz) "felt" and idi > ie (i.e. ie) "lord" occur in early texts is a misunderstanding. In fact, both of these words enter into a resonant alternation -d- ~ -q- ~ -y-, in which it is still difficult to discern whether it is the change d > y or the change q > d (as in kerqek > kerek, eşqek > eşek, etc.) that occurs. — In any case, it is kidiz that occurs in the civil documents (18:2), and in 66:26 we find borluq iqesi "the proprietor of the vineyard" (cf. ED 41; ETŞ 364, note to 10:71 idi iqe).

Thus, were we able to locate cases of d > y in the civil documents, such might be taken as XIII-indicators. There are two such cases. One may be found in 97:55 lyle- "to cultivate", although in

97:48 we find the original adla-. This apparent contradiction is easily explained by the fact that this text was written by two different scribes, the second scribe being responsible for lines 52-66 (see pp.435-436). At the same time, this case exemplifies several of the points insisted upon above (pp.119-121) concerning the variable to be considered in the definition of the literary language.

A second case is constituted by the negative converb -madin/-maḍin (cf. ATG, pp.124-125; Ščerbak 1961, p.150), in which the -d- has developed from -t- by a rule of voicing between vowels. This is a rare case of a voiceless -t- becoming voiced and subsequently entering into the sound change d [=ḍ] > y (another is qadaš < qa + daš, appearing in Čaḡatay as qayaš; cf. ED 607). In the civil documents, we find the form -madin/-medin as a rule, but also the form -mayin/-meyin in the following cases: 64:21 qilmayin, tudmayin, 73:5 qaldırmayin, 74:4 bolamayin, 82:9 tyldamayin, 97:50 tudmayin. In other texts of the XIII- period, we find: Letter C 11 kelmeyin, but Songbook 6:3 sannadin. Brockelmann has pointed out that -mayin/-meyin first appears in the Islamic texts in Abu Ḥayyān (XIV c.) and Rabyūzī (XIV c.) (OTG, p.253), and Eckmann states that -mayin/-meyin is used in Čaḡatay literature only in poetry for metrical convenience (Čaḡatay Manual, p.151).

g > Ø : It is believed by some (cf. Hamilton, Le Conte, p.4; Ščerbak 1961, pp.63-64) that the loss of -g- in kergək > kerek "necessary" is an indication of a late form. Indeed, one finds kerek in LOX 108 and Songbook 6:4 (but the proverb quoted in Songbook, p.130, has kergək!), and in TT VII 28:54 (divination text), TT VIII I and M (medicinal texts), and in KP LXXIX.4 (Hamilton, Le Conte, p.92n, takes this to be a form of the "spoken" language). The Qaraxanid texts of the XI century (MK and QB), and all-later Islamic Turkic texts know only the form kerek (ED 742). This data is quoted merely to stress the often contradictory nature of linguistic features for, whereas kerek occurs only in XIII- East Turkestan non-civil texts, it is nonetheless true that only kergək occurs in the XIII- civil documents.²⁰ Otherwise, the loss of -g- does occur in instances in the word eŋgək "ass", already in MK and later Islamic texts (ED 260), but also in: Nrs.24:3, 120:96 iŋək (but 69:25 iŋgək, 141:2 eŋgək!).

r > Ø : Malov had read Nr.21:3 temike > temirke, 21:7 berginče > berginče and queried whether it was not impossible to see here "a reflection of the actual pronunciation of these words in the living speech?" (Malov 1927, p.391; cf. Ščerbak 1961, p.64, where

LOX 122 biqū ~ 195 birqū is also quoted). Inspection of the facsimile indicates to my eye that these forms are ambiguous due to the cursive script, and need not be given any special consideration. In any case, the sound change to which Malcev alludes is found only in some of the modern East Turkic dialects and cannot be located in any literary text of whatever age or area.²¹

Grammatical Features

The grammatical system of the civil documents does not differ substantially from that in the other Uyghur texts, and in only a few instances can we gather material indicative of a later period.

Definite Object : In the older literary languages there existed two suffixes to express the definite object case. Each suffix for certain periods and types of texts occurred in definite environments. Thus, the suffix -nī/-ni was used beside the suffix -iy/-iq but almost entirely with personal pronouns or personal possessive endings in the definite case (cf. ATG, p.88; Ščerbak 1961, pp.78-80). A mere selection of this usage of -nī/-ni:

Runic: Ongin 12 qorlyñq-nī (ed., Clauson, p.187);

Manichaean: ManIII 16:7 özötümöznī, TT II A 1 siznī,

TT III 22 uruqunquznī, 130 siznī, TT IX 71 siznī;

Uyyur: UigI 6:6 olarni, UigIII 14:7 yalinigizlarni,
55:11 uyusunguzlarni, UigIV C 118 bularni,
D 23 qurincimizni, HT 49 yasinqizni, 1889
buzulmaqimizni, 2100 idmishinqizni, ETŞ 10:288
bizni, 12:6 bularni; also note UigIII 71:26
kimni, ETŞ 24:7 alqunı.

There are , however, a few examples of the use
of -ni/-ni with other nominals in the definite object
case, by far the most notable of these being that in
Ton 9 Tabyačyaru Qunı Sengünöq İdmış "he reportedly
sent General Qu to the Chinese". This must be
compared with the similar passage in 8X S 9 Quy
Sengünöq balbal tike birtim "I erected General Qu
as a balbal for him". The conclusion that -ni
functioned as a definite marker in Ton 9 Qu-ni appears
to me to be inescapable. Otherwise, in the Uyyur
secular and non-secular literature we find several
examples of this usage:

UigII 34:8 (blockprint) mudurni, 34:11ff. darnini;
TT VII 25:6 (medicinal) kiş ini, 38:12 (divination)
könlarni; TT VIII L 13 (astronomy) birni, L 29a
muhurtni, L 35 ikiqöni; ETŞ (poetic texts from a
XIII- ms.) 9:77 belqöni, 11:41 öşikni, 11:45
tutmişni, 11:95 bilignı, 11:141 balıgnı, 11:153
mişananı, 11:157 lerkönni, 12:8 sözni, 12:13 tnqrini,
12:14 erdinini, 12:16 buzni, 12:25 suvni, 12:27
burxanni, 22:24 tayzılarni; cf. Songbook 2:11

könni, 3:10 ažunni; LOX has the marker -ni/-ni throughout.

It must be emphasized that the occurrences of -ni/-ni in these texts are exceptional since otherwise only the suffix -ly/-iq is used in them (other than the Songbook and LOX). Nearly all of these texts are demonstrably XIII- , so that there can be no question of the replacement of -ly/-iq by -ni/-ni at a certain point in time, nor even of a gradual encroachment of -ni/-ni into later texts, since even very late Uyur Buddhist texts have only -ly/-iq as the definite marker except for pronouns and personal possessive endings.²²

What is truly remarkable is that only one occurrence of the -ly/-iq marker may be found in the civil documents: 71:1-2 men Qaračuq ayır iqlemište oyllumqa qalmış tvar-ly öteklep gotdum "I, Qaračuq, because I have become seriously ill, have bequeathed the property I have left to my son". Otherwise, only the marker -ni/-ni is used. Is it permissible to speak of the replacement of one for the other in this case, particularly when we find -ly/-iq occurring in texts contemporary to the civil documents?

The data above indicate the following distribution of these two suffixes: VIII-XIV, -ly/-iq forms the definite of all nominals except pronouns and those

with personal possessive endings which have -ni/-ni; XIII(?) - XIV, the same distribution, except that -ni/-ni is used sporadically for nominals other than pronouns and those with personal endings in both religious and secular texts; XIII - XIV, only -ni/-ni is found in the civil documents (except 71:1-2) and in folkloristic texts.

One possible conclusion to be drawn is that the continued use of -iy/-ig in later religious and secular literature is a "conservative" factor of the literary language, whereas the occasional occurrence of -ni/-ni in these texts and its exclusive occurrence in civil texts is a feature of the "spoken" language. Were we to accept, however reservedly, this view of things, it would be impossible to pinpoint the date or century of such a replacement, precisely because the "conservative" factor must be seen linguistically as one which is not subject to temporal interpretation.

Another possible conclusion, namely that -ni/-ni occurs only in a certain type of text (civil, personal, secular), appears to be invalidated by the data above, whereby -iy/-ig is found in secular texts (cf. TT VII, VIII, Heilkunde I-II) regardless of their age, as well as in Nr. 71 of the civil documents.

This question is one which requires a deeper investigation than that attempted here. Ultimately,

the decision of whether -ni/-ni is a late feature of the Mongol period or later, or an early feature of the spoken language does not affect the dating of individual civil documents, since all but one of them have only -ni/-ni.

Ablative : It is well-known that in the old literary languages of Mongolia and East Turkestan/Kansu, the suffix -ta/-te functioned both as the locative and the ablative (ATG, p.88; Ščerbak 1961, pp.80-81), and that in later literary languages and modern dialects the two functions are expressed by distinct suffixes: -ta/-te for the locative, -tan/-ten ~ -tin/-tin for the ablative. The latter suffix is indeed found in the earliest texts, but its occurrence is largely confined to directional phrases (ATG, p.69; Ščerbak 1961, pp.81-84; Bang, Briefe III, pp.393-394) and it does not as a rule function as a free morpheme to express the ablative. In theory, then, there ought to have been some point in time at which -ta/-te lost its ablative function and was replaced by -tan/-ten.

One exception to the restriction of -tan/-ten to directional phrases consists of those cases in which certain verbs govern the ablative with this suffix. Several examples may be found in early texts:

ManI 7:2 īyačdan ūn- (but 8:15 terisinte ūn-), 13:14 tengriden tamudan yogaru ay-, ManIII 8:vi,4 qallıydan kel-, 15:21(ii) köçlöglerden ... kel-,

TT III 138 avtin barqtin ün-,²³ UigI 6:5
Orislimtin ün-, UigI 37:4-5 et'özintin ... ün-,
 UigII 7:56,68 amgekandin oz--.

Apart from such cases (directional phrases, certain verbs), the Uyyur religious literature and the bulk of the secular literature has -ta/-te in its double function. Of the XIII-XIV cc. folkloristic texts, both the -ta/-te and the -tan/-ten ~ -tln/-tin suffixes are noted for the ablative in the Songbook 5:3 irabtln, 6:3 qilmışta kin, 6:15 bolmışta kin, whereas only -tln/-tin is found in Letter C and LOX.

The situation in the civil documents is difficult to establish with precision. One may say that -tln/-tin occurs everywhere except in the following cases:

1:3 Oyulta, 2:2 işirete, 4:3 Şalite, 13:10 yirte,
 15:2 Yançanqırta, 16:2 Tay Beqte, 17:2 Artmışta,
 18:2 goçyarda, 18:3 Arslan Sinqqur Ūlte(?), 20:2
Çanaqta, 34:3 kitininte, 35:4 kit[in]inde, 39:5
kidininte, 55:4 kidininte, 67:2 [öz]ümte, 133:2
Adayta, 137:4 Sanqunta; for 120, see below.

Of these, facsimiles exist only for 1:3 (definite), 17:2 (possible), 20:2 (obscure), 34:3 (definite), 35:4 (obscure), 67:2, 133:2 (both definite). Most of these texts, all but Nrs. 34, 35, are datable by other indicators to the XIII-XIV cc. Three of the texts also have the suffix -tln/-tin beside -ta/-te:

13:3 YanpatutIn, 18:5 arq1stIn, 133 everywhere but in line 2. As facsimiles are not available for Nrs. 13 and 18, it is impossible to ascertain whether these are mistaken or correct transcriptions.

In the large account book, Nr. 120, which is definitely to be dated XIII-, we find both types of ablative markers, each clearly distinguished even in the cursive script of this text.²⁴ The two suffixes are distributed within the six sections of this document as follows: I. has only one occurrence of an ablative, 10 evtin On-; II. has -ta/-te everywhere except 74 evtin On-; III. has -ta/-te except 83 evtin UndOr-; IV. has -ta/-te; V. and VI. have only -tin/-tin: 182 evtin [verb obscure, but probably UndOr-], 191 XoJatIn ... Id-, 196 SumItutIn ... Id-.

Tentatively, one may distinguish a different handwriting in V. and VI. of Nr. 120 from that in preceding sections (cf. IV. 125 qoyn yll and V. 137 qoyn yll for the difference), which undoubtedly accounts for the exclusive occurrence of -tin/-tin in V. and VI. as opposed to -ta/-te in I. through IV. That -ta/-te in sections I.-IV. is not some sort of abbreviated orthography for -t(a)n/-t(e)n or -t(i)n/-t(i)n is obvious from the clearly written cases of evtin in lines 10, 74, 83, where -tin is required by the verb On-/UndOr-, just as in the examples quoted above

from Manichean and Uyğur literature. Nor could there be any question here of a temporal replacement of -ta/-ta by -tin/-tin in the period between the writing of sections I.-IV. and V.-VI.

The case of Nr.120 clearly demonstrates that the double function of the suffix -ta/-ta continued to exist in the XIII-XIV cc., and that beside it existed the ablative marker -tin/-tin. Therefore, the occurrence of the marker of the ablative in any Uyğur text does not indicate an early date. The presence of the ablative marker -tin/-tin in additional phrases and as governing particles can be taken as at least a suggestion of a post-XIII century date. As noted above, nearly all of the civil documents have the latter marker.

Counting System : Until fairly late in the progression of Turkic literary languages, there was a single peculiar system of expressing the numerals in the decades (10-90), which might best be introduced by examples. Thus, "11" was expressed in this system by bir yigirmi "(literally) 1 (and) 20", "28" by sakiz otuz "8 (and) 30", "44" by tört eliq "4 (and) 50", and so forth. In the system of later texts and most modern Turkic languages, these numerals would be

expressed by on bir "10 (and) 1", yalırlı sekiz "20 (and) 8", qırq töt "40 (and) 4", respectively. The first system might be termed "staircase counting" as von Gabain,²⁵ or even "staircase counting" in the sense that "28" = sekiz otuz is "eight steps to twenty on the way to thirty". The second system might be termed "additive counting" in the sense that "28" = yalırlı sekiz is "twenty plus/and eight".

The staircase system was first explained by Bang on the basis of the chronology of events in the memorial inscriptions of Käl Teqir and Bıçlıq as worked out by J. Marquart.²⁶ It is found in a number of the Runic, Manichean, Uygur and Sogdian sources of literature from Mongolia and East Turkestan/Kashgar apart from a few exceptions noted below. Bang, utilizing the Early Yuyur linguistic material collected by Potanin in 1886, added the fact that staircase counting is still the norm among the Early Yuyur of Kansu.²⁷

The additive system, however, is the only one employed in Qaraxanid texts, in the subsequent Seljuk, Persian, Qipčaq and Uyuz literary languages, and in the majority of modern languages and dialects.

In Uygur literature, we find very few examples of additive counting: IT VII 1.30 (dated 1356) on 8 "18", 18.1 (dated 1346) on yärlı "17", 31.1 (divination text with -sa/-se and Persian loan

from Manichean and Uyyur literature. Nor could there be any question here of a temporal replacement of -ta/-te by -tln/-tin in the period between writing of sections I.-IV. and V.-VI.

The case of Nr.120 clearly demonstrates the double function of the suffix -ta/-te continued to exist in the XIII-XIV cc., and that beside existed the ablative marker -tln/-tin. Therefore the occurrence of -ta/-te as a marker of the date in any Uyyur civil document does not indicate early date. Conversely, the occurrence of the marker -tln/-tin, except in directional phrases as governed by certain verbs, can be taken as at least a suggestive indication of a post-XIII c. date. As noted above, nearly all of the civil documents have the latter marker.

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XIII-) otuz aldi "36". Possibly there are others, but there is no reason to think that any pre-XIII century occurrences of this system will be found. In the Uyyur civil documents, the normal system is staircase counting, but there are a few examples of additive counting: 17:2 altmiš üč "63", 19:5 on altı "16", 28:4 on iki "12", 50:6 on üč "13", 82:1 on sakiz "18", 90:4 yitmiš iki "72", 137:1-2 sakiz on iki "82", 137:3-4 altmiš altı "66".

Lacking evidence to the contrary, it is permissible to take the occurrence of additive counting in an East-Turkistan text as an indication of a post-XIII century date, without entirely forgetting the possibility of a Qaraxanid element.

Conditional : One of the strongest linguistic arguments of this type is that based on the chronological occurrence of the conditional suffix -sar/-ser in its abbreviated form -sa/-se. The full form -sar/-ser had a definite distribution in the Turkic literary languages, occurring in Runic, Manichean, Uyyur and Brahmi script texts from Mongolia and East Turkestan/Kansu (ATG, p.132; PTF I, p.39). It clearly continued in use in post-XIII century Uyyur texts of all types, including the civil documents.²⁸

The abbreviated -sa/-se occurs only in a few Uyyur texts, specifically in: TT VIII 28 (divination)

and 31 (astrology, with additive counting and Persian loans); KP LXXVI.5 bulsa "if he obtains". Hamilton (La Conte, p.91) writes that the reduced -sa/-se "was without doubt already common in the spoken language of East Turkestan in the X century, for, in the texts of a civil nature, private letters, etc., from the Uyyur collection of Tun-huang [i.e., the unpublished Pelliot collection], the form -sa/-se is almost as frequent as the form -sar/-ser". Hamilton is here a victim of the mistaken assumption that all these Uyyur texts in the Pelliot collection are necessarily pre-1035 (see above, p.111), whereas it is far more likely that the manuscripts referred to here are from the Mongol epoch or, at the very least, this possibility cannot be excluded.

In the Uyyur folkloristic texts of the XIII-XIV cc., we find the abbreviated -sa/-se quite frequently: Songbook 3:7 sagınsang, 4:8 qoyşa, 5:11 kaysengiz, 6:16 qılşa, Proverb (quoted Songbook, p.130) yayza and kelze; LOX 110,112 bolşa, 187 ırse.

In the civil documents, the reduced form occurs in a number of texts, always in the spelling -za/-ze:²⁹ 13:8, 27:9, 52:17,18, 64:16,17 bolza, 26:7,27:7, 31:6 tudza, 26:8,10, 27:8, 31:7 kelze, 42:9, 52:13 taplaza, 42:10, 52:14 taplamaza, 64:12 tuyza, 99:8 tilaze, 99:10 tilemeze, 99:17 bolmaza, 77:7 birze, 77:10 tigmeze.

It is most interesting to note that in three of the texts with -za/-ze there also occurs the form -sar/-ser, 50:14 taolasar, taplamasar, 50:19 qilsar, 64:22 tudsar, barsar, 99:11 tiser. These overlapping occurrences can be explained as a result of their incorporation into rigid formulas.

As other scholars have suspected (von Le Coq 1918, p.351; Arat 1965, p.269, n.8), occurrences of the abbreviated conditional in Uyyur texts are indicators of a post-XIII century date. Once more, a cautious note must be sounded due to the fact that the reduced form is the only form noted in other Turkic literary languages, beginning with Qaraxanid (PTF I, p.106), and elsewhere (PTF I, pp.67,83,130,177; Ščerbak 1961, pp.146-147).

Vocabulary

Native : The possibility that certain native Turkic words were used only in texts of a defined period and were then lost or replaced by other words in a subsequent period is difficult to demonstrate, as such a distribution is subject to a variety of factors.

As an example, it appears to be the case that the kinship terms ḡq "mother" (ED 99) and qanq "father" (ED 630) occurred only in the Runic, Manichean and pre-XIII century Uyyur texts, surviving otherwise only in the noun ḡqsḡz "motherless, orphan" (ED 116)

and in similar derivatives of qanq. Further, it appears that these terms had been entirely replaced by ana "mother" (ED 169) and ata "father" (ED 40). However, there is after all a late occurrence of āq qanq "ancestors ('mother and father') in the civil document Nr.59:6 (see below, p.312), wherein one finds the Mongol loanword aga "older brother", thereby discrediting the possibility of an exclusively pre-XIII century distribution of āq and qanq.³⁰

With the aid of Clauson's Etymological Dictionary, we are able to see at a glance that all but one of the native Turkic words in the Uyyur civil documents occurred throughout the chronological range of the older literary languages (VIII-XVII cc.). The exception is the noun qaryaša "quarrel, dispute", which is found in Nrs.78:7 and 100:12, both otherwise dated to the XIII-XIV cc., and in CC 194 qaryaša "a quarrelsome man" and TS 2312 qaryaša (XV-). It is, as Clauson states (ED 658), a deverbal noun from qaryaš- "to curse one another", which is found only in MK (ED 656) and in Jarring 240 qaryaš- "id.". Whether by chance or by origin, qaryaša occurs only in post-XIII century texts, but there are no other native words in the documents indicative of an exclusively early or late date.

Mongol : The issue of mutual borrowings vs. inherited vocabulary between the Turkic and Mongol language families is a sensitive one in current Altaic Linguistics. There is, fortunately, no necessity to enter here into this controversy, as the problem that lies before us involves the identification of a group of obviously late (XIII-) Mongol elements in the language of the writers of the Uyyur civil documents. In any case, the "Altaic" or Turkic vs. Mongol origin of only a few of the words discussed below has ever been disputed, and nearly all of them have been recognized as Mongol loans even by the most adamant of pro-Altaicists.

A conspicuous feature of these words is that they do not occur in pre-XIII century Turkic texts. Another feature of the group as a whole is that it is comprised of semantic domains, such as onomastica, kinship, legal and financial terms, all of which reflect obvious types of cultural and historical contacts. The sphere of Mongol influence does not extend into East Turkestan until the beginning of the XIII century, becoming most intense during the Yüan dynasty and the period of Čayatai and Möngöl rule. On both historical linguistic and cultural-historical grounds, then, any civil document with a demonstrably Mongol element must be dated XIII-XIV centuries.

It should be emphasized that although several of the Mongol words noted below were originally borrowed from Turkic (e.g. bayan, Köke, töle-, et al.), their meaning in the documents is that which they acquired in Mongol or that which is directly connected to a Mongol institution, and so must be regarded as reverse borrowings.

The occasional presence of Mongol personal names implies, rather than a mere loanword, the presence of Mongols themselves in the commercial and legal life of East Turkestan. That this was indubitably the case is generally wellknown and is particularly attested to by the discovery of a number of civil documents in Mongol at the ruined sites around Turfan. Those personal names which I have thus far been able to identify are:

51:22 Beki Adar, 63:2 Adar qiz. Both of these are feminine personal names (beki "princess", qiz "girl"), and the name Adar ought to be that found in the clan name in SH §§46,207,260 Adar-kin, §46 Adar-kidai, and in S-M 1338, 20 Adar (cf. Cleaves, S-M 1338, p.93,n.103).

20:5 Bayan = Mo bayan "rich, wealthy". This name is frequent in Mongol onomastics (cf. SWCCL 164; Pelliot, Notes I, p.66); see further below under bayan.

131:17 Borolday = Mo boro "gray" + -l-dai. The name also occurs in SH 3,129 Boroldai, SWCCL 51 Boroltai, 352 Boroldai, and in Pelliot 1949, pp.63-64. In Čayatai, borolday is the name of a small bird of ash-gray color (cf. Vámbéry, Čagataische Sprachstudien, Leipzig 1867, p.247).

*35:18 Busartu Singqay Qaya. Hamilton identified the first component of this name as Mo buzar "dirt, abomination, infamy" + -tu, the Mongol suffix, evidently thinking of the entry in Lessing's dictionary of Classical Mongol, p.143 BUZAR "dirt, etc." (cf. Hamilton 1969, p.50). In the divergent transcription system employed in this dictionary, z is used for ɣ, so that BUZAR is of course buɣar. In any case, z is not in the Mongol phonological system, so that a spelling s in Busartu could not have been read as a Mongol word with s = z. As this identification, Hamilton's other remarks on names in these texts ending in -tu being identified as Mongols or even Qara Qitais are similarly wide of the mark.

*20:2 Čayan. Yamada read the name as Mo Čayan "white" (1964, p.78), but to my knowledge Čayan in Mongol onomastics serves only as the base for derived forms such as Čayatai, etc. (cf. Pelliot, Notes I, pp.250-254). Probably this name is to be read Čanaq "bowl, dish"

(ED 425), and is to be counted among those names drawn from the first object that catches the mothers' eye after her child is born.

11:11 Čisun S(e)ngqe = Mo čisun "blood" + senqqa "lion" (← Tibetan señ-ga; see below).

24:18 Išiqe = Mo isige "kid, young goat".

107:1 qačan kōke = qačan (?) + Mo kōke "blue" (cf. TME III 640-642). The first element, qačan, if it is not a mistranscription of sečan "wise", is otherwise not identified.

43:8 Sariy Lama = Tü sariy "yellow" + Mo lama "lama, Buddhist monk" (← Tibetan bla-ma).

54:16, 98:2, 122:9 maši = Mo masi "extremely, very, very much". Semantically, this may be compared to the use of Tü keš "very, extremely, very good" as a proper name (cf. ED 700; originally Sogdian).

41:15 Merkid. This is the ethnonym of the Mongol tribe Merkid found in SH §§ 102-106, SWCCL 227, Juvaynī 34n, 63n, and as a proper name in MTDoc 5:3 Merkid Senqgdm.

*62:18 Mongol Buga. - Rather than take this name to be composed of Mong(y)ol + Tü buga "bull", which would be an odd name, I think we have here the native Turkic word munyul ~ munqul "confused, troubled, stupid", derived from the root mun-/bun- "to be mentally

deranged or disturbed" (ED 768-769; DTS 349,351), which occurs in TT III 25, Suv 624:17-18, and ETŞ 7:52 (see Arat's note on p.316).

69:26 MongyolYin. This name occurs in the will Nr.69:26-27 Memet(?) Mongyol-Yin Üdegčü(?) birlе ortug altı şig yir "six shih of land held in common by Mehmet(?) and Üdegčü(?) of the Mongols". It is hardly likely that MongyolYin, which is here clearly written with the Mongol orthography Y = Y, is composed of Mongyol + the feminine suffix -Yin (cf. TME I 500; SWCCL 118), which name occurs in SH §3 MongyolYin üo'a "wife of BorYigidaï-margan" and otherwise for women. The suffix -Yin is also used to specify the use of a language (mongyolYin "in the Mongol language") and to identify a person's ethnic affiliation (mongyolYin "of the Mongols"), and the latter function best applies to the present case (cf. Cleaves 1954, p.122,n.314; Cleaves-Mostaert 1952, p.462,n.49). The ethnonym Mongyol has recently formed the subject of an etymological study by G. Doerfer, *Der Name der Mongolen bei Rašid ad-Dīn*, CAJ XIV, 1970, pp.68-77; also cf. KY 183 for remarks by Ligeti.

11:5 Nogoy, 113:2 Qara Nogoy = Mo/TÜ qara "black" + Mo nogai "dog". Radloff had transliterated this name as 'wqwy, which he read as Bquy, but the present reading is equally possible and far more likely.

Nogai is common in Mongol onomastics; Pelliot 1949, p.73, n.1, remarks that there are no less than 16 Nogai in the Yüan-shih (cf. Juvayni 266n; TME I 520-521).

65:13 Ügüday. This is the name of the Mongol emperor, Ügüday (1228-1241), the occurrence of which has been discussed above, pp.13,110 (cf. Cleaves, Grigor, p.409; TME I 167-169; Pelliot 1949, passim).

51:19 Qarayunaz. This is a Mongol ethnonym, qarayunas, which is derived from mo qarayun "darkness" + the plural -s (TME I 403-404). In Moyolistan, this name appears to have been used by the Mongols to designate Turks, whereas čete (TME III 55-56) was used by the Turks to designate the Mongols (cf. KYD 259, n.11; Pelliot, Notes I, pp.183-196; Jean Aubin, L'ethnogénèse des Qaraunas, Turcica I, 1969, pp.65-94).

6:13 Senge, 10:3 S(e)nqge, 11:11 Čis:n S(e)nqge, 26:11 Senge, 7122:5 Inc S(e)nqge, 7122:8-9 Barkin S(e)nqge. This name is common in Mongol onomastics as Senqge, where it is borrowed from Tibetan sen-ge "lion" (cf. Cleaves, S-M 1338, p.74, n.15). The name in 11:11 is "blood lion" (see above, Čisun); in Nr.122, S(e)nqge could possibly be a mistranscription for Qaya.

51:3 Toqdamış = Mo čoyta- "to stand, to stop" + TO -miş participle (TME I 272-273). The name is fairly common during the Mongol period and later (cf. Juvayni 61n; Pelliot 1949, pp.70-71), and is

calqued on the Turkic name Turmış ~ Turdı, which have the root tur- "to stand, to stop" + -mıŝ participle or -dı past tense marker. The name has been explained by Jarring as follows: "Names like this one are often given to children who are very weak and sick during the first days or weeks of their life, but who, contrary to expectation, survive" (Materials to the Knowledge of Eastern Turki, II, Lund 1948, p.40, n.2; similar explanation by Le Coq 1911, p.87).

13:14, 52:25, 64:33, 80:5, 82:21 Torji. This name is written TWRČY, but may be interpreted as Torji and identified with a name of common occurrence in Mongol onomastics, Dorji, which is a borrowing from Tibetan rDo-rje (cf. Hambis, YS CVII, p.114, n.1).

18:9 Yake Baŝ Oyul, 81:7 Yeke Baŝ, 114:2 Yeke Buqa = Mo yake "big, great" (TME I 553-554) + T0 baŝ "head" + T0 oyul "son" + T0 buqa "bull".

In addition to these, Nr.97, the petition to Tugluy Temür (1347-1363), mentions several people with Mongol names: 97:16 Quduqu Badur (cf. SH §260 Šiqi-quduqu; Juvaynī 35n; Hambis, YS CVII, p.28, n.12); 97:23 [E1]iqidei Xan (cf. SH §229ff.; Juvaynī 184n; Hambis, YS CVII, pp.29-30, n.1); 97:34 [Yis]on Temür (cf. Pelliot 1949, p.88); 97:42 T[e]müqe (cf. SH §60f.; Juvaynī 39n, 42n; Hambis, YS CVII, p.20, n.22, for Temüqe-ötčiqin).

The group of Mongol loanwords, including those originally Turkic words which acquired special meanings after they were borrowed into Mongol, includes various terms for taxes (alban, galan, qubčir, yasaq), legal terms (gubi, töle-, yasa, yosun), terms connected with the social structure (aya, bayan, nökör, uluy sō, taruya, töšümel), and others (asira-, čay, tergen):

Mo aga "older brother" occurs in these documents:

- (1) as a component of proper names: 41:2 Solda Aya, 51:4 Senqekdez Aya, 73:8 Ara Temür Aya; (2) as a kinship term alone: 51:6-7 men adası Qutluy Temür zyası Er Tuymış ayası Toqdamış üçüsqü birle "I, his father, Qutluy Temür, his older brother, Er Tuymış, and his older brother, Toqdamış, the three of us (have sold the boy)", 59:19-20 bu bitigni ayası Boqša Toyın öskinte qatınlarımqa ayıdıp birtim "I have issued this document (of manumission) at the request of my relatives in the presence of his older brother, Boqša Toyın", 66:1-2 men Titsu ayam Arčuq birle ayitişin ayamın bçyuzın yiqidqeli "I, Titsu, and my older brother, Arčuq, have talked it over; in order to improve the forage of my older brother (I have given my younger brother in adoption for a sum of money)", 78:8-10 men östüm oyfulılarım(?) ayalarım onluqum yuzluqum[sic!] kim kim me čam qaryaşa qilmasunlar "Neither I, nor my own sons, older brothers, decades, centuries, nor anyone whomsoever, shall make any

legal disputes"; (3) in the phrase aya ini "older and younger brothers" in the litigation clause of the following contracts: 41:12, 42:14, 43:3, 45:11, 46:8, 51:14, 52:16, 57:9, 97:47,59; and in 60:2 aya ini is a calque of Mo aga deqđ "royal princes" (cf. Ligeti 1973, p.7). In all these occurrences, the Mo word has replaced the native Turkic word iči "older brother" (ED 20), and is otherwise found only in post-XIII century Turkic texts and languages: Songbook 2:4, Letter C:9, LOX 331, KY 126, CC 28, BL 63, PdC 24, etc. (cf. TME I 133-140).

Mo alban "duty, tribute, general obligations of subject to ruler in cattle, products, guard and military service, etc." occurs in the following documents: 97:49-51 ösqa alban yasaq tudmayın [xan]imizqa köc birio yoridimiz "we have continued to give strength to our Xan, without being subject to any other alban yasaq (than inŷu service)", 97:62-65 bir kiři iki alban [t]udzun tiser [bay]lar [xan]imizning ol alban bizning ol "if it is said 'Everyone shall be subject to two (forms of) alban', (then) the vineyards are our Xan's, the alban is ours", 102:12-13 bu Altun Qayaga qalan qurut tūdūn qabın neqđ me alban (?alıř) biz tilemez biz "we shall not seek any qalan, qurut, tūdūn, qabın (taxes), nor any sort of alban (?alıř) from this Altun Qaya" (Radloff, US, p.27, 79, reads alıř; Arat 1937, p.107, n.1, reads alban). This

Mongol word has passed into a host of modern Turkic languages of East Turkestan and Siberia, but does not occur earlier than in Nrs.97, 102 (XIV c.), the yarliq of Haŋŋi Giray Khan, line 37 (1453), and in a derived form albutu "peasant, tax-payer" in the Sanglax, where it is described as a Mongol word and whence it enters derivative Čayataŋ dictionaries (cf. Clauson, Sanglax, p.31). The word is certainly not originally Turkic, but nor does it have a good etymology in Mongol (cf. Poppe-Krueger 1957, p.84, n.10c-d; Vladimirtsov, Le Régime, pp.211-212; Schurmann 1956, p.310; TME II 111; LSS 64).

Mo asira-(asara-) "to take care of, to nourish, to raise, to foster" occurs in the following documents:
64:25-27 tuymış oyulları birle tenq tutup kelinlep
birip edqđ asirap oyul tōrōsinče tutup "(I shall)
treat (the adopted boy) equally with my own blood
sons, provide him with a bride, raise him well,
and treat him according to the law concerning sons",
72:5-7 erke beqke taqmetin evimni tutup oylum Altmış
Qayanı asirap yorizun "(after my death, my wife) shall
not marry or become the consort of a beq, shall
maintain this house of mine, and shall continue to
raise my son, Altmış Qaya". The Mongol loanword
first occurs in post-XIII century Turkic texts:
KY 131, CC 42, TZ 142, xŠ, Mn, Gul, NF (Fazylov I 75).

Sang 34,95, MA 107, PdC 20 (cf. TME I 130-131; Ewb 29).

Mo bayan "rich, wealthy (man)" is found in the following documents: 50:16-17 bu Yungčining song bayan oyrlsı yalyanı bolza "concerning this Yungči (the slave sold in this contract), if later he becomes a thief of the rich or a liar", 112:4-6 iki kōri uyūr birle sekiz kōri uyūrni Esen Toyrlı bađlap sang (?early) bayanlarqa birzōn "they shall give two kōri of uyūr-millet and eight kōri of uyūr-millet to the granary (?yellow) bayan led by Esen Toyrlı" (the meaning of bayan is not clear in this text, for which no photograph is available). The Mongol word, which is a borrowing from Turkic bay, is not otherwise found in Turkic texts (cf. TME II 259-260).

Mo čay "time, period" is found only in the petition: 97:11 [E]sen Buqa xan čayınta "in the reign of Esen Buqa Xan" (similar phrase in lines 20,23,26,31,34, 37,40), 97:46-47 burunqı bu [xan]lar čayıntın berü "since the reigns of these above-mentioned Xans". This Mongol loanword is found only in post-XIII century Turkic texts: LOX 19,31,36, KY 149 [Malov, PDP, p.164, translates Suv 612:20 čaq anti as "just at this time", but it is here the particle čaq "precisely, exactly"; cf. ED 403; TME III 25], CC 73, Tap 355, Rabıuzı (PDP 375), xŠ (Fazylov II 511),

Sang 55,95, MA 130, PdC 276. Some scholars see the Mongol word as a borrowing from Turkic čaq "exactly, precisely; measure" (cf. ED 404), but in the meaning "time" the word can only be a Mongol element in these texts (cf. TME III 25-28; Ewb 95).

Mo nökör "companion, comrade, retinue, suite" occurs in a single document: 111:2-5 Buyan Tamör Ilčining nökörlerinke kesiq ašqa birqū bir šiq ed biš [tamb]in borni Turpan sangqa tudup "hold in the Turfan granary one šiq of meat and five tambin of wine to be given as watch provisions to the retinue of Buyan Tamör Ilči". The Mongol loanword is also found in post-XIII century Turkic texts: LOX 271,279,357, KY 185, CC 172, TZ 220, IM (Izbudak) 34, Gul, XŠ (Fazylov II 164), Sang 75,93, PdC 510 (cf. TME I 521-526).

Mo galan "a tax", galanči (with the Tö agentive -či) "someone whose labor is levied as galan(?)", occur in the following texts: 85:7-9 bu kōnte kin neqū yime galan barsız (?bertin) bolsar očeqū gal[a]nīmiz[ni] dīešip birir ūiz "concerning any sort of galan barsız (?bertin), after today the three of us shall divide and pay our galan equally", 86:7-9.11 xojetin yuz iki yarım bayllıy bōz alıp bizni birle galanči Turini borluqči birip "(as we required cotton cloth) we have received from the community xoja one hundred rolls of

cotton cloth, two and a half to each bundle(?), and have given as a vineyard worker the galanči, Turı, who is with us(?)", 12-13 bu Turıta neqome qalan qurud tōdōn qabın qodmadın(?) "without placing(?) any sort of qalan, qurud, tōdōn or qabın (taxes) on this Turı", 97:14-15 qalan kesip inYū bay[čılar]qa qalan kesmiš yeg "(the official) levied the qalan and there was no qalan levied on the inYū vineyard workers" (same phrase in lines 4-5, 9-10, 17-19, 20-22, 24-25, 28-30, 32-33, 35-36, 43-44), 38-39 qalan tōsōp inYū bayčıqa qadılmedı "(the official) organized the qalan and it was not fixed upon the inYū vineyard workers", 102:8-10 qalanın il öngdöninde(?) ösöp Budaşıriqa borluqçı birtimiz "we have discharged (him of the responsibility of paying) his qalan before the community(?), and have given him as a vineyard worker to Budaşıri", 12-13 bu Altun Qayaga qalan qurud tōdōn qabın neqō me alban (ʔalıš) biz tilamez biz (see above under alban), 130:2-3 Temür Buqaga bir [...] birmiš qalan yarım bōz "the qalan which was given (bir ...) to Temür Buqa was half a roll of cotton cloth", 131:1-2 yılan yıldı qalanqa ilčike birmišim "what I have paid to the minister as qalan during the Snake Year (a register of his payments follows)". Apart from these documents, the Mongol word is also found in US 77:7ff, in the yarlıy of Haǰǰı Giray Xan, line 14 (1453), and in

čayataj (Wb II 230). Neither a Mongol nor a Turkic etymology for the word can be found, but it is certain that it first appears as a designation for a tax during the Mongol period, particularly among the Persian historians, and thus, at least from an institutional viewpoint, must be considered a Mongol element (cf. TME III 488-490; Schurmann 1956, pp.309-310).

Mo gubčir (gubčiyur) "a tax", derived from the verb gubči- "to gather, to collect", is found in several of the documents: 75:2a yunt yil[q]l gubčir kāmčške all[p ...] "received as gubčir money during the Horse Year", 101:1 sening gubčir tarlyngta bu Samiš Tayışmağa üç kūrī tarly birqıl "give to this Samiš Tayışma three kūrī of tarly-millet from your tarly-millet (due as) gubčir", 104:1-3 sizler munča(?) gubčurnı sersün tip tüşümellerke bitiq idmiş siz "you have apparently sent a document saying 'You shall be responsible for (the collection of?) so much gubčur'" (dubious reading), 105:9-11 üç baqır kāmüš gubčırğa tutzun "you shall collect three baqır in cash for the gubčir" (similar phrase in 106:8-9, 107:10-11, 108:8-10, where the gubčir is for post-horses), 132:8-10 biš baqır birip čao alzun gubčırğa "(the previously named people) shall give five baqır and shall receive a ch'ao-receipt for their gubčir".

The Mongol word is not otherwise found in Turkic texts (cf. TME I 387-392; Pelliot, TP XXXVII, 1944, pp. 153-164; Poppe-Krueger 1957, p. 129; Cleaves, Grigor, pp. 436-437; Schurmann 1956, p. 310).

Mo qubi "lot, portion, fate, share (of inheritance)" is found in a contract for adoption: 64:17-18 ol oylanlar birla teng ök ülüş qubi birör men "I shall bequeathe him (the adopted son) an equal share with those sons". Here, the Mongol word is used in hendiaduin with Turkic ülüş "share (of inheritance)". The word is not otherwise found in Turkic texts, although there is an originally Turkic word qıv "divine favor, good fortune", which has been misread or altered as qıvıv gobı ~ govı in various passages of the Qutadqu Bilig manuscripts. (cf. ED 579, 581), and which may have been the source of the Mongol word (cf. TME I 422-423; Vladimirtsov, Le Régime, p. 133, n. 2, 144, 145; Pelliot, TP XXVII, 1930, pp. 39-40).

Mo sū (suu) "grandeur, fortune, imperial fortune, majesty", in the phrase uluy sū, which is a calque of Mo yeke sū (suu) "great grandeur, majesty", is found in the penalty clause of the following contracts: 42:18 uluy sūke bir altun yasduq "one gold yastuq to his majesty", 46:11 uluy sūke bir altun yastuq "id.", 50:22 uluy sūke aq yasduq "one white (i.e., silver?) yastuq to his majesty", 60:15 [ulu]y sūqa [sic] bir

The Mongol word is not otherwise found in Turkic texts (cf. TME I 387-392; Pelliot, TP XXXVII, 1944, pp. 153-164; Poppe-Krueger 1957, p. 129; Cleaves, Grigor, pp. 436-437; Schurmann 1956, p. 310).

Mo qubi "lot, portion, fate, share (of inheritance)" is found in a contract for adoption: 64:17-18 ol oyulanlar birle tenq ök üläš qubi birör men "I shall bequeathe him (the adopted son) an equal share with those sons". Here, the Mongol word is used in hendiaduin with Turkic üläš "share (of inheritance)". The word is not otherwise found in Turkic texts, although there is an original word qiv "divine favor, good fortune" which may be read or altered as qivīw qobī, of the Qutadyu Bilig manuscript and which may have been the word (cf. TME I 422-423; Vladimircic, 1933, n. 2, 144; 146; Pelliot, TP XXVII, 1944, p. 153).

Mo sū (suu) "grandeur, fortune, imperial fortune, majesty", in the phrase uluy sū, which is a calque of Mo yake sū (suu) "great grandeur, majesty", is found in the penalty clause of the following contracts: 42:18 uluy sūke bir altun yasduq "one gold yastuq to his majesty", 46:11 uluy sūke bir altun yastuq "id.", 50:22 uluy sūke aq yasduq "one white (i.e., silver?) yastuq to his majesty", 60:15 [ulu]y sūqa[sic!] bir

altun yastuq "one gold yastuq to His Majesty", 61:15
uluq sũke iki yastuq "two yastuq to His Majesty",
63:16 uluq sũke biš altun yastuq "five gold yastuq
to His Majesty", 70:11-12 uluq sũke bir altun yastuq
"one gold yastuq to His Majesty"; 65:13 Ügödey sũsinga
iki yuřũnq yastuq "two white (i.e., silver) yastuq
to His Majesty, Ügödei". The word is always written
SWW which, according to the rules of Uyyur orthography,
must be interpreted as sũ (cf. TWW = tũ, KWW = kũ,
LWW = lũ; see below, p.277). This interpretation is
supported by the addition of the palatal form of the
dative -ke in all but 60:15, but also by the etymological
connection of the word in Mongol to other front vowel
words (sũr, sũlde, sũnesũn, all connected with "divine
fortune"). I have already stated my contention that
the phrase uluq sũ "His Majesty" in these documents
refers specifically to Qubilai (see pp.14-15). The
phrase has been discussed in detail by Ligeti 1973,
pp.3-6 (also cf. TME I 342-343, with some mistakes).

Mo daruya "tax collector; administrative director
or manager" occurs in the spelling taruya in several
documents: 61:15-17 uluq sũke iki yastuq ũntũrũp mĩnq
beqĩ[n]ke bir yastuq Lũkčũnq taruyasĩnq yarĩm yastuq
birip ayĩr qĩyn teqĩr mĩn "I shall give (an honorific
which is literally 'to cause to rise') two yastuq
to His Majesty, and give one yastuq to the beq of
the chiliarchy and half a yastuq to the daruya of

Lökčöng, and I shall undergo severe punishment",

65:13-16 Ögödey süsinge iki yuröng yastuq öntöröb
Ordu-balıq taruı-alarınca ederke yarayu at birip
Čintsu Ayayqa Teqimlıqke birke iki birip ayır qıynqa
teqir biz "I shall give (honorific 'to cause to rise')

two silver yastuq to His Majesty, Ögödei, and give

a horse suitable for saddle to the daruya of Ordu-

balıq, and give two for one (i.e. twice the sum of

the contract) to Čintsu Ayayqa Teqimlıq, and I ('we')

shall undergo severe punishment", 97:23-25 [Eljigidey

xan Čayınta Tuyluy atı(ı)ı taruya kelip injü bayčılarga

galan kessimi yuq "in the reign of Eljigidei Xan,

the daruya named Tuyluy came and there was no galan

levied on the injü vineyard workers", 129:14-17

biş [böz]ke taruı-a qoyn alıp birdim bir yıl yarım

yoruq böz taruı-a birdim "for five rolls of cotton

cloth, I bought a sheep from the daruya; for a year,

I paid the daruya half a roll of yoruq-cotton cloth

(until the five rolls were paid in full??)" (this is

a personal register, which may account for the

sparseness of the grammar). The Mongol loanword,

which is derived from the verb daru- "to press", does

not occur frequently otherwise in Turkic texts:

CC 81, Haŋŋi Giray Xan 22,23,44 (problematic readings);

MA 403 (cf. Cleaves, HJAS XVI, 1953, pp.237-259;

TME I 319-323; Lambton, EI² II 162-163).

Mo terqen "cart, wagon" occurs in a single document, 25:2-6 manqa Töleq Temürke terqen ud kərək boluo 'Omarning ala udin terke aldım "as I, Töleq Temür, required a wagon ox, I have hired the brindled ox of "Omar". The Mongol loanword otherwise occurs in only a few modern Turkic dialects (cf. ED 544; Ewb 475; Cleaves 1955, pp.37-38, n.26).

Mo töle- "to pay (a debt), to compensate" and a derived nominal töleč "compensation, payment" are found in several of the documents: 64:27-28 gulyaq boyın tölep öner men tiser törö yaryu yosunı birle ada yasmış yasuuqa teqsün "if he says 'I shall grow up (öñ-?) and compensate gulyaq boyın ('ear and neck'?) then let him be held liable for the sin which he commits and the ada (?) in accordance with the practice of the customary law and the judicial tribunal" (translation extremely tentative), 74:16-17 men Taşıq yanıp kelip Turıqa tölep birser men men Turı borluqnı yandurup birör men "if I, Taşıq, return and repay (the debt) to Turı, then I, Turı, shall give back the vineyard (to Taşıq)", 74:18-20 men Taşıq üç yılqa taqı yanıp kelip bu nerzelerini Turıqa birmeser men borluq Turıqa toyrı töleč bolsun "if I, Taşıq, do not return within three years and repay Turı these things (the debts), then let the vineyard be the correct compensation to Turı", 99:11-14 töleč quruy

qalmayın tiser sen senteki idiş bitiqni birio manqa
şin baş bidig qılıc idyıl "if you say 'Let me not
remain without compensation and without the land
(quruy 'dry')', then give (to me) the idiş bitiq that
you have and make out and send to me a genuine
original document". Both Clauson (ED 492) and Poppe
(1962, p.339) consider töle- to be a Mongol loanword
in these and other post-XIII century Turkic texts:
KYS 202, CC 250, TZ 262 [töl- a ms. error?]. Doerfer
has argued against the Mongol origin of the word
(TME II 630-631), but several of his points are not
convincing: (1) the Turkic occurrences in CC and the
present documents may or may not be earlier than the
Mongol occurrence in MA 352, but this is irrelevant
since all are post-XIII c.; (3) the citation of AI 46
töleç, which also occurs in Letter C11 and CC 251,
does not attest to a pre-XIII c. occurrence of the
stem, since the AI reference is to the blockprint
confession text first published by Bang-Gabain
(Uigurische Studien, UJ X, 1930, pp.208-210, also
edited in ETŞ Nr.18), and all Uyyur blockprints are
from the Mongol period or later. Doerfer's point (2),
however, that töle- "to pay" is connected to MK Qyuz
dialect töle- "to have young", qoy töledi "the lamb
sweated" (ED 492), which is derived from Turkic töl
"progeny, descendants" (ED 490), is well taken.

Nonetheless, the meaning "to pay" in these documents is surely a Mongol element, and I would hold that the following development of this word was the case: TŪ tōl "progeny" > MK Qyuz tōla- "to have young" → Mo tōla- "to have young" > "to pay" → XIII- TŪ tōla- "to pay" (on the semantic development, see TME II 631).

Mo tōšōmel (tōsimel) "official", which is derived from the verb tōsi- "to lean against, rely on, assist", occurs in a single document: 104:1-3 sizler munča(?) quččurnī sersūn tip tōšōmellerke bitiq 'ldmāš siz "you have apparently sent a document to the officials saying 'You shall be responsible for (the collection of?) so much quččur'" (dubious reading). Radloff had transcribed the word as tōšōmen, an impossible form, but doubtlessly the l-hook on the final alif was simply not visible to him, or else there was a scribal error as already suspected by Pelliot (TP XXXVII, 1944, p.157, n.1). The Mongol loan occurs otherwise in a few early Turkic texts: KY 272, LOX 314, 'C5 4 (cf. TME I 269-271; EWb 507).

Mo yasay (Yasay) "code of customary law" occurs in the obscure form yasa in several documents: 65:9 savlarī yorīmazun yasataqī qlynga teqsūnlar "(if they breach the contract) let their statements

not be valid and let them be subject to the punishment prescribed in the yasa", 79:10 yasataqı qıynqa taqır men "(if I lodge a legal complaint) I shall be subject to the punishment prescribed in the yasa". In Mongol texts only the form Yasay occurs, whereas in Persian texts concerning the Mongols the three forms Yasay ~ yasay ~ yasa occur (TME I 279; Juvaynı 204 et passim; Haydar 22; Barthold, Turkestan, pp.41,54; KY 282). The root of the word is certainly Mo Yasa- "to construct, arrange, etc.", but the verb and any Mo derivations from it would appear in Middle Turkic literary languages as yasa-, since these languages did not have initial Y-. There is certainly not any evidence for an Old Turkic verb yasa-, despite the opinions of certain scholars (note that KT N 10 yasa-r is a misreading of aysar; cf. ED 974), just as it is certain that the legal institution referred to as Yasay ~ yasay ~ yasa first appears in Mongol times, and is pre-eminently associated with the legacy of the Conqueror.³¹

Mo yasag (Yasag) "a tax", which is also derived from the Mo verb Yasa- (see above), is found in two documents: 97:49-51 Asqa alban yasagı tudmayın [xan] imizqa kÜÇ birip yorıdımız "we have continued to give strength to our Xan, without being subject to any other alban yasag (than inYü service)",

101:2 xan yasaq tirer men "I (Tajadin) collect the yasaq for the Xan". The Mongol taxation term is found also in the yarliq of Haŋŋi Giray Xan, lines 16, 17ff., in a number of modern languages, and in MA 203 the Mo yasaq is glossed by Čayataŋ salıq. Once more, the root is Mongol jasa- and the distribution of the term is post-XIII century (cf. ED 974; Schurmann 1956, p.310).

Mo yosun "custom, customary law, practice" is found in several documents: 64:29 törü yaryu yosunı birle ada yasmış yasuqqa teqsün "let him be held liable for the sin which he commits and the ada (?) in accordance with the practice of the customary law and the judicial tribunal", 82:14-16 bu bitigtęki čaonı bitiq yosunča neęüke me tildamayın čamsız köni birür biz "we shall faithfully repay the ch'ao paper currency stated in this document without seeking any legal pretext in the practice of contracts (or: contractual law) and without legal complaints". Radloff and Malov had read yosun in several other texts, e.g., 18:7 bu yoz-ınča "according to this custom" [read: bu oq yanoča "in the manner just described"], and in Nrs.105-108 yoz-ınta is read in an otherwise unintelligible phrase (see below, pp.388 - 389). Such readings must be errors since there is no reason to suppose either a voiced -z-

in place of -s-, or a delabialized -l- in place of -g-, or a word division yoz-lın in place of yosun. The Mongol loanword otherwise occurs in several post-XIII century Turkic texts: KY 287, LOX 276 [as the proper name Josun Billig "One Who Knows the Customary Law", i.e., a judge?], Toqtamiš 20, Abu Said 30, Šahrux 7, but not in QB 2600 as the DTS 275 indicates [the correct transcription in Herat 95:16 is yosūq, which itself is a scribal error for the yörūq of other copies]. (cf. ED 975; TME I 555-557; Ewb 207).

Apart from the proper names and loanwords, a dubious Mongol element is indicated by a certain spelling of the native Turkic word kəziq "watch, turn, round", which was assimilated in Mongol, which has no z, as kesiq (kešiq). In 114:3, 117:2, 125:23, one finds kəziq, but in 103:6, 111:3, 113:7, 115:5, 116:5, one finds kesiq (read kesiq or kešiq?), which might indicate a reverse borrowing from Mongol. However, in view of the unstable nature of the orthography in these documents (cf. 11:16 ösüm in place of özüm, and many similar examples), one cannot be certain of any matter that depends solely on orthographical interpretation (Tayši is a similar case discussed below, p. 195).

Another potential area of Mongol influence consists of the formal aspects of chancery practices in the documents. This evidence must await a thorough examination until the historical development of chancery practices during the Mongol period is better understood.

Nonetheless, at least one formula in these documents appears to be of Mongol origin. This is the formula that is placed at the head of decrees issued by rulers and officials to local officials and personages: 99:1, 101:1 sözü "my word", 98:2, 100:2 sözümdüz "our word". Although söz "word" (ED 660) and the personal possessive endings -m/-miz are purely Turkic, the formal structure and use of the phrase point to a direct loan translation or calque of the Mongol phrase Čge manu "our word", used in Mongol decrees and letters from the XIII century on (cf. TME III 292-296; Ligeti [Review of TME], AOH XXI, 1968, pp.125-126; Poppe-Krueger 1957, pp.76-78; Mostaert-Cleaves 1952, pp.434-436).

There does exist such a phrase in pre-XIII century Turkic texts: BX E 1, S 13 Türk Bilge Xayan sabım, HTB G58r20, G11r19 (unedited leaves quoted by von Gabain 1935, p.372) Toyin Huıntso savım, Y78:9 Toyin Huıntso ulatı ačarilar sav(i)miz "(I) Toyin Huıntso and the other ačarya, our word",

Bilge Beg 55-57 Il-ögesi Bilge Beg bitigimiz Arslan Taš Totooqa bizinq sav inča bilqıl "Il-ögesi Bilge Beg, our decree (royal 'we'); to Arslan Taš Totoq, our word; know thus". All of these passages have sav, whereas the civil documents have söz. Since it is clear that sav has not been replaced by söz in the Turkic literary languages— both occur in the documents, e.g., 16:5 bu savda, 73:6 bu sözke, etc.— we must suppose that the use and structure of the formulas savım(ız) ~ sözüm(üz) have different origins. It may or may not be the case that Mongol öge manu is somehow based upon Old Turkic savım(ız), but it must certainly be the case that Middle Turkic sözüm(üz) is a calque of Mongol öge manu. (further see below, p.248).

Certain other aspects which deserve attention are the various uses of yarlıy (see pp.247-249), the use of the nişan "personal sign" (see pp.326-328),³² and the two cases in which the date appears at the end of the text, after the Mongol and Chinese fashion (Nrs.94-95). Finally, first-hand inspection of the reverse sides of administrative documents may reveal the presence of further chancery practices used by the Mongols.³³

Chinese : There are, of course, many Chinese loanwords in the older Turkic literary languages.³⁴ Some of these also occur in the civil documents, but do not bear any chronological implications; e.g., toyın "monk", yunq "to use" (in the derived forms yunqla- "to use", yunqlaylıy "for personal use"), and the rank titles tutunq and totoq.

There is still another group of Chinese loans that is peculiar to the documents: 81:6 bučunq ~ 80:5 vučunq "receipt" (see pp.238-241), 15:2 etc. qanpo ~ qunpo ~ quanpo "regulation linen" (cf. Hamilton 1969, pp.43-44), 45:3 qavlaııq "vegetable garden" (< qavla "culinary vegetables"; cf. ED 584), 68:10 qay "shoes" (cf. KY 166; DTS 406), 71:7 qapan "large dish or tray" (cf. ED 585), 34:9 sıǵı "boundary" (cf. ED 795; Mori 1967), 20:3 ǵıq "measurement of land and liquids (shih)" (cf. ED 867; Yamada 1971), 12:5 tambin ~ tanbin "measurement of liquids" (cf. ED 503; Weiers 1967, p.39), 125:11 tınočan "lamp bowl" (cf. ED 516). It may be that a Sinologist could assign certain of these words to a definite period according to linguistic and other criteria, but I am unable to do so.

Certain Chinese loanwords do, however, indicate a chronological period that coincides with the epoch of Mongol rule in the XIII-XIV cc. The most obvious

of these is the word čao "paper currency" (← Chinese ch'ao), which was introduced during the Yüan dynasty by Qubilai (cf. Chapter One, note 51). Another loan of this period is 45:8, 46:5 čung tung pao čao, which represents a particular issue of paper money released during the ch'ung t'ung regnal period of Qubilai (1260-1263; cf. DTS 157), although the pao čao currency was used during both the Yüan and the Ming dynasties (cf. DTS 81; ED 393).

Probably to the Mongol period should be attached the expressions of surety that occur in Nr.82 paošin "(sole) guarantor" (← Chinese pao jen); tungšau taypaošin "co-guarantors" (← Chinese t'ung ch'ü tai pao jen) (see below, pp.320-324). Possibly to this period should belong the word in 60:3 ančasi "director" of an office abolished in 1291 (but established when?; cf. Ligeti 1973, p.9).

Only a competent Sinologist can treat the complex problem of the Chinese background of these documents, which is evidenced not only in the loanwords noted above, but also in the very institutions reflected in the documents, such as the currency system, the guarantor system, the rates of interest, the penalty conditions for breach of contract, and many other formal and legal aspects.

Persian : The Indo-European element in the Old Turkic literary languages is strong and diverse, and includes loanwords from Sanskrit, Greek, Tokharian and Middle Iranian (Sogdian, Middle Persian, Parthian) languages.³⁵ New Persian loanwords first appear in the Qaraxanid literary language of West Turkestan, but only a very few have been identified in the Uyğur texts of East Turkestan, and these presumably from the XIII century or later.

A search for such Persian loans in the Dravne-tjurkskij slovar yielded only the following:
TT VII 31:18 [ya]kšambi "Sunday" (P بکشنبه), 31:19 adina "Friday" (P آدینه); Heilkunde II 3:42etc. nara "pomegranate" (P نار) (cf. KY 184; Sino-Iranica 285, 574), 3:47etc. š(a)kar (šaker) "sugar" (P شکرار) (cf. EWb 444), 3:123 zira "cumin" (P زیره) (cf. ED 989; Sino-Iranica 383-384, 575; Minorsky, Hudūd al-ʿĀlam, p. 1xv), 3:131 ab-iz-an "medicated bath" (P آب زن) (cf. ED 17);³⁶ TT VI 383, TT VIII A 16, TT IX 29 bekiz "clear" (P باکیز) (cf. ED 330; DTS 90; TT IX, p. 20, n. 29), Man-ug Frag 4 bir naru(a)n atliŷ i "a tree named naruan" (cf. DTS 355), TT IV B 6 bay "garden, vineyard" (P باع) (cf. DTS 77; ED 311).

The New Persian origin of these words is not, however, assured. Thus, ATG 336 derives šaker/šakar from Middle Iranian šakar, ATG 300 bay from Middle

Persian bāy (DTS 77 has it from Sogdian b'y), and it will be noted that abizan, bekiz and nara do not conform phonetically to the supposed Persian originals. Certain words may be of New Persian origin, but occur in demonstrably post-XIII century texts, such as IT VII Nr.31 (-sa/-se conditional, additive counting).

Although it is not impossible that some such words in early Turkic texts stem from New Persian, which according to the accepted periodization of this language begins in the IX century,³⁷ in view of the clearly substantial influence of various Middle Iranian languages, including Middle Persian, upon the Turkic literary languages of East Turkestan/Kansu, and also considering the absence of Persian speakers in this area, I should consider it highly unlikely that we are dealing with New Persian elements in pre-XIII century literary texts.

However, there are certainly New Persian loans in KY and KYS, as well as in LDX 6 ataǵ "fire" (پ آتش), 305 doṣt "friend" (دوست), 306 duṣman "enemy" (دشمن), Songbook 3:3, 6:22 jan "soul" (پ جان), 3:9 Yuanmart "generous" (پ جوانمرد), 5:2 m(a)yva (miva) "fruit" (پ میوه), 6:13 xoǵ "nice, pleasant" (پ خوش).

Similarly, in the civil documents we find several Persian proper names and words, a few of which were perhaps mediated through Mongol or at least first began to have widespread currency in association with the Mongol period:

30:11, 40:9 Bolat "Proper Name" = Mo bolod ~ bolad "steel" (P بولاد). The noun also occurs in KY 144, Gul, XŠ (Fazylov II 214) (cf. Pelliot, Notes I, pp.40-42; 1949, p.127, n.3; TP XXV, 1927, pp.159-164; SWCCL 193, 402; Cleaves 1953, pp.46-47, n.9; S-M 1362, p.120, n.165; 1959, pp.81-82, n.201; LSS 96; Ewb 387).

3:6 Bolor "Proper Name" = Mo bolor ~ bolar "crystal" (P بلور). The nouns is also found in KY 144, CC 64 (cf. Cleaves, Grigor, p.424; Ewb 79).

5:9 etc. nišan "personal sign" = Mo nišan "id." (P نیشان). This word is discussed in detail below (pp.326-328).

101:1 Taʾyadin "Proper Name" = Mo Taʾyadin "id." (P تاج الدین, Taʾy al-Dīn "Crown of the Faith"). Taʾyadin ʿAlī Šāh, the high minister of Abū Saʿīd, is mentioned in several Mongol documents (cf. Cleaves 1951, p.525; 1953, p.106, n.6; Cleaves-Mostaert 1952, p.437), and another Taʾy al-Dīn Tudgayul is mentioned

in line 26 of a bilingual Arab-Mongol vakf document of 1272.³⁸ In the present civil document, Tajadin is also a high official of some sort, but there is no purpose in attempting to identify him with either of the Tajadins in the Mongol documents.

94:5, 95:4 tabdar ~ tabder (T'PD'R) = Mo dabter "notebook, copybook, book, register" (P > فتر).

In these documents, the word refers to some sort of "census register" (see below, pp.252-255). The word also occurs in Gul, XŠ, Mn defter (Fazylov I 335, falsely as Arabic loan), but not in the Namangan copy (96:10) of the Qutadyu Bilig as imputed by the DTS 159 (cf. Bodrogligeti 1965, pp.110-111; S. Lewis, EI² II 77-81; Ewb 135).

42:1, 69:13, 82:2 Tarbiš ~ Terbiš "Proper Name" (P > درویش "dervish"). The word also occurs in KYS 200, Taf 117, NF, XŠ (Fazylov I 331) and might be mediated through Mongol (cf. Cleaves, S-M 1362, p.121, n.174).

86:7, 113:3 Xoġa "component of Proper Name" (P > خواجا "teacher, master"). The word is also found in KYS 32, Taf 348 (cf. Pelliot, TP XXXVIII, 1948, pp.109-111; Ewb 161,274).

Arabic : The Arabic element in Qaraxanid and subsequent Islamic Turkic literature is of course strong and pervasive.³⁹ In the texts of East Turkestan, however, the distribution of Arabic loans is strictly limited. This statement may exempt the most curious example of US 104:18 tuyta alamta sūngūde assar "i? (this charm) is hung on a banner, a flag or a lance". This undated text is a dhāranī fragment from the Krotkov collection and contains the Arabic word alam "flag", the only such example for a Buddhist text (cf. ED 464; DTS 33).⁴⁰

Otherwise, there are Arabic loans in KY and KYS, as well as in LOX 14 badan "body" (A بدن), 120 yaqut "ruby" (A یاقوت); Songbook 3:2 qadir "dignity" (A قدر), 3:3 aziz "precious" (A عزیز), 3:4 qurban "sacrifice" (A قربان), 3:11 baxil "miserly" (A بخیل), 4:4 tavlat "prosperity" (A دولت), 5:3 irab "Allah" (A رب), 5:13 qadam "step, foot" (A قدم), 5:15 qalam "pen" (A قلم), 6:14 ayib "fault, sin" (A عیب); 6:21 aqiqat "truth, reality" (A حقیقت).

The presence of Arabic words in the civil documents ought, as supposed by von Le Coq (1918, p.451), to indicate a late XIII- date, but this is a debatable point in view of the possibility of a Qaraxanid influence.⁴¹

The following Arabic proper names and loanwords have been noted in the civil documents:

105:4 Adam Toyrl "Proper Name" = A آدم "man" +
TD toyrl "hunting bird" (cf. DTS 8; EWb 5).

18:9 'Ali "Proper Name" = A علي (cf. DTS 34).

24:4 haq(q) "price, payment" = A حق (cf. DTS 198).

24:4 iYar "rant" = A اجاره (cf. ED 200).

104:4 kidab "book" = A كياں (cf. DTS 310;
EWb 273; Bodrogligeti 1965, p.110; below, pp.255-256).

77:4 mal "goods, property" = A مال (cf. DTS 335;
EWb 323; Plessner, EI¹ III 162-183).


6:15, 28:10 Mislr-šila, 13:12, 26:11, 31:11 (Mislr-qa!),
86:18, 131:13 Mislr "Proper Name" = A مصر "Egypt"
(cf. Cleaves 1959, pp.64-65, n.5; Mostaert-Cleaves
1962, p.27; Bretschneider, Mediaeval Researches, I,
pp.141-142, II, pp.135-136, 308).

25:4, 80:1 'Omar "Proper Name" = A عمر (cf. DTS 367).

74:2 qala "city" = A قلعة (cf. DTS 410).

97:56 urub "quarter (share)" = A ربع (cf. ED 686;
DTS 608 falsely as A uyub "faults, sins").

52:3 xarYlly "for expenses" = A خرج "expense" +
TD -lly (cf. DTS 425; EWb 155).

30:8 zakat "alms-tax" = A ö . The Arabic word is also found in Gul, XŠ, NF, Mn (Fazylov I 378; cf. ED 989; DTS 639; Schacht, EI¹ IV 1202-1205).

Interrelationships

The presence in a given text of one or more of the dating indicators discussed above constitutes evidence of a post-XIII century date for that text. In this manner, a great many of the documents can be dated. It is possible to employ a further means of establishing the dates of texts which do not bear any of these indicators and to strengthen the late dates of those which bear perhaps weaker indicators than others. We have already seen, in connection with the texts from the reigns of Ögödei and Tüylü Temür (see pp.108-110), that certain texts manifestly deal with the same person or persons, so that if a date or dating indicator applies to one text in such a group it applies to the other texts in the group as well. Therefore, it is profitable to examine the personal interrelationships of the civil documents.

At the outset, it should be borne in mind that these texts were not obtained singly or in widely separate localities or sites. Rather, they were excavated in bundles or stacks in clearly appertinent

positions at a given site. In the case of acquisitions by purchase, one can well imagine local inhabitants finding a hoard of such papers and bring them, singly or in packets, to travellers or consuls for purchase. One can also easily imagine that the archaeologists of this early period were far more attentive to the details of discovery of manuscripts of a religious character, as expeditionary accounts are more detailed regarding them. Ultimately, the signatures of the civil documents ought to give a precise indication of the find site, but not only are all of these signatures not available (see Chapter Two), but also for many of them the signatures are imprecise or contain only the expedition number.

Despite these problems, we shall adopt the working hypothesis that texts originating from the same expedition potentially originate from the same person or group of persons, that is, form a sort of "archive" of the records of a family or business group. We shall see that this assumption is valid for many groups of documents. Moreover, we shall see that certain texts which originate from separate expeditions are interrelated, a finding that is difficult to explain at this remove from the expeditionary period.

We must employ reasonable principles for establishing the interrelatedness of two or more texts. The essential principle adopted here is that (1) either at least two proper names must be common to the set of texts or (2) in the case of three or more texts, one proper name must be common if one of the texts can be linked to the others by two proper names. This relationship can be illustrated in the following manner, where 1,2,3 = given texts, and A,B,C,D = given proper names:

	1		2		3		etc.
(1)	A	=	A	=	A		
	B	=	B	=	B		
(2)	A	=	A				
	B		=		B		
			C	=	C		
or	A		=		A		etc.
	B		=		B		
	C	=	C				
			D	=	D		

In certain cases in which only one proper name is shared, it is still possible to assume an inter-relationship, particularly if both texts are from the same expedition, or if there is present some other feature too strikingly similar to be the result of chance.

Krotkov Texts. The largest group of interrelated texts are those obtained by Krotkov and published as US 107-127 and elsewhere. It is apparent that these originate from the same site as they reflect the legal and commercial dealings of members of the "Toyrıl" family, and also of a person whose is transcribed Ineči by Radloff. The "Toyrıl" archive includes the following texts:

Nr.4: Qaysıdu Tutung borrows from Qinsun Šalı; his younger brother Ozmiš Toyrıl is guarantor; one of the witnesses is ŪkŪz Toyrıl;

Nr.38: Ozmiš Toyrıl and TŪkel sell a property to their elder brother IničŪk;

Nr.39: Ozmiš and TŪkel sell a property to Basa Toyrıl; one of the witnesses is Burxan Qulı;

Nr.40: Ozmiš Toyrıl sells a vineyard to Basa Toyrıl; witnesses are Burxan Qulı, Yıp Toyrıl and Vaptsu;

Nr.56: Yıp Toyrıl sells a slave to Ineči; witnesses are Eliġ, TaqıčŪq, Tarım, Tobula; scribe is EdgŪ Toyrıl;

Nr.61: Qıtay Qaya settles a dispute concerning a dead slave with Ineči; witnesses are Tolon Qaya, Eliġ, TaqıčŪq, EdgŪ Toyrıl; scribe is ŪtŪš İkir;

Nr.72: a litigation between Basa Toyrıl and Sevig Buyruq is settled by Yoga; witnesses are TŪmtur, Bolač;

Nr.79: dissolution of partnership between Ozmiš Toyrıl and his younger brother Basa Toyrıl; witnesses are Alp Tuymış, Yıp Toyrıl; scribe is Bačaq;

Nr.84: a contract between Ineči and Alp Toyrlı;
a witness is Tımtur;

Nr.89: Kasın Arslan and Balban receive money from
Basa Toyrlı;

Nr.112: a document mentioning Ineči and Esen Toyrlı;

Nr.119: a work roster with the names KÜsençük,
Turmıš, Alp Toyrlı, Ineči, Elig, Ürk Toyrlı, Toruy
Edgü Toyrlı;

Nr.120: the large account book; mentions Üdüş Toyrlı,
Alp Tuymıš, Elig.

The name Ineči occurs only in the Krotkov texts,
both with the Toyrlı family name (Nrs.56,61,84,112,119)
and without:

Nr.63: contract between Ineči and Qutluy Tonga
concerning a slave;

Nr.92: mentions the granary of Ineči;

Nr.136: a list that mentions Vaptsu Tu, Ineči, et al.;

Nr.139: mentions the granary of Ineči;

Nr.140: mentions the granary of Ineči.

It is unclear whether the name İnıçuk, who is
identified as the older brother of Özmiš and Tökel
Toyrlı in Nr.38, is a diminutive form of Ineči (thus
İniči, or İnıçuk?), and thereby the same person
(see below, p.447). This İnıçuk buys a slave from
Qalıng Qaya Açı in Nr.55, a Krotkov text.

Of the Krotkov texts published in Uigurische Sprachdenkmäler, only the fragmentary Nrs.76 (US 127), 88 (US 126) and 93 (US 124), cannot be interrelated with the names Toyrl or Ineči, but it would be a safe assumption that they belong with this group. Nr.78, a Krotkov text published in Tikhonov 1966, has no names in common with the other Krotkov texts, but is dated by other means.

The fact that several documents of the Toyrl group contain Mongol loanwords (Nr.61 uluy sū, taruya, Nr.79 yasa) and other post-XIII century dating indicators entails that the entire group belongs to this period.

Grünwedel Texts. Within the batch of 46 documents obtained by Grünwedel during the first German expedition and edited by Radloff as US 1-46 may be isolated at least three groups of texts, each of which is interrelated to the other.

One group consists of people, probably members of the Buddhist clergy, who form a business association of some kind: Qayımtu Baxşı, Qara Baxşı, Mısır-Şıla, İlçi, Senge and Temür (~ Temür Tuymış). These people not only hold joint properties but also rent properties to one another and act as witnesses and scribes in one another's transactions. The "Qayımtu"

group includes the following texts:

Nr.6: Čür borrows from Qayımtu; his son Qara Quş is guarantor; witnesses are Temür and Senge; scribe is Mısır-Şıla;

Nr.7: Qumara Bay borrows from Qayımtu;

Nr.8: Surya-Şiri borrows from Qayımtu Baxşı;

Nr.10: İl Temür borrows from Senge; Bay Temür and Arlı Tigin are guarantors; witness is Çoluq;

Nr.11: Şiş and Goru borrow from Noqoy; Çisun Senge is guarantor; witnesses are Temür Tuymış and İlçi;

Nr.12: Torbay borrows from Qayımtu; his son Temür Buqa is guarantor; witnesses are Qara Baxşı and Temür;

Nr.13: Qırya-quz borrows from Yanpatu; witnesses are Tapmış and Mısır (interrelatedness weak);

Nr.26: Temür Buqa rents from Qayımtu a property that is held jointly with İlçi; witnesses are Senge and Mısır;

Nr.28: İlçi rents land of Qayımtu; witnesses are Qara Baxşı and Çisim; scribe is Mısır-Şıla;

Nr.31: Qayımtu rents vineyard of Mısır; witnesses are Beg Buqa and İlçi;

Nr.130: taxes are paid to Temür Buqa;

Nr.131: taxes are paid to Temür Buqa, Tomur, Bay Buqa, Qara Baxşı, Bur, Mısır, Borolday.

A number of dating indicators in the "Qayımtu" group support a XIII- date, e.g., the proper names Senge and Misir, the -sa/-se conditional in Nrs.26 and 31, and the Mongol qalan in Nrs.130-131.

A second group of texts involves the transactions of a certain Turī Baxšī, especially those dealing with the manumission of vineyards. The "Turī" group includes the following texts:

Nr.9: Ming Temür borrows from Turī Baxšī; Nom Qulī is guarantor; scribe is Turmīš;

Nr.73: proclamation from Ara Temür to Turī; witnesses are Sakinč Qaya and Buda-širi; scribe is Berk Tuymīš;

Nr.74: Tašīq signs over his vineyard to Turī; scribe is Berk Tuymīš;

Nr.80: Balīq and 'Omar write out a vučunq for Turī;

Nr.86: committee composed of Beg Buqa, Bay Buqa, Yürük, Qıpčaq, İl Buqa, Molca, Sayda, Yürük Tümen, Kūčūg Temür, Esen Temür, Menggū Temür, Turmīš, Udmīš, Tīnmīš, Qul Qaya, Umīnč, hand over Turī to Buda-širi as a vineyard worker and take back Qara Toyīn; witnesses are İš Buqa, Ara Buqa, Misir, Kersin; scribe is Berk Tuymīš;

Nr.99: proclamation from Ara Temür to Turī Baxšī;

Nr.100: committee composed of Beg Buqa, Yürük, and Qıpčaq seeks a document belonging to Turī.

This "Turī" group is dated XIII- by a number of indicators, including the proper names 'Omar and Mislr, the Mongol qalan in Nr.86, aya in Nr.73, tōla- in Nr.74.

A third group of texts contains the names Nom Qulī and Bay Temör; the "Nom Qulī" group includes:

Nr.9: Mīng Temör borrows from Turī Baxšī; Nom Qulī is guarantor; scribe is Turmīš;

Nr.30: Bay Temör rents land of Temirči; witnesses are Nom Qulī and Bulun;

Nr.103: Nom Qulī, Čadīn and Bay Temör shall pay a sum to Buyan Qaya;

Nr.129: taxes are paid to Mēkilīng Qurča, Kūldörtey and Nom Qulī (interrelatedness weak).

These texts are dated XIII- by the occurrence of Arabic zakat in Nr.30 and Mongol taruγa in Nr.129.

The "Qayımtu" and "Turī" groups may be interrelated through Nr.86, in which Mislr of the "Qayımtu" group serves as witness for a "Turī" document. The "Turī" and "Nom Qulī" groups may be interrelated through Nr.9, in which Nom Qulī is the guarantor for a "Turī" document.

There is a striking and important chronological link between these three groups and a fourth that consists of Nrs.78,97,102, all dated to the reign of Tuyluy Temör (1347-1363; see above, pp.106-110). It will be noted that in Nr.86 of the "Turī" group

and in Nr.102 of the "Tuyluy Temür" group, the person Buda-širi appears to be a kind of official overseer of the crown vineyard workers (qalančī in Nr.86, inju borluqčī in Nr.102). Moreover, Buda-širi is a witness in Nr.73 of the "Turī" group. Therefore, the following conclusion is inescapable: since the "Tuyluy Temür" group is precisely dated to the years 1347-1363, then the "Turī", "Nom Qulī" and "Qayımtu" groups are also dated to the mid-XIV century.

The majority of the Grünwedel texts, then, originate from approximately the same source. Throughout the collection, the family name "Temür" occurs: Nrs.5,10 Il Temür, 9 Ming Temür, 10,30,103, 129 Bay Temür, 41,78,102 Turmīš Temür, 45 Töleg Temür, 45 Buyan Temür, 52 Qutluy Temür, 73,99 Ara Temür, 78,102 Kūč Temür, 120 Tuy(?) Temür, 86 Kūčūg Temür, 86 Esen Temür, 86 Menggū Temür. Nearly all occurrences of the family name "Temür" are within the Grünwedel texts, but I would nonetheless hesitate to group them all together into something like a "Temür" group or archive, similar to that of the "Toyrlis".

Those Grünwedel texts which have not been interrelated in the above three groups are Nrs.1,5, 24,41,45,47,52,82,94,95,104,122,134,137,138. Of these, Nr.1 decisively belongs with Nrs.2 and 3

of the "Bolmīš" group of Roborovskij/Klementz texts, despite the fact that they originate from separate expeditions. Nr.5 concerns a loan from Il Temūr, who is a borrower in Nr.10 of the "Qayımtu" group, and thus may be interrelated with that group. Nr.122 is a list of wine deliveries to various people, including Temūr Buqa, who also figures in Nrs.12,26, 130,131, of the "Qayımtu" group, and thus almost surely is part of that group.

Of the remainder, Nr.82 is part of the "Tarbiš" group, which is dated by other means (see below, pp.186-187). Nrs.137 and 138 concern "Kūn Birmīš Sangun", have additive count. and form a special sub-group of their own. Three texts have the family name "Temūr", which may or may not interrelate them: Nr.41 Turmīš Temūr, 45 Töleg Temūr, Buyan Temūr (the witness in Nr.45 is Kerey, also mentioned in Nrs.97 and 102 of the "Tuyluy Temūr" group), 52 Qutluy Temūr. Nrs.94 and 95 are depositions dated by other means (Mongol-Persian nišan, tabdar). Nrs.24,47,52,104,134, cannot be interrelated, however weakly, but several of these are too damaged to bear consideration.

Malov Texts. Of the four texts originally edited in Malov 1927 and 1951, Nr.56 belongs to the "Pintung" group and the other three may be interrelated into a "Bedrūz" group:

Nr.21: Ügröš Temir borrows from Bedröz; his younger brother Quš (=Quš Temür) is guarantor; witnesses are Beg Temir, Mısır Qaya; scribe is Yoga-širi;

Nr.37: Tolu Qara Mısır and Uluy İnč Qara Mısır sell land to Quš Temür Baxšı; witnesses are Buyan Qaya, Tolu Qaya, Enč (i.e., İnč Qaya?); scribe is Čatır;

Nr.57: Bačaq sells a slave to Bedröz; witnesses are Čoyı, Mısır Qaya-quz, Beg Temir-quz, Yay Sılyā; scribe is Alp.

The "Bedröz" group is dated XIII- by the occurrence of Mongol aya in Nr.57 and other indicators.

Ramstedt Texts. The four documents published by Ramstedt 1940 can be interrelated into a "Toyınčıuq" group:

Nr.44: Matso and Edgü Bir Oyul sell a property to Toyınčıuq; scribe is Tašlıq Tonga;

Nr.59: Köni-quz discusses the matter of dissolution of an adoption with his son-in-law Like and Singur Toyınčıuq Beg; witnesses are İkiči, Er Tonga; scribe is Qavsın;

Nr.85: Toyınčıuq, Tüšike and Bansiı dissolve their partnership in the presence of Edgü Tonga and Üz Qara;

Nr.133: register of taxes received from: Er Tonga, Aday, Telgür, Toqmaq, Qavsın, İkiči, Tören, et al.

The "Toyınčıuq" group can be dated XIII- by the occurrence of Mongol aya in Nr.59 and qalan in Nr.85.

Ol'denburg Texts. Of the six Ol'denburg documents edited thus far, including the five published in Malov 1932, only three can be interrelated into a "Titsu" group:

Nr.65: Qaytsu Tütung gives his son Titsu in adoption to Čintsu Ayayqa Tegimlig;

Nr.66: Titsu gives his younger brother Antsu in adoption to Toyīnaq Šilavanti;

Nr.68: Qaytsu Tutung gives his son Titsu in indentured servitude to Čintsu Ayayqa Tegimlig;

Documents Nrs.25,64,141, of the Ol'denburg texts cannot be interrelated, but Nrs.25 and 64 can be dated XIII- by other means. The "Titsu" group is dated to the reign of Ügödei (1228-1241; cf.p.110).

Otani Texts. There exist no obvious interrelationships of importance among the persons mentioned in the Otani texts: Nrs.17,20,22,34,36,48,71,126,127,128. A man named Qaračuq Yig Bört figures in Nrs.34 and 71, and both texts are stamped with an identical seal. Two of the texts can be dated XIII- by other means: Nr.17 has additive counting, and Nr.20 has the Mongol proper name Bayan. It will be remembered that Nr.43, which has the Mongol aya and the Arabic proper name Mīslr, is an Otani text, but does not belong with the group of texts found in Kyoto in 1949.

Roborovskij-Kozlov/Klementz Texts. Within the group of texts stemming from these expeditions can be isolated a series of documents dealing with the affairs of Bolmīš, who is identified as a toyin "monk" in Nr.69:2. The "Bolmīš" group, to which must be added Nr.1 from the Grönwedel expedition, includes the following texts:

Nr.1: Bolmīš borrows from Qara Oyul; his wife Tözök is guarantor; witnesses are Borluqčī and Er Buqa; scribe is Yiqinč Tutung;

Nr.2: Bolmīš borrows from Išire; his wife Tözök is guarantor; witnesses are Borluqčī and Bačaq; scribe is Yiqinč Tutung;

Nr.3: Bolmīš borrows from Kösünči; Tanlqtačī(?) is guarantor; witnesses are Bolor Borluqčī and Kisečök; scribe is Yam X. .;

Nr.67: Kedire gives his son Bolmīš in indentured servitude to Qamboqdu Tutung; witnesses are Aqlira and Qutyay;

Nr.81: Qanturmīš Toquz(?) gives a receipt to Kedire; witnesses are Yeke Baš and Bärčün;

Nr.83: document mentioning Bolmīš;

Nr.135: a payment is made to Bolmīš and Qalim.

The above six texts (excluding Nr.1) were edited together as US 47-52, a further indication of their interrelatedness. The "Bolmīš" group can be dated XIII- by the occurrence of the Mongol name Yeke Baš

in Nr.81 and the Persian-Mongol name Bolor in Nr.3. Of the other texts from these expeditions, Nrs.51, 53,105-108,132, are dated XIII- by other means, and Nr.69 belongs to the "Tarbiš" group.

Von Le Coq Texts. No interrelationships of any importance can be detected among the texts obtained by von Le Coq during the second German expedition and edited as US 61-93. Only Nrs.90 and 91 can be interrelated by the names Kintsun-šila and Esen Tutung, and could be isolated as the "Kintsu-šila" group. Of the other von Le Coq texts, Nrs.14,18, 27,32,54,62,70,75,77,101,113,114, can be dated XIII- by other means, whereas Nrs.15,16,29,109,110,115,117, 121,123,124,125, lack dating indicators of any kind. The latter is true as well of Nr.33, a text obtained by von Le Coq during the third German expedition and published by Zieme 1974.

"Pintung" Texts. The four documents that deal with the sale of the slave boy Pintung (Nrs.58,87), his manumission (Nr.60) and subsequent problems with his master (Nr.96), form an interesting episode in themselves. With the dated Nr.60 (1280), there is no problem with the dates of the others (cf. pp.106-107). The "Pintung" group is one of several such groups of texts that stem from separate expeditions but are nonetheless interrelated.

"Tuytuy Temür" Texts. The "Tuytuy Temür" group of texts, dated to the reign of this Čayatai ruler (1347-1363), includes Nrs. 78, 97, and 102, and have been discussed above (pp. 108-110, 179-180).

"Tarbiš" Texts. From three separate collections stem three documents which mention a vineyard located in Taydsang inherited by Tarbiš and Čirquš (~ Čurquš). One of these texts, Nr. 42, was found in Istanbul among some other documents (Nrs. 19 and 116) which cannot be interrelated with it. The second text, Nr. 69, was acquired by the Roborovskij-Kozlov or Klementz expeditions, while the third, Nr. 82, was obtained by Grünwedel. It is probable that Nr. 42 was also obtained by Grünwedel, and somehow found its way to Istanbul. The "Tarbiš" group consists of:

Nr. 42: Tarbiš sells the Taydsang vineyard which he inherited jointly with Čirquš from their father Yabıra; witnesses are İlči Buqa, Or Qaya, Udčı, Udmış;

Nr. 69: the will of Yabıra provides for inheritance of various items by Qutluy Buqa, Turmiş Tutung, and Taribš and Čurquš (the vineyard in Taydsang); witnesses are Beg Buqa, Qutluy Beg, Ögrünč;

Nr. 82: an agreement between Oyul Tigin and İnč Buqa and Yaruq concerning the vineyard in Taysang belonging to the latter two men's grandfather Tarbiš;

Esen, the younger brother of Inč Buqa, and Qara Tuyma, the son of Yaruq, are guarantors; witnesses are Torġi, Yaruq, Töleg Qaya; scribe is Qara Tuyma.

The "Tarbiš" group can be dated XIII- by the occurrences of Mongol loanwords, the ch'ao paper currency, and several other indicators.

The Dated Texts

It is now possible to make a tally of the XIII-dating indicators for each text. In the following, a code letter and name shall be assigned to each of the features and aspects discussed above:

- A. Absolute date (pp.106-108)
- B. Historical identifications (pp.108-110)
- C. d > y in the suffix -mayın/-meyin (pp.122-123)
- D. ç > ğ in the word işek "ass" (p.124)
- E. Additive counting (pp.132-134)
- F. Abbreviated conditional -sa/-se (pp.134-136)
- G. Mongol loanwords and proper names (pp.138-162)
- H. Chinese loanwords of the Yüan period (pp.163-164)
- I. Persian loanwords and proper names (pp.165-168)
- J. Arabic loanwords and proper names (pp.169-171)
- K. "Toyrlı" group (pp.174-175)
- L. "Inači" group (p.175)
- M. "Qayımtu" group (pp.176-177)
- N. "Turı" group (p.178)

Esen, the younger brother of Inč Buqa, and Qara Tuyma, the son of Yaruq, are guarantors; witnesses are Torji, Yaruq, Töleg Qaya; scribe is Qara Tuyma.

The "Tarbiš" group can be dated XIII- by the occurrences of Mongol loanwords, the ch'ao paper currency, and several other indicators.

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- F. Abbreviated conditional -sa/-se (pp.134-136)
- G. Mongol loanwords and proper names (pp.138-162)
- H. Chinese loanwords of the Yüan period (pp.163-164)
- I. Persian loanwords and proper names (pp.165-168)
- J. Arabic loanwords and proper names (pp.169-171)
- K. "Toyri" group (pp.174-175)
- L. "Inači" group (p.175)
- M. "Qayımtu" group (pp.176-177)
- N. "Turı" group (p.178)

- o. "Nom Qull" group (p.179)
- p. "Kön Birmiŝ Sangun" group (p.181)
- q. "Bedröz" group (pp.181-182)
- r. "Toylnčuq" group (p.182)
- s. "Titsu" group (p.183)
- t. "Bolmĩŝ" group (p.184)
- u. "Kintsun-ŝila" group (p.185)
- v. "Pintung" group (p.185)
- w. "Tuyluy Temör" group (p.186)
- x. "Tarbiŝ" group (pp.186-187)

These indicators are distributed in the texts
as follows:

- 1 T. Bolmĩŝ
- 2 T. Bolmĩŝ
- 3 I. Bolor, T. Bolmĩŝ
- 4 K. Toyrl
- 5 I. niŝan, M. Qayımtu(?)
- 6 G. Sengge, I. niŝan, J. Misir, M. Qayımtu
- 7 M. Qayımtu
- 8 I. niŝan, M. Qayımtu
- 9 I. niŝan, N. Turı, O. Nom Qull
- 10 G. Sengge, I. niŝan, M. Qayımtu
- 11 G. Čisun Sengge, Noqoy, I. niŝan, M. Qayımtu
- 12 I. nisan, M. Qayımtu
- 13 F. -ea, G. Torji, I. niŝan, J. Misir, M. Qayımtu(?)

- 14 I. nišan
- 15 (none)
- 16 (none)
- 17 E. Additive
- 18 G. yosun, Yekə Baš Oyul, J. Ali
- 19 E. Additive, I. nišan
- 20 G. Bayan
- 21 I. nišan, Q. Bedrüz
- 22 (none)
- 23 (none)
- 24 D. işek, G. işige, I. nišan, J. ijar haq(q)
- 25 G. tərən, I. nišan, J. 'Omar
- 26 F. -sa, G. Səngə, I. nišan, J. Mısır, M. Qayımtu
- 27 F. -sa
- 28 I. nišan, J. Mısır, M. Qayımtu
- 29 (none)
- 30 I. nišan, Bolat, J. zakat, O. Nom Qullı
- 31 F. -sa, I. nišan, J. Mısır, M. Qayımtu
- 32 E. Additive, H. Čao(??)
- 33 (none)
- 34 (none)
- 35 (none)
- 36 (none)
- 37 I. nišan, Q. Bedrüz
- 38 K. Toyri1
- 39 K. Toyri1
- 40 I. Bolat, K. Toyri1

- 41 G. aya, Merkid, I. nišan, M. Qayımtu(?)
- 42 F. -sa, G. aya, uluy sū, H. čao, I. Tarbiš,
nišan, X. Tarbiš
- 43 G. aya, Sarıy Lama, I. nišan
- 44 R. Toyınčuq
- 45 G. aya, H. čung tung pao čao, čao, I. nišan
- 46 G. aya, uluy sū, H. čung tung pao čao, čao, I. nišan
- 47 (none)
- 48 (none)
- 49 H. čao, I. nišan
- 50 E. Additive, F. -sa, G. uluy sū, bayan, I. nišan
- 51 G. aya, Qarayunaz, Adar, Toqdamış, I. nišan
- 52 F. -sa, G. aya, Torji, I. nišan, J. xarjiıy
- 53 I. nišan
- 54 G. Maşı
- 55 K. Toyrıl(?)
- 56 K. Toyrıl
- 57 G. aya, I. nišan, Q. Bedrüz
- 58 A. 1280, H. čao, V. Pintung
- 59 G. aya, R. Toyınčuq
- 60 A. 1280, G. aya, uluy sū, H. čao, V. Pintung
- 61 G. uluy sū, taruya, K. Toyrıl
- 62 (none)
- 63 G. uluy sū, Adar, L. Ineči
- 64 C. -mayın, F. -sa, G. asıra-, qubi, tölle-,
yosun, Torji, I. nišan

- 65 B. 1228-1241, G. Dgōday sū, taruya, yasa, S. Titsu
66 B. 1228-1241, G. aya, S. Titsu
67 T. Bolmīš
68 B. 1228-1241, S. Titsu
69 G. Mongyoljin, H. Čao, I. Tarbiš, X. Tarbiš
70 G. asira-, uluy sū
71 (none)
72 K. Toyrlī
73 C. -mayin, G. aya, I. nišan, N. Turī
74 C. -mayin, G. tōle-, tōkeč, I. nišan, J. qala, N. Turī
75 H. Čao
76 (none)
77 F. -sa, I. nišan, J. mal
78 B. 1347-1363, G. aya, I. nišan, W. Tuyluy Temür
79 G. yasa, K. Toyrlī
80 G. Torji, I. nišan, J. 'Omar, N. Turī
81 G. Yeka Baš, T. Bolmīš
82 C. -mayin, E. Additive, G. yosun, Torji, H. Čao,
tungšu taypaošin, I. nišan, Tarbiš, X. Tarbiš
83 T. Bolmīš
84 K. Toyrlī
85 G. qalan, R. Toyinčuq
86 G. qalan, qalančī, I. nišan, Xoja, J. Misir,
M. Qayımtu, N. Turī
87 A. 1280, H. Čao, V. Pintung
88 (none)

- 89 K. Toyri1
90 E. Additive, U. Kintsun-šila
91 U. Kintsun-šila
92 L. Ineči
93 (none)
94 G. Date at end(?), I. nišan, tabdar
95 G. Date at end(?), I. nišan, tabdar
96 A. post-1280, V. Pintung
97 B. 1347-1363, C. -mayin, G. aya, alban, čay, qalan:
taruya, yasaq, J. urub, W. Tuyluy Temör
98 G. sözümöz, Maši, I. nišan
99 F. -sa, G. sözüm; tölöč, N. Turı
100 G. sözümöz, N. Turı
101 G. qubčir, yasaq, sözüm, H. čao
102 B. 1347-1363, G. qalan, alban(?), N. Turı,
W. Tuyluy Temör
103 O. Nom Qulı
104 B. 1328-1332(?), F. -sa, G. qubčir, tüşümel, J. kiqab
105 G. qubčir, J. Adam Toyri1
106 G. qubčir
107 G. qubčir, Qačan Köke
108 G. qubčir
109 (none)
110 (none)
111 G. nökör
112 G. bayan(?), K. Toyri1
113 G. Noqoy, I. Xoja

- 114 G. Yəke Buqa
- 115 (none)
- 116 (none)
- 117 (none)
- 118 G. alban(?)
- 119 K. Toyri1
- 120 D. išk, K. Toyri1
- 121 (none)
- 122 G. Senge(?), Maši, M. Qayımtu
- 123 (none)
- 124 (none)
- 125 (none)
- 126 (none)
- 127 (none)
- 128 (none)
- 129 G. taruya, O. Nom Qul1(?)
- 130 G. qalan, M. Qayımtu
- 131 G. qalan, Borolday, J. Mislr, M. Qayımtu
- 132 G. qubčir, H. čao
- 133 R. Toyinčuq
- 134 G. qubčir
- 135 W. Bolmiš
- 136 L. Ineči
- 137 E. Additive, P. Kŭn Birmiš Sangun
- 138 P. Kŭn Birmiš Sangun
- 139 L. Ineči
- 140 L. Ineči
- 141 (none)

There are 49 texts with one or more features in each of A-J and K-X, and an additional two that probably belong here: Nrs. 3, 5, 6, 8, 9, 10, 11, 12, 13, 21, 26, 28, 30, 31, 37, 40, 41, 42, 57, 58, 59, 60, 61, 63, 65, 66, 68, 69, 73, 74, 78, 79, 80, 81, 82, 85, 86, 87, 90, 96, 97, 99, 100, 102, 120, 122, 130, 131, 137, and probably 112, 129.

There are 36 texts with one or more features in A-J, and an additional one that possibly belongs here: Nrs. 14, 17, 18, 19, 20, 24, 25, 27, 32, 43, 45, 46, 49, 50, 51, 52, 53, 54, 64, 70, 75, 77, 94, 95, 98, 101, 104, 105, 106, 107, 108, 111, 113, 114, 132, 134, and possibly 118.

There are 23 texts with one or more features in K-X, and an additional one that possibly belongs here: Nrs. 1, 2, 4, 7, 38, 39, 44, 56, 67, 72, 83, 84, 89, 91, 92, 103, 119, 133, 135, 136, 138, 139, 140, and possibly 55.

There are 29 texts without any features in A-X, and potentially two others that belong here: Nrs. 15, 16, 22, 23, 29, 33, 34, 35, 36, 47, 48, 62, 71, 76, 88, 93, 109, 110, 115, 116, 117, 121, 123, 124, 125, 126, 127, 128, 141, and potentially 55 and 118.

The majority of the 29 texts without dating indicators are from the von Le Coq and Otani expeditions. Four of the Otani texts (Nrs. 22, 23, 36, 48) are too damaged even to permit examination. Two of the undated texts (Nrs. 115, 116) have the word kesiq which just possibly might be a reverse borrowing from mesiq (see p. 160). Nr. 125 contains some

possibly late features: line 33 šišir "crystal beads" occurs otherwise only in Nr.120:19, Suv 515:17, KY 198 and KYS 219, all XIII- texts (cf. ED 868; DTS 523); line 37 Tayši is a Chinese word mediated perhaps through Mongol and borrowed later into Čayataŋ (cf. ED 570; TME I 372-374). Thus, 7 of the 29 undated texts are at least questionably of late origin.

Of the 141 Uyyur civil documents considered here, 110 can be dated to the XIII-XIV cc., whereas 22 cannot be. However, it is important to note that there is no feature in any of these 22 texts that could be interpreted as "old", as pre-XIII century. Moreover, the chancery style and legal formulas in this undated group differ not at all or only superficially from those in the dated group. In a negative sense, and until proven otherwise, the 22 undated texts cannot be excluded from the group of dated texts.

That over three-fourths of the Uyyur civil documents, and potentially the other fourth as well, may be positively dated to the Mongol epoch raises a fundamental question. Why, to all appearances, did the practice of recording legal and commercial transactions first appear among the Uyyurs in the XIII century?

The complexity of this issue is deepened when we consider the fact that the contractual forms of the Uyyur legal documents are based on Chinese prototypes in use during the T'ang and Sung dynasties, as Cleaves 1955, Mori 1961, Yamada 1964, Hamilton 1969, and others have shown. Moreover, other peoples of East Turkestan and contiguous areas recorded legal and administrative transactions for many centuries before the XIII century, and we are in possession of every variety of document in their languages (Chinese, Tibetan, Xotanese, Sogdian, etc.). Nor can we forget that in West Turkestan during the Qaraxanid dynasty legal transactions were recorded in Arabic, Persian and Turkic in both Arabic and Uyyur scripts.

I do not have an answer to this important question, but feel that it must be sought within the juridical and economic structure of China and Inner Asia during the period of Mongol rule, and in the role of the Uyyurs in the establishment of those structures.

NOTES TO CHAPTER THREE

1. Caferoğlu remarks that Herrfahrdt 1934, unavailable to me, had dated the documents to the X-XIII cc. without advancing any reasons for doing so. Herrfahrdt's date was rejected by Fuad Köprülü, who stated without further comment that the documents could not be dated to before the XII century; see his *Les Institutions juridiques turques au Moyen-Age*, Türk Tarih Kurumu Bülteni II, 1938, pp.41-76 (pp.51-52).
2. US 88 is a long edict exempting a monastery from various taxes and its monks from labor duties. In line 44, Radloff had read quvčir and Malov goyčr (US, p.239), although Malov entered the word in the index as suvčr with a questioned form quvčir (US, p.292). Pelliot had already brought these clearly impossible readings into doubt (1944, p.156, n.2), and consequently I had requested Dr. Peter Zieme to check this passage in the original manuscript (T II D 205b) in Berlin. He graciously responded in a letter dated 6.2.74: "Z.44 ist auf keinen Fall qubčir zu lesen, am wahrscheinlichsten ist die Lesung goyčr, aber was bedeutet es hier?" Despite this refutation of Tikhonov's arguments, US 88 is probably to be dated to the XIII-XIV cc., since in line 48 we

find bu tuta turYu bitiq yarliY birtÖrÖ yarliqadimiz
"we have deigned to order the grant of this written
edict which you may keep in your possession".

The phrase tuta turYu bitiq is a calque of Mo
bariYu yabuyayi YarliY (see p.236), and it is
probable that yarliY is here the Mongol technical
term (see pp.247-249). The other text utilized
by Tikhonov here, US 77, is a contract of some
obscure sort drawn up by representatives of the
Ŷiyay qalanŶi bodunlar "poor qalanŶi peoples",
who complain about a conflict that has arisen
between them and the religious community that is
not subject to qalan. The validation process in
the document differs substantially from that in
other Uyyur legal documents, nor does the form of
the text resemble that of popular petitions to
the state. Both US 77 and 88 are unique types
of texts in Uyyur literature.

3. For a brief and accurate summary of the Ŷayatai
and Moyol rulers of the XIV-XV cc., as well as
full bibliographical references, see Ligeti,
KYD, pp.255-259, as well as Chapter One of the
present work.
4. Ligeti 1973, p.15, n.44, states that the name of
Ŭgödei also occurs in US 22:15 (= Nr.97:23). It
is true that Radloff mistakenly transcribed the

name in his edition of the text, but in fact the ruler mentioned in this line is [El]iqidey Xan, whose brief reign in 1326 fell between those of line 20 Kebek Xan and 26 [Darmaširin] Xan.

5. On the confusion surrounding the sealed library, see E. Danison Ross, *The Caves of the Thousand Buddhas*, JRAS 1913, pp.434-436; A. Róna-Tas, *A Brief Note on the Chronology of the Tun-huang Collections*, ADH XXI, 1968, pp.313-316. Recently, James Hamilton, normally a cautious scholar, has relied upon the old argument to date the Tun-huang manuscript of the Uyyur "Story of Two Princes" to the X century "et plus précisément encore, aux premières décennies après le milieu du X^e siècle" (Le Conte, p.4).
- 6..A. Rajtő, *Untersuchungsergebnisse von Urkunden-papieren alter und neuer Zeit*, Túrán 1918, pp.570-573. For a recent study of paper in China, see Tsuen-Hsuei Tsien, *Raw Materials for Old Papermaking in China*, JAOS XCIII, 1973, pp.510-519.
7. Von Gabain, [Review of Mori 1961] UAI XXXIV, 1962, p.281.
8. A.M. Ščerbak, *Nadpis' na drevneujgurskom jazyke iz Mongolii*, EV XIV, 1961, pp.23-25; S.G. Kljaštornyj, *K istoriografičeskoj otsenke ulankomskoj nadpisi*, EV XIV, 1961, pp.26-28.

9. A convenient, although not up-to-date summary of such texts may be found in A. von Gabain, Altürkische Datierungsformen, UJ XXVII, 1955, pp.191-203.
10. Bernard Lewis, EI² II:839-840; R.R. Arat, Fatih Sultan Mehmed'in Yarıllığı, Türkiyat Mecmuası VI, 1936-39, pp.285-322.
11. On this type of buyan, see von Gabain, PTF II, p.188; L. Ligeti, Notes sur le colophon du "Yitikan Sudur", Asiatica. Festschrift für Friedrich Weller, Leipzig 1954, p.403; Jes P. Asumussen, X^uāstvānift. Studies in Manichaeism, Copenhagen 1965, p.258. It is also interesting to note that the Mongol inscription to Möngke Qayan of 1257 speaks of the buyan achieved through erection of the monument (see the text in MLMC II/1, 1972, p.21).
12. For the Mongol Official Alphabet, see Clauson, Turkish and Mongolian Studies, London 1962, pp.179-187; Gy. Kara, Knigi mongol'skikh kočevnikov, Moskva 1972, pp.40-68.
13. A von Gabain, Die Drucke der Turfan-Handschrift, SDAW 1967, Nr.1, pp.17-31.
14. For the Yitikan Sudur, see Rachmatī, TT VII, Nos.14 and 40; the Ārya-rājāvavādakāsūtra: Radloff, Kuan, Beilage I, pp.69-90; the Suvarnaprabhāsa: V.V. Radlov - S.E. Malov, Bibliotheca

Buddhica XVII, SPb. 1913-17.

15. Tezcan-Zieme 1971, pp.456-459.
16. W. Bang - G.R. Rachmati, Lieder aus Alt-Turfan, AM IX, 1933, pp.129-140. It should also be noted that the Mongol variant of the Alexander Romance is found in the same manuscript (see the text in MLMC II/1, 1972, pp.197-207).
17. W. Bang - G.R. Rachmati, Die Legende von Oghuz Qaghan, SBAW;1932, pp.683-724; cf. Sinor, Introduction, p.102, for other studies.
18. Ligeti, KY, KYD, KYS.
19. This classification was first proposed by von Gabain 1935, pp.393-395, and subsequently repeated in her works. Refinements are due to Denis Sinor, A propos de la biographie ouigoure de Hiuan-tsang, JA CCXXXI, 1939-42, pp.543-590 (pp.561-572). Recently, this classification has been shown to be too simplistic and rather contradictory in several aspects in the pioneering study of G. Hazai - P. Zieme, Fragen der Bearbeitung türkischer Sprachdenkmäler, Acta Orientalia XXXII, 1968, pp.125-140.
20. Gunnar Jarring, Studien zu einer osttürkische Lautlehre, Lund 1933, pp.114-115 (also pp.44-49).
21. It is possible to suppose that the absolute occurrence of kergak is due to the fact that it occurs only in the "requirement clause" of

contracts, thereby becoming resistant to change. The structure of this clause, which is otherwise subject to certain variables, may be illustrated by 1:1-2, 2:1-2 manga Bolmišqa asıyqa kāmüš kerqek bolup "As I, Bolmiš, required (a loan of) cash at interest", and so forth.

22. The best example of this is the Yitiken Sudur, which was translated into Uyyur from Chinese in 1328 (cf. Ligeti, Notes sur le colophon du "Yitiken Sudur", Asiatica, Leipzig 1954, pp.397-404), and parts of which have been edited as TT VII, Nrs.14 and 40. Therein, one finds -iy/-iq everywhere except after personal possessive endings (e.g. 40:96 savimlizi) and pronouns (e.g. 40:131 alquni).
23. Several examples in Manichean texts are quoted in Sinor, A propos de la biographie ouigoure de Hiuan-tsang, p.561. Von Gabain, ATG, p.5, states that the "n-dialect" (that is, the dialect of most Manichean texts) did not have the -tin/-tin ablative, although in ATG, p.88, she quotes several examples taken from the texts in ManI.
24. In their editions of Nr.120, both Tenisev 1965 and Clauson 1971 carelessly transcribe the -ta/-ta locative-ablative as -tan/-ten or -tin/-tin, although the facsimiles of this text leave no room for doubt as to which form has been written.

25. A. von Gabain, Inhalt und magische Bedeutung der alttürkischen Inschriften, Anthropos XLVIII, 1953, p.548.
26. See Bang's preface to J. Marquart, Die Chronologie der alttürkischen Inschriften, Leipzig 1898. The history of the question is surveyed by Omeljan Pritsak, Die Oberstufenzählung im Tungusischen und Jakutischen, ZDMG CV, 1955, pp.184-191, wherein traces of the staircase counting system are imputed to exist in Evenki and other Tunguz dialects, and also in Yaqut, but the material and the arguments based on it by Pritsak are far from convincing.
27. V.V. Bartol'd, Sistema sčislenija orkhonskikh nadpisej v sovremennom dialekte, ZVOIRAO XVII, 1907, pp.0171-0173. This was confirmed by S.É. Malov in several of his works on this language; cf. Jazyk Želtykh ujgurov, Alma-Ata 1957, p.178.
28. Malov notes the late occurrence of -sar in a manuscript of RabyŪzī's XIV c. Qisas al-anbiyā' (US, p.226, note to p.69). However, in a postscript, Malov explains this occurrence as the abbreviated-conditional -sa with the participial -r (US, p.305). On both the abbreviated and full conditional forms, see the recent study

of N.Z. Gadžieva, *Dva istočnika proiskhoždenija uslovnogo perioda v tjurkskikh jazykakh*, Sorache, Geschichte und Kultur der altaischen Völker, eds. G. Hazai and P. Zieme, Berlin 1974, pp.251-256.

29. In a few cases when facsimiles are lacking for control, editors have transcribed -sa/-se (64:16 bolsa, 77:10 tiqmese); these may be normalizations. The writing of -za/-ze indicates that there was either an orthographical practice of writing -sa/-se as -za/-ze, or a sound change in this suffix. It will be noted in the examples that -za/-ze occurs in certain environments, namely, between vowels, after the resonants l, r, and after d (< t) and γ. In the case of 26:7, 27:7, 31:6 tudza, it is unclear whether the d has voiced before -za or the s of -sa has voiced after the voiced d. Since the full conditional is normally tut-sar > tutsar (except 64:22 tudsar), we might view this as evidence that the abbreviated conditional was in fact -za/-ze (thus tut-za > tudza) and not -sa/-se.

30. A similar argument has been used, by Radloff and others, to the effect that iči ini "older and younger brothers" was replaced by aya ini "id." (see above, p.99). However, in the following post-XIII century texts, we find both terms

for "older brother": Nr.58 iči ini, Nr.60 aya ini (both "Pintung" texts of 1280), Nr.65 iči ini, Nr.66 aya (both "Titsu" texts of 1228-1241).

31. There are several recent studies, one of which doubts even the existence of an actual written legal code established by the Conqueror:

P. Ratchnevsky, Die Yasa (Yasaq) Činggis-khans und ihre Problematik, Sprache, Geschichte und Kultur der altaischen Völker, eds. G. Hazai and P. Zieme, Berlin 1974, pp.471-487; D. Ayalon, The Great Yāsa of Chingiz Khān, A Re-examination, Studia Islamica XXXIII, 1971, pp.97-140; XXXIV, 1971, pp.151-180; XXXVI, 1972, pp.113-158;

P. Poucha, Über den Inhalt und die Rekonstruktion des ersten mongolischen Gesetzbuches, Mongolian Studies, ed. L. Ligeti, Budapest 1970, pp.377-413.

32. In connection with the actual seals themselves, Dr. Peter Zieme has disclosed, in personal communication, that several of the seals on Uyyur documents bear characters in hp'ags-pa script, whose use is confined to the Yüan period.

33. One such practice may be that of the "countersign", an Uyyur device found on the reverse of several Mongol letters, but not thus far on any Uyyur texts. The "countersign" has been described by F.W. Cleaves, A Chancellery Practice of the Mongols in the Thirteenth and Fourteenth Centuries, HJAS XIV, 1951, pp.493-526.

34. Cf. Sinor 1939, pp.573-590; Csongor 1952, 1955, 1962.

35. Loanwords from these languages that entered Uygur prior to the XI century are also found in the civil documents: 1:3ff. stir~sitr "unit of currency (liang)" [Greek στατήρ; cf. ED 802; KY 195; H.W. Bailey, Khotanese Texts, Cambridge 1961, p.10]; 5:2ff. kūñid "sesame seed" [Tokharian kuñcit; cf. ED 276; KY 178; ATG 317]; 7:5ff. padir "alms-bowl, monk's begging bowl" [Sogdian p'ttr ← Sanskrit pātra; cf. ED 307; ATG 324]; 9:2ff. bor "wine" [Tokharian-B mot; cf. ED 354; ATG 304; H.W. Bailey, Madu, A Contribution to the History of Wine, Silver Jubilee Volume, Kyoto 1954, pp.1-11]; 10:5ff. bōz "cotton cloth" [Greek βύβλος; cf. ED 389; ATG 304; Pelliot, Notes I, p.434]; 43:8ff. bay "garden, vineyard" [Sogdian b'y; cf. DTS 77; ED 311]; 47:10 vaxar "monastery" [Sanskrit viḥāra; cf. DTS 634]; 60:2ff. buyan "religious merit" [Sanskrit punya; cf. ED 386; DTS 120]; and undoubtedly others of more obscure origin.

36. There exist both Sanskrit and Tibetan versions of the medicinal text, which concerns the treatment of diarrhea, edited in Heilkunde II, Nr.3. The plant names of some 20 lines in the three versions have been extracted and placed in

parallel columns for comparison by H.W. Bailey, Medicinal Plant Names in Uigur Turkish, Fuad Köprülü Armağanı, Istanbul 1953, pp.51-56.

There, Bailey notes only that zira has no equivalents in the Sanskrit and Tibetan versions.

37. Wolfgang Lentz, Das Neupersische, Handbuch der Orientalistik IV/1, 1958, p.180.
38. Ahmet Temir, Kırşehir Emiri Caca Oğlu Nur El-Din'in 1272 Tarihli Arapça-Moğolca Vakfiyesi, Ankara 1959, pp.211-212.
39. E. N. Nadžip has apparently counted the Arabic loanwords in the Qutadyu Bilig, as he states that there are only 94 such words, all of which are probably mediated through Persian; cf. Zaslugi arabskikh filologov v oblasti izučenija tjurkskikh jazykov, Semitskie jazyki II/2, Moskva 1965, p.618.
40. The DTS contains two surely erroneous Arabic etymologies. The first is US 88:30, TT VII 14:28 liv, said to be from A لیو (DTS 333; but cf. ED 763 for a possible Chinese origin). The second is TT VI 202, etc., keode "paper", said to be from A کاغذ (DTS 290; cf. ED 710; Sino-Iranica: 557-559, for its Iranian origin).
41. Clauson, Turkish and Mongolian Studies, p.178, imputes the presence of Arabic and Persian words in US 9 (Nr.104) and US 88, but I am unable to confirm this.

CHAPTER FOUR: THE FORMAL TYPES OF CIVIL DOCUMENTS

The problem of the formal definition of a group of documents originating from a given period and geo-political arena is directly connected to the question of whether there existed in that area a chancery in which a standard style and format was employed for the recording and regulation of legal, administrative and commercial affairs. It is certainly the case that the Uyyurs, renowned for their bureaucratic expertise, had developed such a chancery style¹ which they practised both in their own country under various hegemonies (Uyyur, Mongol, Yüan, Čayatai, moyol) and in the service of their foreign rulers in other lands.²

Without wishing to develop the theme of the historical existence of an Uyyur chancery, which would be at present an exceedingly difficult and complicated task, I would like to attempt a formal definition of the various types of Uyyur civil documents. This attempt shall be based upon a consideration of both the formal features of validation (see Chapter Five) and the terms for specific types of documents found within the texts themselves.³

The Formal Types and Validation

The validity or legal authority of a given transaction or deed obviously had to be certified in writing in some manner, so that, should the need arise, reference could be made to it. This certification process for the Uyyur civil documents shall be referred to as "validation". Validation was an integral part of most of the documents and included potentially four components: (1) a date; (2) attesting witnesses to the deed; (3) the seals (tamya) or personal signs (nišan) of either the witnesses or the principals or both; and (4) the scribal certification. There were certain other minor components, such as writing out the document in the presence of a third concerned party, which entered into a limited number of texts, but were not integral to validation of the document.

The four components of validation may be utilized in a formal definition of the types of documents. The distribution of their occurrence may be charted according to the following three parameters:

(1) they are present in a given text; (2) they were in all likelihood present, but the text is damaged in that spot or is fragmentary and that section is missing; and (3) they are lacking in a given text.

See the table on the following pages for this distribution.

<u>Text</u>	<u>Number</u>	<u>Present</u>				<u>Missing</u>				<u>Lacking</u>			
		<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u> *	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>
1		+	+	+	+								
2		+	+	+	+								
3		+	+	+	+								
4		+	+	+	+								
5		+	+	+	+								
6		+	+	+	+								
7		+					+	+	+				
8		+	+	+									+
9		+	+	+	+								
10		+	+	+									+
11		+	+	+	+								
12		+	+	+	+								
13		+	+	+	+								
14		+	+	+	+								
15		+	+	+					+				
16		+	+	+					+				
17		+	+	+					+				
18		+	+	+									+
19		+	+	+	+								
20		+	+	+	+								
21		+	+	+	+								
22		+	+	+					+				
23				+		+	+		+				
24		+	+	+	+								
25		+	+	+	+								
26		+	+	+	+								
27		+	+	+	+								
28		+	+	+	+								
29		+	+						+	+			
30		+	+	+	+								
31		+	+	+	+								
32		+	+	+	+								

*Numbers 1,2,3,4, refer to the features of validation.

<u>Text Number</u>	<u>Present</u>				<u>Missing</u>				<u>Lacking</u>			
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>
33	+	+	+	+								
34	+	+	+					+				
35	+	+	+	+								
36					+	+	+	+				
37	+	+	+	+								
38	+					+	+	+				
39	+	+	+	+								
40	+	+	+	+								
41	+	+	+	+								
42	+	+	+	+								
43	+	+	+	+								
44	+	+	+	+								
45	+	+	+	+								
46		+	+	+	+							
47	+	+	+	+								
48	+						+	+	+			
49			+		+	+		+				
50	+	+	+	+								
51	+	+	+	+								
52	+	+	+	+								
53	+	+	+	+								
54	+	+	+	+								
55	+	+	+	+								
56	+	+	+	+								
57	+	+	+	+								
58	+	+	+	+								
59	+	+	+	+								
60	+	+	+	+								
61	+	+	+	+								
62	+	+	+	+								
63	+	+	+	+								
64		+	+	+								

<u>Text Number</u>	<u>Present</u>				<u>Missing</u>				<u>Lacking</u>			
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>
65	+	+	+	+								
66	+	+	+	+								
67	+	+	+	+								
68	+	+	+					+				
69		+	+	+	+							
70	+	+	+	+								
71	+					+	+	+				
72	+	+	+									+
73	+	+	+	+								
74	+	+	+	+								
75	+		+	+						+		
76	+		+							+		+
77	+	+	+	+								
78	+	+	+	+								
79	+	+	+	+								
80	+	+	+	+								
81	+	+	+									+
82	+	+	+	+								
83	+					+	+	+				
84	+	+	+									+
85	+	+	+	+								
86	+	+	+	+								
87	+	+	+	+								
88	+	+	+					+				
89	+	+	+	+								
90	+	+	+									+
91	+	+					+					+
92	+		+							+		+
93	+	+					+	+				
94[at end]	+		+							+		+
95[at end]	+		+							+		+
96									+	+	+	+
97		+								+	+	+

<u>Text Number</u>	<u>Present</u>				<u>Missing</u>				<u>Lacking</u>			
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>
98			+						+	+		+
99									+	+	+	+
100									+	+	+	+
101									+	+	+	+
102	+									+	+	+
103	+									+	+	+
104									+	+	+	+
105	+									+	+	+
106	+									+	+	+
107	+									+	+	+
108	+									+	+	+
109	+									+	+	+
110	+									+	+	+
111	+									+	+	+
112	+		+							+		+
113	+									+	+	+
114	+									+	+	+
115	+									+	+	+
116	+									+	+	+
117	+									+	+	+
118	+									+	+	+
119	+									+	+	+
120										+	+	+
121									+	+	+	+
122									+	+	+	+
123									+	+	+	+
124									+	+	+	+
125									+	+	+	+
126									+	+	+	+
127									+	+	+	+
128									+	+	+	+
129									+	+	+	+
130									+	+	+	+

Text Number	<u>Present</u>				<u>Missing</u>				<u>Lacking</u>			
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>
131									+	+	+	+
132									+	+	+	+
133									+	+	+	+
134	+			+						+	+	
135									+	+	+	+
136	+									+	+	+
137	+									+	+	+
138	+									+	+	+
139									+	+	+	+
140									+	+	+	+
141	+									+	+	+

The distribution of these four aspects of validation points to the distinctions which may be drawn between the various documents. There are, first of all, documents which attest, that is, legal contracts between two or more parties concerning some transaction which was recorded by a scribe, attested to by witnesses, and given under seal or personal sign of the concerned parties on a given day. Ideally, legal contracts contained all four of the features of validation, but the crucial feature for this definition is the presence of (2) witnesses to the deed.

Except as stated below, Nrs.1-93 potentially have features (1)-(4) and may be defined as legal contracts. Nrs.8,10,18,72,81,84,90, lack (4), and of these Nrs.8,10,18, are special incomplete cases

explained below (pp.306-307). Nrs.76 and 92 lack (2) and (4), Nr.75 lacks (2), and Nr.91 lacks (3) and (4). All of these cases are discussed in Chapter Five. It may also be pointed out that Nr.87 is a disattached receipt for the transaction in Nr.58, Nrs.88-93 are separate receipts, and Nrs.54,56, and 67 contain receipts appended to the main text. Since receipts bear all the formal features of validation, it is impossible to make a formal distinction based upon these features between legal contracts in general and receipts in particular (cf. Yamada 1964, pp.114-115). However, in a legal sense, receipts discharge the obligations of the promisors and thereby release them from the contracts.

A second formal type consists of documents which command. Such documents gave notice of the laws and wishes of the state authorities, whose executors required no more effective validation than the authority of their offices. Therefore, such documents may be termed decrees, and formally defined by the absence of (2) witnesses to the deed and (4) scribal certification. A decree would have carried the validity or legal authority of the name of the ruler or official mentioned on it, thereby rendering (2) and (4) superfluous.

It has not been clear in the various editions of such texts that the seal or sign of the official or ruler in whose name the document was issued must also be present to assure recognition of its authority. Only Nrs.98 and 112 of the decrees make specific mention within the text of feature (3), but a glance at those decrees for which facsimiles are available (Nrs.110,111,116) also show that a seal was affixed. Undoubtedly, all decrees bore (3) a seal or personal sign, and all but Nrs.98-101 and 104 have (1) a date. Moreover, several of the decrees have a further formal characteristic, namely, the presence of the phrase sözüm(öz) "our word" (Nrs.98,99,100,101), which is discussed below (pp.248-249). Those documents which may be classified as decrees are: Nrs.98-119.

A third type of text consists of the two depositions, Nrs.94 and 95, which swear to the testimony entered into the uluy tabdar "great register", and which have the features (3) and (4) placed at the end rather than at the beginning of the text.

A fourth type of document which must be distinguished, if only by the lack of features of validation, are the two documents, Nrs.96 and 97, which plead for

special consideration from the higher authorities. These documents may be called petitions and are so designated as St0g within the texts themselves. It is not certain that Nr.97 did not have a date at the beginning, as this portion of the text is considerably damaged.

A fifth type of document consists of those which record, that is, either personal or official registers whose main purpose was to keep information of one sort or another for personal (commercial) or official uses. Nearly all of the official registers appear to be tax registers, but it is usually unclear by whom and for what purpose they have been drawn up. Understandably, such registers lack all of the features of validation, since they were never intended to stand public or legal scrutiny. Those texts which may be classified as registers are Nrs.120-133.

Finally, certain documents defy definition. Some of them appear to be odd types of contracts or registers, but most of them are really too damaged even to permit serious examination. Thus, a category of miscellaneous documents would include Nrs.134-141.

Terms for Specific Types of Documents

Within the texts appear a number of designations for the kinds of documents, particularly for specific types of legal contracts. The general word for "document" was bitiq, derived from the verbal root biti- "to write", and concerning which a great deal has been written (ED 303; DTS 103; KY 143; KYS 17; TME II 262-264; Ewb 77; Bodrogligati 1965, pp.108-109; Caferoğlu 1934, pp.27-28; etc.). The semantic range of bitiq included "inscription, book, scripture, register, latter, decree, document", but it will be clear from the following citations from the civil documents that bitiq could refer to contracts, decrees and registers, and ought therefore to mean "document" in general:

34:6-7 bu bitiq qılmış kün üze "on the day this document was drawn up" (most sale contracts have this formula);

37:23-24 men Çatır bu bitiqdeki onluqça başta kişilerke
oñ qada inçge ayıdıp bitiqil timişke bitidim "when they said 'Write it down', I, Çatır, wrote it down precisely in three copies at the request of the people who are at the head (başta) of the decades (onluqça) who are (named) in this document";

72:4 olar birle bitiq qılıp bi[rđim] "I have made up a document for them" (settlement of a litigation);

73:1-2 Turīqa bitiq birürmen "I give this document to Turī" (a decree from Ara Temür);

74:1-2 men Tašīq Turīqa bitiq birürmen "I, Tašīq, give a document to Turī", 13-14 munča nerzelerni sen birip bitiglerim aiyıl tip godup birdim "I (Tašīq) have given (this document), placing it (in Turī's name?), saying 'You pay just these things (i.e., debts of Tašīq) and take my documents (i.e., land deeds held as security)'";

78:2 men Mungsuz Qaya Turmıš Temürke bitiq birürmen "I, Mungsuz Qaya, give this document to Turmıš Temür";

82:2-3 Tarbiš apam ölgen erkenta bitiq birtimiz erdi "we gave a document when our grandfather, Tarbiš, died", 8-10 bu bitiqni kim alıp kelser neqäke me tıldamayın bödörüp birörbiz "whoever presents this document (to us), we shall pay in full without seeking any pretexts" (cf. ED 494);

83:6 bitiqni qačan balqölep(?) kelsar "when (someone) comes and shows the document" (very damaged text);

86:18-19 bu nišan biz bitiqtekiče atlıy il bodunning ol "this personal sign is that of us, the people of the community, as named in this document";

94:4 men Sevinč bitiq birürmen "I, Sevinč, give this document (to the Iduq-qut, etc.)" (same in 95:3-4);

99:10 bitiq qılıp turur "draw up a document" (obscure passage in a decree from Ara Temür);

100:5-9 sizlarta Toyın Qulı Açarınlaq azuklūq
Turınlıq oq yirning baš bitiq bar ermiš ol bitiq
Qočo Qisilta qayuta bolsar tilep "you once had
an original document for a sale of property belonging
to Turı in the handwriting of Toyın Qulı Açarı;
wherever that document is in Qočo Qisil, ask for it"
(concerning a lost contract), 14-15 Turınlıq bitiqin
alıp birqıl "take the document of Turı and give
it to (us)";

104:13-14 men bidıq ordenip idza bolur "?" (very
damaged text);

In one other occurrence, bitiq signifies only "letters":

96:7-bitiq uŷıq nom boşyut dorenmiš uŷon "because
I studied writing ('letters and handwriting') and
the scriptures".

Although only unique copies of each civil
document survive, it is certain that several copies
were made, as the documents themselves attest with
the phrase uŷ gata "(literally) three times", or in
this context "three copies":

24:18-20 men Yirim Sarayučqa uŷ gada ayldıp bidıdım
"I, Yirim, have written it down in three copies at
the request of Sarayuč";

37:23-24 men Čatır bu bitiqdeki onluqča bašta
kişilerke uŷ gada inçge ayldıp bitiqıl timişke bitidım
(for the translation, see above, p.218);

43:23 man Menggö Beg Temörke üč qada ayıdıp bitidin
"I, Menggö Beg, have written it down in three copies
at the request of Temör";

86:20-21 man Berk Tuymış bitkeci ilke bodunqa üč
qada inçe ayıdıp bitidin "I, Berk Tuymış, the scribe,
have written it down precisely in three copies at
the request of the people and the community".

The function and proprietorship of each copy
are not clear, although one may reasonably suppose
that at least the two main parties to a transaction
(lender and borrower, seller and buyer, etc.) each
retained a copy for their personal records. Perhaps
a third copy was entered into official records at
a chancery or was retained by the scribe of a given
document. It is unknown whether three copies were
always made, regardless of their mention in the
scribal certification, or whether three copies were
made only in those cases when it was stated so.

It is my suspicion, but one which I am presently
unable to verify, that all or most of the legal
contracts had a "deed title" written on the verso
of the contract which specified the type of contract
and the proprietorship of the contract. This is
certainly the case with the following contracts:

20 verso: Yigedmişning [üyd]r bitiqi "the millet
document of Yigedmiş (who is the borrower in the contract

33 verso: [Yr]o Yanqatln almiš yirning bitiqi

"the document concerning the land bought from Yarp Yanga" (this copy apparently in possession of the buyer, Qutadmiš);

35 verso: bu bidia [Adiy] Tarxanniq ... yir bihiqi

"this document is the ... land document of Adiy Tarxan (who is the seller in this contract)";

52 verso: Qutluyniq baš bitiqi ol "it is the original document of Qutluy (who is the slave sold in this contract)";

54 verso: Poking [atliy] er qarabašning baš bitiqi ol

"it is the original document of the male slave named Poking (who is sold in this contract)";

57 verso: bu baš bitiq Esen Tiginning ol "this original document is that of Esen Tigin (who is sold in this contract)".

The difficulty in verifying the suspicion that other legal documents also had such a title is the familiar one of lack of photographs of the versos of the texts. A scholar with access to a number of original manuscripts or to adequate photographs of them could profitably occupy himself with a study of this topic.

Apart from these aspects, the contracts themselves contain references to several specific kinds of contracts or copies of contracts, the

exact interpretation of which presents a formidable challenge. Only Arat has attempted to collect in one place the terms for such contracts (Arat 1964, pp.26-33). His section entitled "The Kinds of Legal Documents" is presented here in translation:

- "1. bitiq 'document' [see above, pp.218-220];
2. baš bitiq 'original and basic document' [see below, #1];
3. čīn bitiq 'genuine document' [see #3];
4. čīn baš bitiq 'genuine original document' [see #3];
5. idiš bitiq 'a temporary document' [see #2];
6. ōng bitiq 'previous document' [see #4];
7. vučung, bučung bitiq 'a document that replaces either a baš bitiq or a ōng bitiq that has been lost' [see #6];
8. yantut bitiq 'a document connected with the return of goods that have been received for a fixed period' [see #5];
9. yanut bitiq [Arat referred to 10. following];
10. tutup turyu yanut bitiq 'a document for the return of something after a fixed period [muvaqqat iāde vesikasī?; see #5];
11. ata bitiqi 'will (literally: father's document)' [see #9];
12. budun bitiqi 'document connected with the people or an assembly' [see p. 224];
13. ōtūq bitiq [Arat cites US 45 and Nr.97; see #12];
14. yarliy [Arat refers to 15. and 16. following; see #11];
15. ulam yarliy [Arat refers to US 88];
16. birtōrū yarliy [Arat refers to US 88];

17. tuta turyu bitiq [Arat refers to unedited Berlin document concerning a monastery];
18. tuta turyu bitiq yarllıy [Arat refers to US 88; see p.236];
19. 'vakf documents' [Arat refers to the Stake Inscriptions and to an unedited Berlin text concerning a monastery];
20. 'documents drawn up concerning the state and its members' [without further illustration];
21. uluy defter 'documents connected with a general census' [see #13]."

The fuller definitions and remarks of Arat are cited below in my comments upon these terms, but at the outset it should be said that many of Arat's terms and phrases are either unacceptable or irrelevant to the present work. Thus, I do not accept Arat's #3 and #4 as necessarily constituting separate kinds of documents, and it is clear that his ##8-10 concern the same term. For his #12 budun bitiqi [read bodun bitiqi], Arat cites US 77, wherein the term is nowhere to be found.

In regard to Arat's #13, the text Nr.97 has only ötüg not ötüg bitiq, whereas US 45 is an ecclesiastical paper and not a civil document. - It is only in connection with such ecclesiastical papers that Arat's ##15-19 are relevant. There is no specific term in the documents for his #20, which is clearly a separate type according to subject matter only.

Finally, Arat appears to have been unaware of the terms olūš bitiq "inheritance document", boš bitiq "deed of manumission", kitab "book", the special use of otūq in Nr.127, and the imputed reading of oteqči bitiq "promissory receipt" in Nr.58. In light of these considerations, it is my view that such a list should include the following terms, which shall be discussed in this order below:

- | | |
|---------------------------|------------------------|
| 1. <u>baš bitiq</u> | 8. <u>boš bitiq</u> |
| 2. <u>ıdış bitiq</u> | 9. <u>ata bitiqi</u> |
| 3. <u>čın (baš) bitiq</u> | 10. <u>olūš bitiq</u> |
| 4. <u>önq bitiq</u> | 11. <u>yarlıy</u> |
| 5. <u>yanut bitiq</u> | 12. <u>otūq</u> |
| 6. <u>vučunq/bučunq</u> | 13. <u>uluy tabdar</u> |
| 7. <u>oteqči bitiq</u> | 14. <u>kitab</u> |

1. baš bitiq "original document"

This and the following two terms occur in the following texts:

52 verso: Qutluqnıng baš bitiqi ol "it is the original document of Qutluy (who is the slave that is sold in this contract)";

54 verso: Pokıng [atlıy] er qarabaşnıng baš bitiqi ol "it is the original document of the male slave (named) Poking (who is sold in this contract)";

57 verso: bu baš bitiq Esen Tıgınnıng ol "this original document is that of Esen Tigin (who is sold in this contract)";

73:2-4 Turining borluqning manqa qillip birmish
baş bitiq idish bitiq ol song barin xın bitiq ol
tipdam čarim qilmaz men "I say that the original
document for the vineyard of Turī that was drawn
up and given to me is the idish bitiq, and is the
song barin(?) genuine document, and I shall make
no litigations";

78:6-7 baş bidiqin birip bu borluqta čamim qaryaša
yoq tip bidiq birdim "I have given back his original
document and given him a document that says there
are objections or disputes concerning this vineyard";

99:12-14 sentaki idish bitiqni birip manqa xın baş
bidip qillip idyil "give me the idish bitiq that you
have and make out and send to me a genuine original
document";

100:5-8 sizlerte Toyin Quli Ačarining ozukluq
Turining oq yirning baş bitiq bar ermiş ol "you
apparently once had an original document for a land
sale belonging to Turī in the handwriting of Toyin
Quli Ačari";

Radloff translated the phrase baş bitiq as 73:3,
99:13 "Hauptschrift" (US, p.6,34) and 100:7 "Haupt-
dokument" (US, p.24). Later, Malov placed in the
index to his chrestomathy the indication baş bitiq
"principal (mašn) document [главный документ]"
(Malov 1951, p.372, where it is erroneously cited
for Nr.96, although Nr.52 is meant). The editors

of the DTS quoted 73:3 with the translation "principal (main) document [главный документ]" and certified title deed [красная купчая]" (DTS 87). The latter definition may have been based on the error of Feng-Tenišev who mistakenly refer to Nr.60, which is a boš bitiq "deed of manumission", as a baš bitiq "certified title deed [красная купчая]" (Feng-Tenišev 1960, p.142). Von Le Coq had referred to the baš bitiq as the "original document" (1918, p.460), and Arat had seen the phrase as a term used for the "original and basic document" (1964, p.26). Yamada translated 52 verso as "head document" (1972, p.199) and 57 verso "main document" (1972, p.203).

There appears to be some consensus that the meaning of baš bitiq is roughly that of its components, baš "head; origin; source; principal, chief, main" (ED 375) and bitiq "document". Yamada has added the interesting fact in the lower right corner of the document Nr.58 are seven Chinese characters, partially unphotographed by its original editor (Feng 1958), four of which can be read Shan Pin yŭan-ch'i ... (Yamada 1972, p.176). Chinese yŭan means "head, beginning" and is equivalent to baš, while ch'i means "document" and is equivalent to bitiq, thus, Nr.58 is the "original document of Pintung ...". Yamada indicates that the phrase yŭan-ch'i is found on similar Chinese documents and ought to be of

Chinese origin in the Uyur documents (Yamada 1972, p.176; refers to Niida 1960, pp.346,347,367).

The phrase baš bitiq undoubtedly refers to the "original document", that is, the first full document drawn up in regard to a given transaction or deed and certified by a scribe. Since several of the above illustrations (Nrs.52,54,57) entail the existence of multiple copies, it must also be the case that baš bitiq referred both to the single "original document" and to any copies made and certified by a scribe of the original document.

2. idiš bitiq "temporary(?) document"

There are two occurrences of this term in the documents (quoted p.226). Radloff translated 73:3 as "die Idisch-Schrift" (US, p.6), but misread the second 99:12 erbiš bitiq "Ärbisch(?) Bitik (den vorläufigen Kontrakt ?)" (US, p.34), the latter of which Malov entered into the index without comment (US, p.265). Malov did, however, record that Radloff later suggested that 73:3 should be read etiš bitiq "Endgültige Schrift" (US, p.218), and entered this renovation into the index as etiš bitiq "real, legal receipt or document" (US, p.266).

Due to the multiple editorship of the DTS, the citation in 73:3 got entered twice, the first time as itiš bitiq "supplementary (additional)

document" (DTS 87), the second as idiš bitiq "a document which verifies the mutual use of something or the receipt of something as a rent" (DTS 203). At the same time, erbiš bitiq, Radloff's misreading of 99:12, was cited in context, but glossed over simply as "document" (DTS 495).

Von Le Coq tentatively interpreted idiš bitiq as "probably a copy, the one which would be sent" (von Le Coq 1918, p.460). Caferoğlu argued with Malov's interpretation of etiš bitiq as "legal receipt", and asserted that the čīn bitiq of the same contract had precisely the same meaning, which is neither true nor very much to the point (Caferoğlu 1934, p.27, n.2). Arat thought that the idiš bitiq was drawn up only for a temporary or fixed purpose: "idiš bitiq, by this must be understood a document which has been drawn up for the sake of a temporary profit from a property by way of a rental or a partnership" (Arat 1964, p.27).

Manifestly, a key problem in the interpretation of this phrase is the etymology of its first member. There is no known nominal similar to idiš ~ idiš (Radloff-Malov's etiš is simply a normalization), but such forms imply either a root id- "to send" or a root id-, which could only be a phonetic development of ēt- "to do, to make". To either root

could be suffixed the deverbal nominal formant
-š, which often connotes a mutual or reciprocal
action: id-iš "mutually sent (documents)" or et-iš >
id-iš "mutually made out (documents)".

Neither etymology appears to be of consequential
aid, but the contexts of the phrase indicate that
in Nr.73 the idiš bitiq appears to be equated with
the baš bitiq, whereas in Nr.99 the idiš bitiq
appears to be a less acceptable, or less valid
paper than the baš bitiq which is to replace it.
It is my view that the idiš bitiq referred to a
document drawn up for a temporary period for a
fixed purpose (cf. Arat), one which its possessor
could "exchange" for a genuine original document
(Nr.99), or one which could be certified as the
original document (Nr.73), at some later date.

Tentatively, then, I would interpret 'YOYS as idiš <
id-iš "mutually sent, exchanged", and translate
the term idiš bitiq as "temporary(?) document".

3. šin (baš) bitiq "genuine (original) document"

These expressions occur in the two documents
cited above (p.226). 'Radloff read 73:3 as baš bitiq,
idiš bitiq, ol song barin šin bitiq ol "Dies ist die
Hauptschrift, die Idisch-Schrift, darnach eine in
Allem wahre Schrift" (US, p.6), and 99:13 as manga

Čin baš bitiq qılıp ıdyıl "(Im anderen Falle) verfasse eine gültige Hauptschrift und schicke sie mir zu" (US, p.34).

The editors of the DTS cited 73:3 after Radloff's punctuation: "the original document, the supplementary document, these are, finally, all genuine documents" (DTS, p.87). A part of 73:3 got entered twice: ol song barın Čin bitiq ol "finally, these are all genuine documents" (DTS 84), "later, (I will not litigate for new conditions of rent, referring to the fact that) all these documents are correct" (DTS 148). Finally, for the phrase in 99:13 Čin baš bitiq, the DTS translated "original basic document(?)" (DTS 149).

Von Le Coq had written of 73:3 song barın Čin bitiq that it is "a copy whose purpose we do not know" (Le Coq 1918, p.460). Arat translated 73:3 Čin bitiq "a genuine deed, an original contract" (Arat 1964, p.26), and 99:13 Čin baš bitiq "a genuine basic deed or contract" (1964, p.27).

Most scholars have taken Čin bitiq and Čin baš bitiq to refer to two specific types of contracts. However, it is unlikely that any special designation for a contract would have consisted of four or even three words (at least, none do), and I would agree with those who separate song barın from the Čin bitiq of Nr.73. The status of this song barın is quite

obscure, and its discussion not entirely relevant to the present problem.⁴

The word ċin "true, genuine" was borrowed from Chinese chên at an early date, appearing in Manichean, Buddhist and Qaraxanid texts (ED 424; KY 152).

In the present contexts, ċin appears to function simply as an attribute, and does not seem especially bound to bitiq to form a technical term. This is indicated by the phrase ċin baš bitiq. Were ċin bitiq a separate term, should we not expect to find ċin bitiq baš bitiq, or a similar construction?

In my opinion, 73:3 ċin bitiq ol should be translated "it is a genuine document", and 99:13 ċin baš bitiq "a genuine original document", and should represent no more than a judgment that the documents are not false.

4. önq bitiq "previous document"

This and the following two terms appear in two documents and önq bitiq alone in a garbled text:

72:7 önq bitiqin tınuru, 9-10 manga önq bitiqin binqeyin (the verbs are unintelligible);

80:3-5 önq bitiqi yoq bolmıš üčün tudup turyu yanut bitiq birtimiz, önq bitiq ünser vučunq bolup yorımazun "because his previous document (concerning the receipt of skins and silk from Turī) has disappeared,

we have given a yanut bitiq which he may keep in his possession; if the previous document is found, let it be a vučung and not be valid";

81:3-6 Ənq bitiqi yoq bolmıšqa bučung bitiq birdim
kin Ənqürte(?) Ənq bitiqi Ünser yorımazun bučung bolzun
"as his previous document (concerning the receipt of five sitir in interest) has disappeared, I have given a bučung bitiq; if at a later date (kin Ənqürte?), his previous document is found, let it not be valid; let it be a bučung".

Radloff had read Nr.80 anıñq bitiqi yoq bolmıš
Əčün tudup torqu yanut bitiq birtimiz. Sonq bitiq
učrasar vučung bolup, yorımazun "da seine Schrift verloren gegangen ist, so geben wir wegen der empfangenen Seide einen Empfangsschein. Wenn später die (erste) Schrift zum Vorschein kommt, so möge sie ungültig und nicht gangbar sein" (US, p.5). In a note, Radloff modified the latter part to read: "so möge die Quittung [vučung] gelten, aber jene Schrift ungültig sein" (US, p.77). For his part, Malov corrected Radloff's anıñq bitiqi to ənq bitiqi "his authentic document", and učrasar to ünser "if it is found" (US, p.217).

For Nr.81, Radloff read Ənq bitiqi yoq bolmıšqa
bučung bitiq birdim, kin Ənqürtin anıñq bitiqi, učrasar
yorımazun bučung bolzun "Da die von ihm früher aus-

gestellte Schrift verloren gegangen ist, habe ich ihm diese Quittung ausgestellt. Wenn später seine frühere Schrift zum Vorschein kommt, so soll sie ungültig sein, die Quittung aber soll gelten" (US, p.84). Malov again made corrections from aninq bitiqi to onq bitiqi and from učrasar to onser (US, p.230).

The term onq bitiq did not find its way into the DTS, but Clauson had the following comment: "[Nrs.72, 80,81] are all receipts given to replace previous receipts, the original, lost, document is called onq bitiq 'previous(?) document'" (ED 167). Arat wrote of the term: "onq bitiq, ... according to its use in the documents must be understood here as a concept connected with the basic meaning of the word onq ('previous, former')" (Arat 1964, p.27).

This is possible; just as baš bitiq was to be understood through the meaning of baš. Still, it is not certain that onq is bound to bitiq as a technical term, or whether onq is simply an attribute of bitiq. The latter seems the more probable by the following argument: the lost documents in Nrs.80 and 81 would not originally have had written on them onq bitiq "previous document", whereas the duplicate documents given in their place would certainly have been marked as yanut bitiq, just as

the lost documents themselves, once found, would have bučung/vučung written on them to indicate their changed legal status. In other words, Onq bitiq in these cases does not refer, in a legal sense, to a specific type of contract, but simply to a "previous document" that someone has lost, and that must now be replaced.

5. yanut bitiq "duplicate document"

The citation for this term in Nr.80 may be found above (p.232). Radloff translated yanut bitiq as "Empfangschein", whereas Malov placed in the index simply the word yanut without gloss (US, p.274). The term was not entered into the DTS as such, although the sentence was quoted: turqu yanut bitiq birtimiz "in exchange for the silk we have given a document" (DTS 233). By this reading, one also proposed in Caferoğlu (1934, p.29), there is no term yanut bitiq. Arat took the term to be part of a large phrase: "tutup turku yanut bitiq, a document (concerning) a fixed or temporary return [?muvakkat iade vesikası]" (Arat 1964, p.28). Clauson, as the DTS, has misconstrued the first part of the phrase as referring to the receipt of torqu "silk": tutup torqu yanut bitiq birtimiz "we have (hereby) given a duplicate document regarding the receipt of the silk fabric" (ED 946).

The phrase tudup turyu has baffled scholars here and in US 88:48 bu tuta turyu bitiq yarliq birtürü yarliqadımız, which has been translated variously: "Hiermit haben wir diesen streng zu befolgenden Erlass auszustellen geruht" (Radloff, US, p.146); "a decree that is issued for a temporary or fixed period ... until the genuine edict is given [i.e., tuta turyu bitiq]" (Arat 1964, p.31); "we have deigned to order the grant of this strict written edict" (ED 967).

None of the above renderings of this phrase is correct. The roots of the words in the phrases tudup turyu and tuta turyu are tut- "to hold" and tur- "to stand; also used as an auxiliary verb meaning to continue to do the action of the first verb" (ED 529). The Turkic phrase is clearly calqued on the phrase in Middle Mongol edicts bariṣu yabu'ayi jarlix (hp'ags-pa texts; cf. Poppe-Krueger 1957, p.86, n.12), bariṣu ayai ... (Tehran Museum documents; cf. Cleaves 1953, pp.50-54, n.24). The Mongol phrase is composed of bari- "to take, hold, keep" and yabu- "to go, to act; used as an auxiliary verb to denote continuity of action of first verb". Literally, the Mongol and Turkic phrases mean "(a document) which one shall continue to hold", or "(a document) which you may keep in your possession".

Thus, the phrase tudup turyu can not be viewed as forming part of the technical term yanut bitiq, and much of what Arat has written concerning these terms is invalidated. However, the translation of Clauson for yanut bitiq "duplicate document" fits the context superbly.

There exist two further occurrences of the term yanut bitiq. Arat himself quoted one occurrence among the unpublished Berlin documents: "yantut bitiq, a document which has been drawn up in connection with the return of goods which have been received for a definite (fixed) period; cf. e.g., someone gives a yantut bitiq to A; because the four years [of rental] of the vineyard have been completed, he receives 37 rolls of cotton cloth and returns the vineyard" (Arat 1964, p.28). Here, it is only the occurrence of yantut bitiq that is of moment, since, without the text itself, one is unable to judge the accuracy of Arat's synopsis and interpretation.

In another text, we find the same term: HTB 1857-1860 yana iltu baryu yantud bitiq goltı, Samtso Ačarı yantud bileq b(e)klep anqaru Inanpr(a)bii Ačarıq bitiq gıltı "and he asked that a return letter be brought. The Tripitika Ācārya packed up a return gift and furthermore composed a letter to Jñānaprabha Ācārya" (cf. ED 190). Here, what is intended is

the exact exchange of something, a letter or a gift, between the Chinese and Indian monks. The two forms, yanut and yantut, are synonymous, and derive from the same root yan- "to turn back". With a causative suffix -t, the stem *yanit- would mean "to cause to turn back, to return something" (cf. ED 946; DTS 233; von Gabain 1938, p.396, n.1857; Caferoğlu 1934, p.29; Fazylov I 475).

The term yanut bitiq should mean "duplicate document" in the sense of a document that is held in exchange for a lost document. Under bučung/vučung below, I will state my arguments for assuming that the bučung bitiq of Nr.81 is a scribal lapsus for yanut bitiq.

6. bučung/vučung "supplementary (document)"

The citations of Nrs. 80 and 81, in which this term occurs, have been quoted above (pp.232-233). Radloff translated both occurrences as "Quittung", which Malov followed by placing bučung in the index as "receipt" [КВИТАЦИЯ], receipt [РАСПИСКА] in exchange for a lost document" (US, p.270, citing Nr.80, although he would have liked to cite vučung for Nr.80 and bučung bitiq for Nr.81). Caferoğlu wrote of the word "that it means either a loan deed [sanet] which is given by the debtor to the creditor or, on the contrary, a receipt which is given anew

by the creditor upon the loss of a receipt concerning the payment of a loan by the debtor" (Caferoğlu 1934, p.32). Arat had the following to say: "vučunq, bučunq bitiq; it indicates a document which is drawn up to replace either a baš bitiq or a önq bitiq which has been lost; cf. e.g., when the baš bitiq for a vineyard which has been sold is sought and cannot be found, then a document with a red seal will be drawn up by an official department concerning the fact that a vučunq will appear ..." (Arat 1964, p.28, citing an unedited Berlin document).

The editors of the DTS give the following entries on the term: "bučunq (Chinese бучун, po-čhunq 'to fill up') receipt [расписка] (in place of a lost document): önq bitiqi joq bolmıšqa bučunq bitiq berdim 'when his authentic document was lost, I gave him a receipt (in exchange)'" (DTS 119); "vučunq (Chinese бучун, po-čhunq 'to fill up') receipt [квитанция], receipt of the recipient [расписка получателя]" (DTS 635). The Chinese etymology of the DTS is substantially correct, although the meaning of the Chinese word is somewhat misconstrued; Chinese pu ch'unq means "to supplement" or "a supplement".⁵ The Uyur bučunq, and its doublet vučunq which presents a phonetic problem for Sinologists, must mean something like "supplementary

(document)", both phonetically and semantically equivalent to its Chinese prototype.

The occurrence of bučung bitiq in Nr.81 entails a contradiction in that text. Whereas, in Nr.80 the lost previous document was replaced by a yanut bitiq "duplicate document" and, if found, was to become an invalid vučung "supplementary document", in Nr.81 the lost previous document was replaced by a bučung bitiq "supplementary document" and, if found, was to become an invalid bučung "supplementary document". This state of affairs is contrary to sense, for it would mean that the person concerned in Nr.81, were his document found or to remain lost, would have in hand only invalid "supplementary documents" (bučung and bučung bitiq)!

Although I have a strong aversion against major emendations of texts, particularly when an already obscure term is in question, this passage of Nr.81 is, in its own terms, illogical. I would strongly suggest that bučung bitiq is a scribal lapsus for yanut bitiq, as in Nr.80. I would also point out, in support of this emendation, that bučung and vučung are used in both texts without bitiq which was clearly not an integral part of the technical term; conversely, we should expect from the imputed occurrence of bučung bitiq, as from all the previously discussed terms for special types

of contracts, that bitiq was an integral part of the technical term, so that bučung and vučung would be aberrant. Obviously, this was not the case. Finally, there is the contextual argument to the effect that if someone had lost his previous fully valid document concerning some transaction, that person would undoubtedly require a duplicate certified copy, and not some supplementary document. The emendation is, I believe, fully reasonable, but it necessarily is not subject to proof.

On this reading, both Nrs. 80 and 81 would concern persons who had lost their ōng bitiq "previous documents" certifying the legality of some transaction, were given yanut bitiq "duplicate documents" of the original deeds which were to remain valid in the case that the previous documents were found. The found ōng bitiq "previous documents" would then have become invalid and would have served as bučung/vučung "supplementary documents", perhaps for their personal records or as practical copies of one sort or another. It must be admitted, however, that the evidence for this interpretation rests solely upon two texts, only one of which has been made available in facsimile. The study of further texts of this nature is necessary before reaching any firm conclusions.

7. šteqčī bitiq "promissory receipt"

The editors of Nr.58, Feng-Tenišev, have read the following passage:

58:2-3 Bintung atliŷ qītaiŷ ar grabaš-īm-nī Siwšai taišī-qa šteqčī(?) bitiq [birip] toquz čau yastuy-qa toyuru satdīm "I have lawfully sold my slave, a Chinese, named Bin-tung, to Siwšai-taišī, giving a promissory(?) receipt [АВРОБАД РАСТУСКА] for nine ingots of silver" (Feng-Tenišev 1960, p.145).

In their notes, the editors remark of šteqčī: "... the second to last word is illegible. Provisionally we read šteqčī 'debtor'"; and of [birip]: "the converb birip has been added by us for the sense; in the document, it too is illegible" (1960, p.145). The fact is, [birip] is not illegible— it is simply not on the paper. And whatever the actual words following tayšīqa, they are not šteqčī bitiq, nor anything vaguely similar to these, although it is true, as the editors remark, that they are illegible. The present hypothetical phrase can not mean "promissory receipt", as šteqčī (read šteqčī) is composed of šteq "debt" and the agentive -čī, so that šteqčī bitiq can only mean "debtor's document".

In short, šteqčī bitiq "promissory receipt" is the fictitious result of careless editing, and

the passage in question should be read:

58:2-3 Pintung atliY Qiday er q(a)rabašimni
Sivšay Tayšiqā [... ...] toquz čao yastuqqa toyuru
satdīm "I have sold outright to Sivšay Tayši the
male Chinese slave named Pintung for (... ...) nine
yastuq in ch'ao paper currency" (cf. the similar
reading of Yamada 1972, p.217).

8. boš bitiq "deed of manumission"

This term occurs in the following texts:

59:5-7 Kanošite tuymiš Buqa Qulī atliY oyulīnqa
ḡke qanqqa buyanī teqzūn tip boš bitiq birtim
"I have given a deed of manumission to the boy named
Buqa Qulī, born in (of?) Kangši (locality? woman?),
saying 'Let the merit (of this act) reach to my
ancestors'";

96:13 sanga burunča boš bitiq bireyin tip "(this
beg of mine) said 'I will give you a deed of manumission
in advance'", 18-19 manga boš bitiq birip "he gave
me a deed of manumission", 20 boš bitiq ma qolup aldi
erti "(later) asking me for the same deed of manumission
he took it away", 21-22 minteki boš idmiš bitiqni
begim manga birqil men yīqayīn xq qilyay sen tiser
ol bitiqni ma begimke birtim "when my beg said of
my document, which supposedly was to set me free,
'Give it to me, I will keep it(?). You will lose it'

I gave that same document to my beg", 32-33 il xan
adlnoa toyln bolup buyan birzdn tio użik boš bitio
birio "(that beg) gave me a handwritten deed of
manumission that stated 'Let him be a monk and bring
merit to the glory of the Xan of the Realm'".

Malov, the original editor of Nr.96, consistently
mistranscribed boš bitio as bos bitio, but translated
the phrase "free letter [свободное писмо]"
(Malov 1951, -p.203, but has both bos and boš on p.373,
and the confusion of these with baš has in turn
confused Bodrogligetĭ 1965, p.109). Adams, whose
edition of Nr.96 remains the best, translated boš
bitio as "certificate of discharge" (Adams 1968,
pp.56-57). Ramstedt, the original editor of Nr.59,
translated it as "free letter" (Ramstedt 1940, p.7).
Yamada's edition of this document carries the
translation "free-document" (Yamada 1972, p.251).
The term is not cited in the DTS or in the ED.

There is, to be sure, little room for doubt
as to the meaning of the term, for the text Nr.96:21
defines it for us: boš idmīš bitio "a document which
supposedly was to set me free". Most editors have,
without straying far from its meaning, simply
translated the term literally as "free letter,
free document". Only Adams' "certificate of discharge"
is unacceptable, due to his misunderstanding of the

context as one in which Pintung is not a slave but a worker in someone's service. The word boš means "free, empty, soft" (ED 376; LSS 102-103), and with bitiqi refers to a document that frees a slave from bondage, that is, to a "deed of manumission".

9. ata bitiqi "will ('father's document')"

This term occurs in one of the wills:

69:30 [...] ada bitiqi yorizun tip "(...) saying 'Let his will be valid'".

Radloff read the passage anda bitiqi yorizun tip "...seine Schrift dort Geltung habe", and this reading went unchallenged by Malov (lacking in US index). Ata bitiqi does not appear in the DTS or ED or any other lexicographical source, and it seems that only Arat was aware of the term.

It happened that the contract edited by Arat 1965 (Nr.42) concerned the sale of a vineyard which had been inherited by the seller in the present will (Nr.69). Arat there refers to Nr.69 as "an ata bitiqi (line 30), namely a last will of a father" (Arat 1965, p.268). In his monograph on the documents, Arat writes: "ata bitiqi 'father's document', will; especially a written document concerned with the father's children" (Arat 1964, p.28). Arat paraphrases there several unedited Berlin documents, along with

Nrs. 69 and 70, which he takes to be wills, but only Nr. 69 of these texts contains the term ata bitiqi.

The term is composed of ata "father" (ED 40) in possessive relationship with bitiq "document", thus, "father's document", or simply "will".

It may be of interest to recall here that Chapter XXIII of the Qutadyu Biliq concerns the writing of Ay Toldi's qumaru bitiq, literally "memory document", but in this context "will" (cf. Arat, Tercüme, p. 106; vasiyetname; ED 628; DTS 466).

10. Ülüş bitiq "inheritance document"

This phrase occurs in a single document:

46:5-6. [...] Ülüş bitiqi birle sekiz on yastuq
Çunqduñ pao Çaoqa Vapsutuqa toñuru tumlıdu satdıñ
"I have sold (certain properties) outright and
irrevocably to Vapsu-tu for ten yastuq in ch'ung
t'ung pao ch'ao paper currency together with the
inheritance document (for the properties)".

The original editor of the text, Feng 1954, has omitted Ülüş bitiqi birle from his translation. The term is composed of Ülüş "portion, share (of inheritance)" (ED 153), which in these documents normally implies goods or property obtained through inheritance, and bitiq "document". Without other examples, the isolation and interpretation of this term is necessarily tentative.

11. yarliġ "decree, edict"

This term is found twice in the documents:

97:66 [...] yarliġ bolzun "(...) let there be a decree (from Tuyluy Temür concerning the petition of the inġu vineyard workers)"

101:1-4 Taġadin sözü Tayınçaqqa sening qubčir tarlıyınqta bu Samış Tayışmağa uċ küri tarlı birqil, xan yasaq tırer men, Tayınçaq tarxan sözü Tayınçaq kişisinqe sanqa yarliġ bolu ermiş uċ küri tarlıqqa čao birdi birqil "My, Taġadin's, word to Tayınçaq: from your qubčir (taxable) millet, give three küri of millet to this Samış Tayışma; I collect the yasaq for the Xan. My, Tayınçaq the tarxan's, word to the people of Tayınçaq: a decree has been issued to you; it provided a ch'ao voucher for three küri of millet. Give it!"

The word yarliġ is too well known to require a lengthy review of its textual history here (cf. ED 966; DTS 242; OTG 6; S. Çağatay, Türk Lehçeleri Örnekleri, pp.183-185; TME II 465; Ewb 188; Fekete, EI² : 1170-1171; Ščerbak 1962, pp.49-51; Bodrogligeti 1965, p.110; Caferoğlu 1934, p.32; Arat 1964, p.30). It is interesting to note that in the majority of pre-XIII century texts, yarliġ meant essentially "a spoken command from a superior to an inferior" (ED 966). Only MK Čigil dialect yarliġ "a written

or spoken(?) command of the Sultan" (ED 967) appears to refer to a written command.

With the borrowing of this word into Mongol yarliq "decree; command, order" (Lessing 1038), we find the word used in a technical sense to refer to a specific kind of document issued from a chancery. A clear definition of this and other Mongol technical terms for documents has been given by Kotwicz and confirmed by Poppe:

"As Kotwicz rightly noted, the term yarliq denoted imperial edicts, but writs emanating from persons other than the emperor were called üge [sic!, read üge manu]. As regards the word bič'iq, this designated all documents in general, irrespective of their contents or source." (Poppe-Krueger 1957, p.79, n.3a)⁶

This situation is entirely parallel to that found in the Uyyur documents. Only in the two texts quoted above do we find a reflection of imperial decrees. In Nr.97, the natural written response from Tuyluy Temür to the popular petition would have been an imperial edict or decree: yarliq bolzun "let there be a decree". In Nr.101, it is evident that some ruler, unidentified in this text, has issued an imperial decree concerning taxation of his subjects: yarliq bolu ermiş "a decree has been issued". In conformity with this definition, the Uyyur decrees, Nrs.98-101, contain the phrase

sāzūm(ūz) "my (our) word", equivalent to the Mongol ūqa manu, and represent edicts issued from local rulers or officials (see pp.161-162). And we have already seen that bitiq is used in the Uyyur texts as a general designation for documents of every kind (see pp.218-220). In view of these parallels, it is reasonable to think that the Uyyur yarli "decree, edict" reflects a practice of the hybrid Mongol chancery of the XIII-XIV centuries.

12. ötüg "petition; memorandum(?)"

There are two petitions self-styled as ötüg:

96:1-4 Buyanči beqlerim qutinqa mung ödügölüg goldači
P[intu]nq ödügüm teginür "To their Excellencies,
my meritorious lords, Pintung, a distressed, supplicant
beggar, present my petition";

97:44a-46 amdi [xanimi]z Tuyluy Temürke bayčılarnıñ
ödüg[i] "now, the petition of the vineyard workers
to our Xan, Tuyluy Temür".

In his edition, Radloff read 97:44a-46 (=US 22: 37-39) emdi Toqluq Temürke bayčılarnıñ ödüg "Jetzt ist die Bitte der Domänen-Gärtner an Tokluk-Tämür (folgende)" (US, p.32), and Malov entered ötüg in the index as "request, petition, entreaty, supplication" (US, p.290). In his improved edition, Arát pointed out that the ödüg lacked the third possessive -i,

and illustrated the term, which he translated as "request, petition, demand", with a quote: T II 8 28 esiteil bizing otuqomuzni birqil bizing qolutumuzni "hear this plea of ours, give us what we wish" (Arat 1937, p.109; unedited text). The DTS lacks the above citations for otuq, which it translates after Malov "request, petition, etc." (DTS 393). However, the DTS quotes Suv 15:6 bu otuq bitiqia o[qiya] toketia "completely reciting this promissory letter [Аолговаа грамота]" (DTS 393). This translation of otuq bitiq is not a convincing one; the term also appears in the ecclesiastical paper US 45:13 mening otuq bitiqim, where it clearly refers to "my written petition" or, as Clauson, "my memorial in writing" (ED 51; cf. Arat 1964, p.30, on US 45 and the term; Bodrogligeti 1965, p.109, wrongly translates otuq bitiq "book of debts").

For Nr.96, Malov translated otuq as "request, petition" (Malov 1951, p.203), while Adams translated it "request, plea" (Adams 1968, p.54, n.2). Arat defined otuq bitiq, which occurs only in US 45 and Suv 15:6 (above), as "petition, official request [istida]; petition, written application [arzuhal]" (Arat 1964, p.30). The word otuq is translated "request; memorial to a superior" by Clauson, who reads the passage in Nr.97 as "the memorial of the

vine-growers to Tuyluq Temür", and quotes MK ötüq "a memorial and request submitted to a Sultan, originally a narrative about the matter" (ED 51).

Indeed, the definition of the author of the Divān seems to be very apt for both texts, as the author(s) of each presents a brief history of his difficulty to the ruler or official. A similar meaning is found in the borrowings into Persian ötük "a petition presented to the Xan; memorial" and Mongol öčiq "memorial or report presented to the emperor or a superior" (TME II 134).

It would be tempting to think that, as with yarlıq, the specific use of ötüq as a written, rather than spoken petition or memorial is another feature of the Mongol chancery. However, this use of ötüq might be older in Uyyur texts; cf. Letter A 1-2 yinde Inanču Tarxan Beg qutınga Beg Bars amya ötüqüm "now [amya, some unique equivalent of amti] my, Beg Bars', petition to his majesty, Inanču Tarxan Beg (who is) in Yin". The letter is not otherwise dated, so that no firm conclusions can be drawn.

There is yet another use of the term ötüq in these documents:

127:1 Qu[mar] Toyrlınlıq bir[im] qılımlı ötüqi "a memorandum(?) of Qumar Toyrlı (concerning) debts accumulated", 28-29[end of text] Qumar Toyrlınlıq

iki yiltin birü birim qilu teqindi "(these are)
the debts which Qumar Toyri1 has ventured to
accumulate over the past two years".

However, it is uncertain whether to interpret
this occurrence of ötüq as a "memorandum" drawn up
by Qumar Toyri1 for his own use, or as a "memorial"
drawn up by some unnamed merchant and presented to
his superior Qumar Toyri1 concerning the debts
contracted by the latter over two years. For
contextual reasons, I am more inclined to the former
alternative, that it is a personal "memorandum",
but one cannot ignore the connotation of ötüq, as
well as of other verbals and nominals derived from
the root öti-, that it implies an address from an
inferior to a superior. A much closer analysis of
this important text, Nr.127, than I am able to give
at the present time, will perhaps shed further
light on the problem.⁷

13. uluy tabdar "great register"

This phrase is cited in two nearly identical
depositions:

94:5-8, 95:4-8 uluy tabdarta bitidmiş nequ kimimtin
taş nequ ma yoq bar bolsar tip ayıy ünüp sözi Ğın
bolsar öz başım olür men "if slander arises (?avıy ün=)
saying that there is or is not anything that I have

omitted (taš 'outside') any possession or person of mine from that which I have had written in the great register, and if its (i.e., the slander?) words are true, then I shall die by my own hand ('head').".

Radloff translates both texts "Wenn jemand sagt, dass ausser dem, was ich in dem grossen Depter über mich habe niederschreiben lassen, etwas fehlt oder falsch ist und diese seine beschworenen [Radloff: ayaq ūrŭp] Worte wahr sind, so hatte ich dafür mit meinem Kopfe" (US, p.58,59). In a note, Radloff explains ayaq ūrŭp sŭzi as "his word which he blows in a cup", adding "Dies muss eine Art von Schwurleistung sein. Die Kirgisen [i.e., Qazaq] schwören, indem sie die Worte des Schwures in die Öffnung des Flintenlaufes sprechen und nennen dies miltiq auzŭna ūrŭp ant berdŭ ["he blew into the barrel of a rifle and gave an oath"]" (US, p.80). Malov did not comment on the reading, but did place depter in the index and noted that it is borrowed from Persian (US, p.271; see above, p.168).

The editors of the DTS quoted uluy tepderde bitimiš [sic!] "that which is written in the large book [3aπnc6]" (DTS 159), as well as ayaq ūrŭp sŭzi "vow, oath (literally, 'his word, which is blown in a cup')" (DTS 27). Clauson translated the latter

"(if anyone says that anything is false or lacking in my statement and) ayaq ürüo sözi çin bolsar 'if after blowing in a cup (as a form of solemn attestation) his words prove to be true'" (ED 195).

It is to Arat that we owe an interesting interpretation of these two documents:

"The deeds connected with papers of the uluy defter were drawn up in the name of the 'iduq-qut and addressed to the tümen ilçi begier; these must be connected with a 'public census', which was one of the states' most important tasks" (Arat 1964, p.33)

In his edition of Nr.34, Arat translates the passage "If it is said by anyone that there is or is not something lacking in that which I have had written in the large register, and if this slander comes out [Arat: ayly ünser], and if this word is true, my approval to my own death" (Arat 1964, pp.65-66).

The substance of Arat's interpretation appears to me to be valid, although I would not insist that the reading ayly ünser is the only reading possible. In my opinion, the key to these texts is the phrase nequ kimimtin taş nequ "(if there is) anything omitted from those things and people (that I have had listed)", which almost certainly refers to a count of the household members and property taken by the head of the family and reported to an official

who recorded them in a uluy tabdar "great register", that is, to a census. Thus, although the present texts themselves are not uluy tabdar, they are sworn depositions by heads of family that what has been entered into the "great register" concerning them is the truth. In this, they do not differ in purpose from the sworn statements that often appear at the end of modern bureaucratic forms.

14. kitab "book"

This word appears in "a very dubious text" (ED 843):

104:1-7 sizler munda quburni sarsun tip tushumellerke
bitig idmis siz coqni olup kidabimiz unamayin(?)
turur qocota ilcike yitmemis andin coqqa salturup
idyil "you have apparently sent a document to the
officials saying 'You shall bear the qubur(?) here';
I shall allocate the coq(?): and our book unamayin(?):
(the above document) has apparently not yet reached
the minister at Qoco; therefore, have someone impose
the coq(?) and send (another kitab??)".

It is evident that the above translation, just as those proposed by Radloff and Malov (US, pp.9,78, 218), the DTS (p.483) and Clauson (ED 127,171,843,884), could not bear close scrutiny, partially because of Radloff's transcription, and partially because

the word çog remains unidentified. Thus, even although it is certain that kitab is a borrowing from Arabic (see p.170), what it refers to here is a mystery.

With our consideration of two aspects of the civil documents, namely, the formal features of validation and the technical terms for specific types of documents found within the texts themselves, it has been possible to provide a formal definition of the types of legal and administrative documents which have survived from the Uygurs of East Turkestan in the XIII-XIV centuries.⁹ In the following chapter, the process of validation shall be examined.

NOTES TO CHAPTER FOUR

1. The broad structure of the Uyyur chancery had, to some still undetermined degree, been adapted or possibly even adopted from the Chinese, as has been clear since the works of Cleaves 1955, Mori 1961, Yamada 1964 and Hamilton 1969. This problem must, to my regret, be disregarded in the present work.
2. The Mongol loan contract from Qara-qoto attests to the fact that the Uyyur legal contracts, based on older Chinese prototypes, served in their turn as the models for the Mongol contracts; cf. the illuminating remarks of Cleaves 1955, pp.12-18. Moreover, on the verso of the Il-xanid Mongol letters and documents may be found the "countersign" (Uyig inu), still another Uyyur influence; cf. Cleaves 1951, p.526. Undoubtedly, Chinese, Persian and Mongol sources contain important indications on Uyyur chancery practices, whose study would greatly improve our understanding of all the legal and administrative literature in Inner Asia of the XIII-XIV centuries. Two other aspects of the question also deserve attention: the role of Uyyur scribes and officials in the development of the Mongol chancery, and the reverse effect of the Mongol organization on that of the Uyyur. I have already alluded to the material

available on Uyyur ministers, officials and scribes in Chinese sources, the whole of which awaits study (see Chapter One, note 37). Juvaynī, the Persian historian, who was markedly unfriendly, even condescending to those who knew the Uyyur language and script (cf. Juvaynī, p. xxx, 7, 523), states that Mongol officials throughout the dominions were "attended by scribes of every kind for Persian, Uighur, Khitayan, Tibetan, Tangut, etc., so that to whatever place a decree has to be written it may be issued in the language and script of that people" (p. 507). Juvaynī otherwise devotes several chapters (pp. 489-505) to the career of Kōrgūz, an Uyyur from Barlīy, a small village near Baš-balīq (cf. Minorsky, Hudūd, p. 272), who rose from impoverished beginnings to a position of command in the province of Xorasan, largely on the strength of his command of Mongol and Uyyur and the Uyyur script. As for the reverse influence of Mongol on Uyyur chancery practices, I have had occasion to point out several instances in the present work (see pp. 161-162, 248-249, 251).

3. Up to the present time, the only attempt to classify the documents is due to R. R. Arat, although it should be said that his classification, which recognizes 19 categories, is based on

subject matter rather than formal types, and does not specify which documents were to belong to which categories; cf. Arat 1964, pp.60-61.

4. The first word is certainly song "later, after" (ED 832), but the second word barin does not seem to exist at all. Radloff has construed it as being composed of bar "there is; all" with the instrumental -n, but as still constituting an independent word barin "in Allem" (Wb IV 1151). To be sure, there are many examples of bar in the meaning "all" (ED 145; DTS 83; Wb IV 1144, 1474), and there does exist a derived form bari with the third possessive suffix which means "all whole" (ED 357; DTS 84; Wb IV 1481, 1598), and which is the root of Čayataŋ barinča "all of, as long as there is" (Eckmann, Chagatai Manual, pp.100-101). But the supposed existence of barin in four passages of the Qutadŋu Bilig as cited by Radloff and the editors of the DTS are misreadings or textual errors whose correction would take too much space here. There are, moreover, no modern forms of barin, although one finds other derivatives of bar and bari, as barča and barisi in the meaning "all" (cf. ED 357; LSS 83; EWb 62; Wb IV 1479; etc.). In short, it is certain that barin in Nr.73 is a mistranscription of some other word and cannot be taken into consideration in the discussion of this technical term.

5. Cf. R.H. Mathews, Chinese-English Dictionary, Revised American Edition, Cambridge, Mass. 1963, p.738. I wish to take this opportunity to express my deepest gratitude to Mr. Edward D. Rockstein of Indiana University for this reference, as well as for checking the transcriptions of Chinese words throughout the work, and for translations of several passages from the Japanese works of Yamada and Mori.
6. There is some troubling evidence in the Mongol civil documents that this definition may not be correct. At least four of these documents, which are clearly emanating from imperial rulers, begin: MTDoc 2, 7, 11 Tuyluytemür üge manu, 10 Kebeq üge manu. We should expect these to be Yarlıq as is: MTDoc 1 Yisüntemürün Yrlıyır, 5 İlasqoJayın Yrlıyır. The latter cases, however, ought to be translated "by the imperial order of ...", not as "by the written imperial decree of ...". The solution to these contradictions is once more to be found on the comparative plane among contemporary documents of Mongol Xanates in the West. The Il-xanid letters of Abaya (1267/1279), Aryun (1289), Yasan (1302) and Öljeitü (1305) all begin with the name of the ruler plus the formula üge manu (see the texts in MLMC II/1, 1972, pp.243-255). The following

Turkic languages decrees of this period contain the same formula: Toqtamış (1393), Temür Qutluy (1397), Šahrux (1422), Abū Sa'īd (1468), 'Omar Šayx (1469), Mehmet II (1466), Haǰǰı Girāy Xan (1453). It is evident that in the West, Üqe manu/sözm(Üz) was used much as Yarlıq/yarlıy in the East, and that the Kotwicz/Poppe definition applies only, or largely to documents coming out of the chanceries in Yüan China. I hope to return to this subject, whose full discussion would require too much space, in the near future.

7. Clauson has read the word ötüş "account" in his edition of Nr.120:80, but omitted listing a word of this form, which he presumably took to be derived from *öti-, in his Etymological Dictionary. In fact, this word is part of a proper name, Ödüş Toyrıl.
8. This odd custom has also been noted among the Turks of Lobnor in the Southern Tarim, and has been described by T.D. Forsyth as follows: "They always swear upon the gun, and if any one wishes to free himself from an accusation, he appeals to the accuser to produce his gun, and kissing the muzzle, places it against his breast, and bids him fire. This throws the responsibility on the accuser, who on this proof of innocence retracts his calumny"

("Preface" to: N. Prejevalsky, From Kulja, Across the Tian Shan to Lob-Nor, London 1879, pp.29-30). It is actually a case of placing one's lips to the muzzle or barrel of a rifle preparatory to placing oneself at the mercy of one's accuser who holds the rifle. One can well appreciate the force of such an oath, but it is difficult to imagine that "blowing in a cup" would impress anyone with one's veracity. What terrible fate can a cup unleash?

9. Among the other Uyyur papers and documents which have been omitted from consideration in the present work, several categories may be distinguished according to their formal features and contents:
- A. Letters and Personal Papers. Tezcan-Zieme 1971, pp.452-453, discuss some of the standard phrases found in personal letters. A specific kind of letter appears to be the esenqū bitiq, which is found in the Uyyur translation of the Hūen-tsang Biography (but not in the original Chinese); von Gabain translates it "vollständiger Brief...Das soll gewiss ein Wort auf der Aussenseite des Briefes sein, etwa auf dem Siegel?" (von Gabain 1938, p.372), whereas Clauson translates it "a letter of security, safe conduct(?)" (ED 249). Another occurrence of a similar term is found in

Letter B 2-4 [te]nqrim: arqış barır uĉün bu bir
esenqū ötūq bitiq ıdur biz: ötūqūmūz savamaz
yoyunsıy bolıı erşer: tengrim qutı kentū yarlıqayū
berzūn "Your Majesty: because a messenger is

going, we are sending this bir esenqū ötūq bitiq;

if it be that our entreaty were importune, may

Your Excellency and Your Majesty himself deign

to show compassion". Tezcan-Zieme translate

this phrase as "Erkundigungs (nach dem Befinden)-
und Bitt-Brief" (1971, p.455; cf. pp.452-453).

As personal letters and papers, I would list:

- (1) the fragment, possibly a petition, to a certain Inanĉu Tarxan Beg [Letter A]; (2) the fragment quoted above, which has the date at the end, and a Runic script text on verso [Letter B]; (3) a letter from parents to their son, certainly a post-XIII century text [Letter C]; (4) a letter from Qumara to his household concerning a financial matter [Letter D]; (5) an undated 17 line text found by Stein at Murtuq, concerning arrangements and presents for a wedding feast [Stein, Serindia, III, Plate CXXVI]; (6) a brief text that has been characterized by Tezcan-Zieme 1971, p.451, as a letter, although this is not clear [US 92, pp.155-156]; (7) a text that is possibly a letter, as Tezcan-Zieme 1971, p.451, although there are

trade goods mentioned in the text [Monumenta Serindica, IV, Plate 22; cf. Haneda-Yamada 1961, p.203]; (8) an entirely mystifying personal paper from the Otani collection, mentioning a series of ethnonyms, including Basmil, Qiryiz, etc. [Monumenta Serindica IV, Plate 19; cf. Haneda-Yamada 1961, p.203]; (9) a poorly preserved text that may have been a letter [Monumenta Serindica IV, Plate 19; cf. Haneda-Yamada 1961, p.204]. Finally, I do not classify here the four letters that are included in the Hñen-tsang Biography, as these are translations (cf. von Gabain 1938).

8. Ecclesiastical Deeds and Papers. This group consists of those few texts which refer to the actual workings and affairs of the living Buddhist church in East Turkestan, and not to doctrinal texts, liturgical proceedings, or the initiation and training of monks: (1) the two large wooden stakes inscribed with Uyyur texts which had been driven into the ground as part of the dedication ceremonies for the building of monasteries [Möller, Pfahlinschriften, ABAW 1915, Nr.3]; (2) the 48 line text exempting a monastery from taxes and its monks from various duties [US 88, pp.143-148; cf. above, Chapter Three, note 2]; (3) a very obscure concerning the relationship between "poor

galanči people" and the religious community which is not subject to galan [US 77, pp.130-132; cf. Chapter Three, note 2]; (4) a damaged text that appears to be a personal petition of some sort written within a monasterial context [US 45, pp.65-66].

C. The Letters of Il-Ögesi Bilge Beg. In the Krotkov collection there are two manuscripts that represent two drafts of at least two letters (decrees?) issued by a certain Il-Ögesi Bilge Beg concerning various war-like acts of other peoples, including the Sogdians. This is the only text of its kind thus far discovered in Uyyur literature [Tuguševa 1971].

D. Ambassadorial Addresses. These consist of the 41 documents in Uyyur appended as reading texts to the Sino-Uyyur Kao-ch'ang-kuan Yi-yü of the late Ming period. They are addresses to the throne made by ambassadors of the rulers of Moyolistan and Uyyuristan who bring tribute in exchange for various considerations [Ligeti, KYD]. There is no trace in East Turkestan of the kinds of edicts and grants characteristic of the Golden Horde and Il-xanid Xanates, such as the buyuruldu (cf. Uriel Heyd, EI² I 1357) or the soyuryal (cf. Minorsky, EI¹ IV 799-801; TME I 351-353).

CHAPTER FIVE: FORMAL ASPECTS OF VALIDATION

The process of validation is formally expressed through a series of formulas that frame the main body of each document. These formulas stand at the head [DATE] and end [REGISTER], and consist of the four features discussed above (see p.209), as well as of a few special statements [INSERTIONS AND POSTSCRIPTS].

DATE

The initial phrase of all but a few of the documents represents the date on which the contract or document is drawn up. The date is composed of three elements:

- (1) an animal name derived from the Inner Asian twelve year animal cycle plus the word yil "year";
 - (2) a month name derived from a series of twelve lunar months plus the word ay "month";
 - (3) a numeral from one to thirty, to the first decade of which is attached the marker yanqi "new".
- The three components of the date are set off by the addition to the day numeral or marker of the dative -ga/-ke, which is to be rendered "on (a given day)". Nearly all the documents have such a date, but for the sake of illustration:

1:1 köskö yıl törtöncü ay bir yanlı-qa
(1) rat year (2) fourth month (3) first day on
"On the first day of the fourth month of the Rat Year"

In two documents, Nrs.94 and 95, the date stands at the end of the text, and in two of the post-horse decrees, Nrs.107 and 108, the date is preceded only by the name of the official who has issued the decree. Undoubtedly, both of these exceptions reflect practices characteristic of Mongol chancery style. Of those documents which lack a date, Nrs.120-133 comprise the category of registers, of which the lack of a date and other features has been taken as a formal definition (see p.217); Nrs.98-101 and 104 are decrees, for which a date was evidently optional; Nr.96 and possibly Nr.97 are petitions, which lack all the features of validation (see p.217); and Nr. 135 is an obscure text included among the miscellaneous documents.

With the exception of Nrs.58,60, and 87, which are precisely dated 21.IX.1280 according to the Chinese text appended to Nr.60 (see pp.106-108), none of the dates expressed in the dating formula of the civil documents can be correlated to the calendars of any other neighboring civilizations.

I have already registered my surprise that such an imprecise system of dating should be used for legal and administrative documents, particularly when more

exact methods were used by the Uygurs in other texts. It is hardly sufficient to speculate, as von Gabain, that "... a date within the short period of twelve years would still be considered enough" (1955, p.194), or Mori, that "... it may be true that the way of date-recording by the twelve animal-signs would be the most convenient for their contract" 1961, p.117). There can be no serious doubt that such dates would have no legal significance for the parties involved in a litigation or a proof of title or any number of situations that might arise a dozen or more years later.

It may be the case that a date is not vital to a given contract unless there is a statute of limitations on a certain type of contract or contractual terms of the agreement involve a date stated in the contract. It may also be the case that a contract, whatever its nature, is valid when attesting witnesses to its enactment are available, when it has been certified as valid by a scribe, and when the contract has the signs of validation or seals. Perhaps a scholar better versed in the law of contract than I can provide an answer to this problem, but it must still be considered odd that a date should be included in all of the Uygur contracts if it is to be regarded as meaningless or irrelevant to the validity of the contract.

The dating system briefly presented above is a transparent one and has not thrown up any barriers to interpretation. Indeed, the twelve year animal cycle has been the object of scholarly attention since the XIX century, and the peculiar means of designating the month and day in this formulas was fully understood already by Chavannes and Pelliot (Un traité, pp.309-311, n.1). Their remarks shall be more fully dealt with below, but it is worth mentioning that these scholars established "que les Oulgours aient imité ici les Chinois ... sans conteste" (Ibid., p.310n), a finding that unfortunately failed to take hold in the literature.

Caferoğlu listed the twelve animal names for the years in sequence and called attention to the irregularity of the terms aram ay and Çarşaput ay for the first and twelfth months (Caferoğlu 1934, pp.7-8). In the preparation of the secular texts that were edited in TT VII, Arat provided a great deal of informative material on the systems used by Turks at various times in their history to designate the divisions of the calendar (TT VII, pp.3-4), and at the same time devoted an appendix to the various dating systems and formulas found in Manichean and Uyyur texts (TT VII, pp.79-83: Anhang I). In that appendix, the first formula

considered by Arat is that found in the civil documents, illustrated by three examples not further analyzed (Nrs. 52, 93, 102). Nor did Arat elaborate on the components of this formula in his monograph on the civil documents (Arat 1964, pp. 39-43). In her important article on dating forms in the older Turkic texts, von Gabain devoted only a few lines to the present formula, accompanied by the suggestion that the position of the date at the head of the text could be traced to an East Asian (i.e., Chinese?) influence (von Gabain 1955, p. 194; cf. PTF II 190).

In his stimulating study of the forms of loan contracts, Masao Mori recalled that Noboru Niida had determined that in Chinese contracts the dates were generally written at the beginning of the text during the T'ang and Sung dynasties, but at the end of texts during the Yüan and Ming. This seemed to trouble Mori inasmuch as he correctly perceived that the Uyur documents were from the Yüan period and yet their dates stood at the head of the text. However, it will be remembered that, just as many of the formulas in the loan and sale contracts, the date too was modelled on Chinese prototypes that antedate the Yüan dynasty.¹ Mori otherwise briefly describes the various components of the dating formula as found in a few of the loan contracts (Mori 1961, pp. 116-117).

Yamada has not dwelt upon the particulars of the formula, but has observed that "in case of sale contract documents, the date should be regarded as referring to that of the writing, or the closing of the contract or the bargain, although the price could have been paid sometimes at a different date from that given in the document" (Yamada 1964, pp. 88-90). Yamada later elaborates on such cases, which are: Nr.54, written on the eighth day, fourth month, Chicken Year, with a receipt attached that is dated one day later (ninth day); Nr.56, written on the seventh day, sixth month, Pig Year, with a receipt attached that is dated three days later (tenth day); Nr.87, written, as Nr.58 and probably Nr.60, on the twenty-sixth day, eighth month, Dragon Year, with a Chinese text appended that explains that the payment concerned has actually been made in two installments, either on the ninth and eleventh days of some indeterminable month, or both on the eleventh day of the ninth month (the Chinese text is there obscure; cf. Fang-Tenisev 1960, p.144; Yamada 1964, pp.99-100).

As the format of the dating formula used in the civil documents presents no special difficulties, my own notes that follow will concentrate upon the terms used in each component.

Year

The twelve year animal cycle knew a certain stability throughout the history of its use by the Turkic peoples, in the sense that the sequence of the twelve animal names followed a regular pattern, although individual animal names were often replaced by others depending upon the area and speech of use.

The origin of the animal cycle is still very much a matter of debate, but a Turkic origin is excluded.² This is evident not only from the foreign terms among the animal names, several of which are exotic or fabulous [Leopard, Dragon, Ape], but also from the fact that the animal cycle is known in China from the I century, and is found in a Sanskrit text from Kroraina in the Southern Tarim dated I-III centuries (cf. von Gabain 1955, pp.193-194; Pritsak 1955, pp.92-93). In fact, the first attested use of the animal cycle in a Turkic milieu is the mention of the Hare Year in the Sogdian inscription from Bugut dated in the first years of the 580's, followed chronologically by the mention of the Dragon Year in a letter from a Turkic ruler to the Chinese court in 584 that survives only in Chinese translation.³

Von Gabain wished to maintain that the cycle was non-Turkic on the basis of her belief that the name of the twelve year cycle was Sogdian, as found in ManI 19:2 anxrvzn and ManIII 6(I)v13 axrvzn (read

anxrvzn), (von Gabain 1955, p.193). Indeed, von La Cou translated both these occurrences as "zodiac" and, in a note to still a third occurrence missed by von Gabain, ManI 15:17 axrvan (read anxrvzn), acknowledged that the famous Sogdianist, F.C. Andreas, had identified the word as Sogdian for "zodiac" (ManI, p.40). Similarly, the DTS cites anxrvzn as Sogdian nxrvzn "zodiac" (DTS 46).⁴ I do not think it permissible to equate the concepts of the zodiac and the twelve year animal cycle and, to my knowledge, the name of the animal cycle has never been located in Turkic text.⁵

The particular tradition of this cycle which we find throughout the Uygur civil documents is the following:

- | | |
|---------------------------|---------------------------|
| I. RAT: <u>köskä</u> | VII. HORSE: <u>yunt</u> |
| II. OX: <u>ud</u> | VIII. SHEEP: <u>qoyn</u> |
| III. LEOPARD: <u>bars</u> | IX. APE: <u>bič'in</u> |
| IV. HARE: <u>tavışyan</u> | X. CHICKEN: <u>taqlıy</u> |
| V. DRAGON: <u>lā</u> | XI. DOG: <u>it</u> |
| VI. SNAKE: <u>yılan</u> | XII. PIG: <u>tagqaz</u> |

It is possible to distinguish several traditions of the twelve year animal cycle used by Turkic peoples throughout their history according to the substitution of certain animal names for certain years in the sequence. In conjunction with a discussion of each

of the above animal names, I shall note the equivalents found in these other traditions.

Preliminary to this, it should be pointed out that Runic texts lack the occurrence of I. RAT, II. OX, V. DRAGON (contrary to most readings of Ongin 12; cf. ED 763), VII. HORSE, but otherwise is the same as above, with the usual phonetic differences. The Manichean texts lack all occurrences of such years except XII. PIG (see below). The Brahmi script texts, so important for phonetic interpretation, lack XI. DOG and XII. PIG, but otherwise is the same as above, except I. MOUSE is slčyan (see below). The Uyghur literature, apart from the above and a few texts in IT VII, differ from the above only in I. MOUSE: slčyan (see below). Nestorian texts in Syriac script have the names as above except I. MOUSE: slčyan (see below). The Qaraxanid texts have the names as above except I. MOUSE: slčyan and V. DRAGON: nak (beside la):-

For the cycles given by Islamic authors, as al-Birūnī (d.1030: Bīr), Mahmūd al-Kāshānī (m.1072-1078: MK), Ibn Buhannā (XIV c.: IM), Uluy Beg (d.1445: UB), Abu'l-Yāzī (d.1663: AY), as well as those recorded in several modern dialects, I take advantage of the convenient tables in Pritsak 1955, pp.79-84.

I. RAT: kāskā. For the first year of the cycle this animal name occurs otherwise in a few quasi-scientific texts: TT VII 9:10 kāskā yll (Manichean astrology text translated from Sogdian), 14:5 kāskā ylllyy kiāi (folk calendar text); also cf. 19:2, 32:2, 33:2, 38:6, 39:1 kāskā kān (all folk calendar texts). It is also found in Uluy Beg and in a XVI (XVII?) century astrological work in Persian by Jalāl ad-Dīn 'Abd-Allāh Yazī (cf. TME III 597), and it must be considered odd that kāskā, a word not found separately in the older literary languages (ED 750; DTS 329), evidently occurs only in astrological and calendar texts outside of the civil documents. In the meaning "rat, mouse", kāskā as well as phonetic variants of the same word is found in a number of modern Qipčaq and Siberian dialects, in at least two of which (Xaqas and Altay) it is the designation of the first year (Pritsak 1955, p.69; Ščerbak, Nazvanija, p.150; LSS 220; Ewb 312). To the same root *kāsa, perhaps onomatopoeic in origin (Ščerbak), belongs MK kāsārqa "a kind of field-mouse", kāsārqa "a kind of mole" (ED 752, where the connection is not recognized, as it is in Ščerbak, Nazvanija, p.151, and Ewb 312). Otherwise, for the first year, other traditions have the Turkic word slčyan "mouse" < slč- "to shit" (ED 796; DTS 502; KY 194; TME III 307-308; Ščerbak, Nazvanija, pp.148-149; Pritsak 1955,

p.69; Ewb 414).⁶ The restricted distribution of kōskō yil allows us to isolate this animal name as a distinctive feature of that used in the civil documents.

II. OX: ud. This is the word used for the second animal year in most of the cycles (ED 34; DTS 605; KY 273; TME II 140-141; Ščerbak, Nazvaniĵa, pp.96-97; Sinor 1962, p.322; Pritsak 1955, p.44; Ewb 509).

In IM and AY, ud is replaced by siylr "cow; generic term for 'bovine'" (ED 814; DTS 502; Ščerbak, Nazvaniĵa, p.96; Sinor 1962, pp.319-320; LSS 267-268; Pritsak 1955, p.44, 56, 67; Ewb 414), which is also found in a few modern cycles (Turkmen, Bashkir, Qazaq), along with inak "cow" (Xaqas) and ōkōz "ox" (Azeri, Uzbek; both of these surely under the influence of Mo ōkar "ox; second year of animal cycle" ← Turkic).

III. LEOPARD: bars. The word for the third year in nearly all the older cycles was bars which must, according to its gloss in the Arabic language manuals, be translated "leopard" instead of "tiger", as is often done (ED 368; DTS 84; KY 139; KYS 14; TME II 235-238; Ščerbak, Nazvaniĵa, p.139; Lōders 1940, p.735; Pritsak 1955, p.53; Ewb 63-64). Only IM has arelan "lion" and qaplan "tiger" beside bars, and in the modern cycles listed by Pritsak only Azeri poleng (← Persian) and Xaqas tōlqō "fox" differ.

IV. HARE: tavışyan. All of the older cycles have tavışyan for the fourth year (ED 447; DTS 542; KY 251-252; TME II 615-617; Ščerbak, Nazvanija, pp.136-137; Pritsak 1955, pp.56-58; Ewb 453). In the modern cycles, this is frequently replaced by goyan "hare" < *godan (Truxman, Uzbek, Bashkir, Qazaq, Qırqız, Xaqas) (cf. ED 678; Ščerbak, Nazvanija, p.136; LSS 197-198; Pritsak 1955, p.56; Ewb 274-275). In Pritsak's lists, the Telaut dialect has tulay, which is borrowed from the corresponding Mo taulai "hare; fourth year of animal cycle" (← Turkic).

V. DRAGON: lā. There is some problem with the transcription of the word for the fifth year, which is written both LWW and LW in Uyyur script texts, and which was borrowed from Chinese long "dragon" (< *liwong), or rather, from some Chinese dialect in which the final -ng had been lost (ED 763; DTS 334; KY 180; Hamilton, Le Conte, p.70; Ewb 318). Csongor has formulated the rule for transcription of such forms representing borrowings from Chinese: the double ww in Uyyur script is to be read ə when the vowel is final, and usually long ə when within the word; thus LWW = lā and LW = lu (Csongor 1952, p.82, and p.117: #162). Hamilton has confirmed this interpretation for native Turkic words, as KWW = kə "fame", SWW = sə "army", TWW = tə "body hair", and

points out that the use of this orthographical device avoids an ambiguous reading of final -uy, the two signs that are normally employed to represent labial front vowels; thus -uu = -ö/-ø and -uy = -oy/-uy (Hamilton, La Conte, p.70, n.XXXI.2). Nearly all of the older traditions have iq, apart from IM ballq "fish" (also in Azeri, Turkmen, Uzbek, East Turki), and MK nak (beside iq). Lüders had long ago identified MK nak as ultimately derived from Sanskrit nāga "snake", but mediated through Kuci (i.e., Tokharian-B) nāk where, in a calendar fragment, it translated the Chinese lang (Lüders 1940, p.738). The Tokharian mediation seems to have escaped Clauson's attention, who recognized the Sanskrit origin, but argued for a Sogdian mediation. Clauson translates the relevant passage of MK thus: "naq [read nak] 'crocodile'; naq yllan 'a serpent'; naq yll 'the name of one of the twelve years in Turkish'; the year A.H. 469, in which I wrote this book, was this year" (ED 776; cf. DTS 357; Ewb 349).⁷ The occurrence in MK is not unique, as previously supposed, as nak is used to identify the year A.H. 515/A.D. 1121 in the land sale deed from Yarkend, written in Turkic in Arabic script.⁸ Thus, both examples of the word are from the Qaraxanid milieu, and it is tempting to signal its occurrence as the distinctive feature of that cycle. In the modern cycles, apart

from the use of lā and ballāq, Xaqas has kilaskī "lizard" for the fifth year.

VI. SNAKE: yīlan. The word for the sixth year here and in all other lists, with one exception is yīlan (ED 936; DTS 266; KY 284; Ščerbak, Nazvaniĵa, p.152; Pritsak 1955, pp.43-44; Ewb 200). The exception is found in the Telut list given by Pritsak which has šoiroq, a word which I am unable to locate with certainty elsewhere.

VII. HORSE: yunt. The animal name for the seventh year in all but two of the older cycles was yunt (ED 946; DTS 281; Ščerbak, Nazvaniĵa, p.85; Sinor 1965, pp.309-312; Hamilton, Le Conte, p.60, n.III.1; LSS 138; Pritsak 1955, pp.43-44,67; Ewb 211).

Although frequently transcribed yont, the word is spelled yunt in the Brahmi script texts (TT VIII, p.104); and most of the forms of the word borrowed into Sayan Semyoyed dialects have u (LSS 138).

In IM and a number of modern cycles (Azeri, Uzbek, East Turki, Altay, Telut), yunt is replaced by the common word at "horse", whereas in AY and modern lists (Turkmen, Bashkir, Qazaq, Qirylz, Xaqas), it is replaced by yīlqī "livestock; quadrupeds; horses" (ED 925-926).

VIII. SHEEP: qovn. In all the animal cycles the name used for the eighth year remained stable as qoya "sheep" (< *qon), with its normal phonetic developments (ED 631; DTS 453; KY 167; TAE III 563-565; Ščarbak, Nazvanija, p.110; Ewb 279). The word is always spelled QVYN in these texts, which some scholars would interpret as a convention for qoy(ɿ)n (DTS 423, etc.). However, I know of no evidence in the older texts for a form *qoy(ɿ)n having developed from *qon. It is true that Clauson would like to read ManI 8:8 qoyan "hare" as qoyan "sheep" (ED 678), with reference to the well known occurrence of a for ɿ in Manichean texts (e.g., qamay for qaily, ayay for ayly, etc.), but in this instance qoyan has the definite object marker -uy (why not -ay?), and I favor the original reading of von Le Coq of qoyan "hare". Moreover, we find in another Manichean text, ManIII 5iv9, the expected form qoya "sheep". The DTS wishes us to believe that qoyin exists in Suv 6:12 and Hailkunde I 138, but in both cases only qoyn is written (DTS 453). In TT VIII, Text P, only qoyñ is written, which may or may not represent a transcription from the Uyur script (the ñ has not yet been explained). The only other evidence for such a form consists in the fact that the Dyuz languages have qoyun ~ qoyun (see references above), which is interesting but not really pertinent to the spelling

in Uyyur, and, in any case, is probably to be explained on morphological grounds. It is equally apparent that the Mongol qonin does not support the imputed *qoyin, since the Mongol word consists of the stem qonī, a regular reflection of the original Turkic qon, plus the so-called "unstable-n". Now, it is certainly the case that in the Uyyur literary language, the n of Runic and some Manichean texts has changed to y everywhere (see p.121), so that we would expect this qon to be qoy in Uyyur. As it is not, and as the equation with *qoyin (~Oyuz qoyun) is invalid, it is possible that the Uyyur qoyin represents a conventional spelling (reflecting qon?) for qoy just in the animal cycle, for it is qoy that we find otherwise in KP III.1, XIII.5, and KY 167, and throughout Qaraxanid (apart from MK's citation of Aryu dialect qon).

IX. APE: bičīn. The animal of the ninth year in all but a few of the modern cycles is once more exotic to Inner Asia, and its name bičīn~bēčīn "ape" is surely foreign in origin (ED 295; DTS 98; KY 141; TME II 382-383; Ščerbak, *Nazvanija*, p.140; Ewb 66). In three of the modern lists, bičīn is replaced by the Persian raymun "monkey" (Azeri, Uzbek, East Turki); whereas in Xaqas it is replaced, oddly enough, by kīzī "man" (Pritsak 1955, p.93).

X. CHICKEN: tačlyu. The animal name for the tenth year remains in nearly all the cycles tačlyu, but with a great variety of phonetic forms (ED 468; DTS 536; KY 257-258; TME II 441-444; LSS 305; Pritsak 1955, pp.60-61; Ewb 457). In Altay of the modern lists, tačlyu is replaced by pčtik, which is, as Pritsak indicates, a loan from Russian петух.

XI. DOG: ly. All of the animal cycles have ly for the eleventh year (ED 34; DTS 221; KY 158; TME II 173-174; Ščerbak, Nazvaniya, p.127; Pritsak 1955, p.60; Ewb 174), with the exception of Xaqas turna "crane". It is fairly certain that the quality of the vowel in pre-XIII century and even later texts was velar; both Dörfer and Clauson point out that MK cites ly-ly (not ly-ly) and ly-ga (note ly-ka). Otherwise, the great majority of modern languages have a vowel of palatal quality, that is, ly, an alternation that is not very common for open monosyllables in Turkic (ly "song" remains, as does ly- "to descend" and ly- "to send", except when -d->-y- palatalizes the vowel). In this case, the explanation has something to do with the original form of the word, where we have to assume, on the basis of a variety of evidence too extensive to cite here, that ly has developed from an original *lyt.¹⁰

XII. PIG: tonquz. With a few exceptions, all of the cycles have tonquz for the twelfth animal year (ED 527; DTS 575; KY 267; TME II 585-587; Ščerbak, *Nazvanija*, pp.124-125; Pritsak 1955, pp.44-45; Ewb 488). The modern replacements are Qrzaq qara keyik "wild goat (literally, 'wild black animal')", Xaqas ǵskı "goat", Altay čočqa "suckling pig", Telaut qaozy "pig" (←Mongol qacai "pig; twelfth animal year"). Among the older lists, both Runic and Manichean are unique in their use for the twelfth year of the word layzın, which is found in three Runic inscriptions (BX S 10, BC N 11, IA Ib2), in one Manichean text in Uyyur script (RanI 12:15-16 biš yuz artuqı skı ot'uzunč layzın yılqa "in the 522nd Pig Year" [7798; cf. von Gabain 1955, p.196]), and as an animal name outside of the animal cycle in a Buddhist jāṭaka (KP III.1-2 qoy layzın ulatı "(kill creatures like) sheep, pigs, and so forth") (further, see ED 764; DTS 332; Ščerbak, *Nazvanija*, p.125; Ewb 314). It is my view that the two Uyyur script occurrences with the spelling z indicate layzın, rather than layzın, as the word is normally transcribed. The etymology of the word, which is certainly non-Turkic, is unknown.¹¹

Month

The names of the twelve months employed in the civil documents are as follows:

1 <u>aram</u>	7 <u>yitiñč</u>
2 <u>ikinti</u>	8 <u>sekizinič</u>
3 <u>očanič</u>	9 <u>toquzunč</u>
4 <u>tärtanič</u>	10 <u>onunč</u>
5 <u>bišinič</u>	11 <u>bir yigirmiñč</u>
6 <u>altinič</u>	12 <u>čaxšaput</u>

The names of the first and twelfth months represent innovations from the oldest system attested in the Runic inscriptions and an Uyyur text. Thus, in BČ N 9, we find enq ilki ay altı yaqlıq "(a second battle) on the sixth day of the first month", and although the expected iki yigirmiñč ay does not actually occur in the Runic texts, we do find it in the probably early Uyyur divination work: IT I 85-86 yaqlı yılınq iki yormiñč ay "the twelfth month of the new year". The very structure of the month names, in any case, requires the supposition of some such original system. Each of the month names 2-11 consists of a numeral with the ordinal suffix, -nti in the case of iki "two" (ED III; TME II 189), but -nič for the remainder.

This system is in general use for the elder non-Islamic literature, and can even be found in the Persian historical works of Rašid ad-Din and al-Qadani

(see TME II 169-170). Generally, the later Islamic Turkic literature uses the Arabic designations, although these are often coupled with a Turkic ordinal numeral designation. This was certainly the case for Mahmud al-Kāshgarī (cf. Pritsak 1955, p.32) and for the Yarkend land sale contract of 1121.

Traces of another "nomadic" system can be found in Mahmud al-Kāshgarī, who writes that the nomads divide the year into four periods, and that each of the three months of each period have special names; thus, "the beginning of Spring, after the New Year festival, is called oylag ay 'kid month'; the following [month] uluy oylag ay 'the big kid month' because the kid grows bigger in the second month; and following that uluy ay 'big month', because it forms the navel [i.e., the middle] of the Summer; ... it is similar with the others [i.e., other month names]; I do not name them because they are seldom used" (MK I 347-348; translations in Pritsak 1955, pp.32-33 and ED 85). This system is essentially a seasonal one, only traces of which can be found in the older texts (cf. TT VII Nr.38, and p.5), but which can be detected in some modern languages, although the designations of the months are normally peculiar to peoples and areas (for months in general, see: Wb I 3-9; Pritsak 1955).

pp.29-34; KY 126-127; TME II 169-170, III 657-660
[for the New Year festival]).

The year in the Uyyur calendar used in the civil documents consisted of twelve months of 29 or 30 days each, amounting to a year of only 354 or 355 days. Rasid ad-Din records a thirteenth or intercalary month for this calendar that was designated šūn ay (← Chinese shun), and used to bring the lunar year into alignment with the solar year (TME II 170; KY 199; Pritsak 1955, p.29). No trace of this intercalary month can be discerned in the civil documents.

There remains the question of the two month names that are obviously of foreign origin in the calendar of these texts: aram ay "first month" and šaxšaput ay "twelfth month". In the following, I shall approach the two terms from the Turkological side, which has largely failed to identify the words, and then try to show that they can be at least partially explained from the Sino-logical side.

The word aram— it is not to be read aram, as Radloff and subsequently Pelliot— cannot as yet be identified. Malov laconically indicated "Ind[ian]", but then went on to say that it is probably derived from Arabic muḥarram "first month" (Malov 1951, p.359; cf. p.401, and Jarring 199). The "Indian"

origin is embraced by Pritsak (1955, p.31, n.2), and the "Arabic" origin by Yamada (1964, p.88, n.1), but neither scholar elaborated on these prospects.

A Sogdian etymology is offered in the DTS, where we find the word listed twice, as aram (DTS 50) and as ram (DTS 476), with Sogdian r'm proposed as the original of both. This would certainly be attractive, but, to my knowledge, the Sogdian r'm has not been suggested nor its very existence confirmed by any other scholar. Other lexicographical aids do not proffer an etymology (TT VII, p.101; ATG 295; US, p.262; KY 130; TME II 24; Ewb 23; lacking in ED).

It is surely of interest to note that the chronological distribution of aram is restricted to late secular texts: 1202: TT VII 4:5 (folk calendar); 1328: TT VII 40:100 (Yitiken Sudur); 1367: TT VII 5:1 (folk calendar); 1368/1370: TT VII 1:7 (folk calendar); 1380 [?: TT VII, p.88]: TT VII 6:4 (folk calendar); undated: TT VII 17:14 (folk calendar), TT VIII L 36 (rām ay; folk calendar); XIII-XIV: Rašid ad-Dīn and al-Qašānī (TME II 24, 169-173); XIII-XIV: civil documents; XV-XVI: Sino-Uyyur vocabulary (KY 130; Wb I 8, 263); 1685: copy of Suvarnaprabhāsa obtained by Malov (ram ay). I am presently unable to check the occurrence of the name in Golden Horde documents according to

Veselovskij (cf. Caferoğlu 1934, p.8, n.3). This designation of the first month is therefore found for the first time in the XIII century, although this might be an accident of the material, and appears in two forms, ram and aram, of which the first is certainly the original, and the second is an assimilated form with a prosthetic vowel.

There are several difficulties as well with the name of the twelfth month, čaxšapat, of the Uyyur calendar. However, in this case, we know that the origin of the word is Sanskrit śikṣāpada "commandments (of abstinence)", which also appears in Tokharian-A as śikṣāpat and Sogdian čxš'pō, in the latter meaning "month of abstinence" (UigI, p.46; ATG 306; IA 476; TT VIII, p.88; Caferoğlu 1934, p.8, n.4; US, p.303; Yamada 1964, p.88, n.2; PDP 376; ED 412; DTS 140; KY 150; TME III 78-79; Ewb 95; nearly all of these merely going back to UigI or ATG).

The Iranian scholar, S.H. Taqizadeh, has called into question the old identification of Chavannes and Pelliot (*Un traité*, p.310n), whereby čaxšapat in Buddhist and Manichean literature, with the original sense of "precept, commandment (of abstinence)", and čaxšapat ~ čaxšapt in the Uyyur calendar, with the meaning of "twelfth month", implied that "the religious month of the Manicheans

for the stricter observance of the divine laws and abstinences by the auditors was identical with the month of Chaqshapat of the Uigur calendar".¹²

Taqizadeh demonstrates that there is a calendar disparity which arises from this assumption, namely, that the Manichean month of abstinences had to begin during the first month (aram ay) and end during the second month (ikinti ay). He concludes:

"... the word chaqshapat as a noun meaning precept or command, and as it was used in the Manichean texts even in the expression of 'one month of chaqshapat', has nothing to do with the name of the Uigur month, ... the latter was perhaps adopted by the Turks as an equivalent for the Chinese word la-yüeh, the name (or epithet) of the Chinese month, when the Chinese calendar was first introduced among the Uigurs."¹³

Taqizadeh is also aware of a further possibility, that after the decline of Manichaeism and the spread of Buddhism, the old term signifying abstinence from food, fasting, and the fasting season, was adopted by the Buddhists for the twelfth month during which Buddhist monks observed "retirement" which, according to Chevannes and Pelliot (*Un traité*, p.310n), was the meaning of the Chinese la-yüeh.¹⁴

The clear distinction which Taqizadeh wishes to draw between the Manichean-Buddhist "abstinence,

precept" and the calendar term "twelfth month" has some linguistic basis as well. The former is always spelled čaxšapat and the latter either čaxšaput or čaxšant; this abbreviated form čaxšapt must certainly be realized as čaxšaput, as can be seen in the parallel TT IV A 67,75, Uig I 8:20 krašaput, Uig II 7:9 krašapt, from Sanskrit karmaśāstra (cf. AI 484; DTS 289).

One may normally assume that the two main languages which have mediated Sanskrit words into Uyyur are Sogdian and Tokharian, and since čaxšapat "abstinence" is known in a number of Sogdian contexts (cf. TME III 79), we may assign a Sogdian background to this term, and hypothesize a Tokharian background to the form čaxšaput "twelfth month". Moreover, we should once more be aware of the chronological distribution of the latter term: 1202: TT III 4:74; 1328: TT VII 40:111; 1367: TT VII 5:39; 1368/1370: TT VII 1:18; 1380[?]: TT VII 6:1; XIII-XIV: Rašid ad-Dīn and al-Qaṣanī (TME II 169-170); XIII-XIV: civil documents; XV-XVI: Sino-Uyyur Vocabulary (KY 150; Wb III 1839); undated: TT VII 24:15 (folk calendar).

In neither case, aram ay nor čaxšaput ay, may one speak of any connection with yearly festivals or fasting seasons, in particular of those of the

Manicheans, whose church had all but disappeared by the X century, let alone the XIII century from which these designations appear to originate.

In any case, there is no necessity to do so. As Chavannes and Pelliot have remarked, the Chinese called their first month chêng-yüeh "correct month" and their last month la-yüeh "month of retirement", whereas the intervening months 2-11 were simply sequentially numbered (Un traité, p.310n). This is obviously the model for the Uyyur system, so that the two equivalencies, aram = chêng "correct" and Çaxçaput = la "retirement", are thereby established. Whatever the etymologies of the words in Uyyur, their calendar origins are in Chinese.

Day

The designations for the days of the months in the calendar of the civil documents were as follows:

1	<u>bir yangı</u>	11	<u>bir yigirmi</u>	21	<u>bir otuz</u>
2	<u>iki yangı</u>	12	<u>iki yigirmi</u>	22	<u>iki otuz</u>
3	<u>üç yangı</u>	13	<u>üç yigirmi</u>	23	<u>üç otuz</u>
4	<u>dört yangı</u>	14	<u>dört yigirmi</u>	24	<u>dört otuz</u>
5	<u>biş yangı</u>	15	<u>biş yigirmi</u>	25	<u>biş otuz</u>
6	<u>altı yangı</u>	16	<u>altı yigirmi</u>	26	<u>altı otuz</u>
7	<u>yiti yangı</u>	17	<u>yiti yigirmi</u>	27	<u>yiti otuz</u>
8	<u>sekiz yangı</u>	18	<u>sekiz yigirmi</u>	28	<u>sekiz otuz</u>
9	<u>toquz yangı</u>	19	<u>toquz yigirmi</u>	29	<u>toquz otuz</u>
10	<u>on yangı</u>	20	<u>yigirmi</u>	30	<u>otuz</u>

This system is merely a count from 1 to 30 in the staircase system of counting (see pp.132-134). Its only peculiarity is the addition of the marker yanqi "new" to the first ten numerals. The use of this word is suggestive of a system in which the month is divided into three decades, roughly corresponding to the phases of the moon: "new, waxing" = 1-10; "full" = 11-20; "old, waning" = 21-30.¹⁵ The word yanqi "new" itself tends to support this supposition, and there is little wonder that nearly every editor and lexicographer has interpreted the names of the first ten days in Uyyur documents as "the (...) day of the new moon" (cf. US, p.3,4,216ff.; PDP 384; DTS 234; Mori 1961, p.116). A few scholars have taken yanqi as merely a marker of the first ten days, and have omitted it from their translations without explaining their reasons for doing so (ED 943; TT VII generally; Hamilton 1969, p.35).

One may not in this regard ignore the Mongol parallel found in a number of Middle Mongol texts of the XIII-XIV centuries, wherein Mongol sine "new" with the plural -d, thus sined, appears to be used to mark the first ten days of the month, and Mongol gaučin "old" without or with the plural -d, thus gaučid, appears to mark either the last ten days or the last fifteen days of the month.

The modern commentary on this question began with the letter of Mostaert quoted in Cleaves 1953 (pp.101-102, n.56), wherein this scholar maintained, after the practice of Ordos, that gaučin/gaučid was added to all days beginning with the 16th of the month, whereas sined appeared only with the first ten days. Cleaves continued this line with his acceptance of sined as referring to the first ten days of the month (1955, pp.26-27, n.2), and Poppe similarly defined sined as "denoting the first decade of the moon, when it is waxing" (Poppe-Krueger 1957, p.100, n.53b). Ligeti took exception to Mostaert's interpretation of gaučin/gaučid as referring to the last fifteen days of the month, and preferred to view this word as referring to the last decade of the month (Ligeti 1971, pp.149-150). He rallied to his support the apparent fact that the days marked as sined and gaučin/gaučid never number more than ten, and in particular that sined is used in Ordos, as pointed out by Mostaert, only for the first decade. To this practice, Ligeti compares the yanqi which marks the first ten days in the Uyyur civil documents, wherein there is no trace of any "old" days.¹⁶

It seems to me that these scholars have ignored several important aspects of the problem. Mostaert, for example, did not appear concerned about the

implications of his unequal division of the month into periods of ten and fifteen days each, which leaves five days unaccounted for. Such a system, of dubious existence anywhere, did not trouble Ligeti who, for his part, corrected the numerical error in regard to gaučín/gaučid, but posited a system not necessarily representative of Middle Mongol literature, and, as we shall see, implied that the Mongol and Uyyur systems were the same.

This matter may be approached more usefully by collecting the day designations in the Mongol texts of the XIII-XIV centuries. One might forecast that this procedure would disclose the use of one or more of several types of month divisions:

(1) the numerals one through ten plus the marker sined for the first decade, followed by numerals eleven through thirty for the last twenty days of the month;

(2) the numerals one through ten plus sined for the first decade, followed by numerals eleven through twenty for the second decade, followed by numerals one through ten plus the marker gaučín/gaučid for the third decade;

(3) the numerals one through fifteen plus the marker sined for the first half of the month, followed by the same numerals plus the marker gaučín/gaučid for the last half of the month.¹⁷

§ shall now present the XIII-XIV cc. evidence for Mongol day designations, cited after Ligeti's MLMC I-III for all texts:

Chinese: SH 118 harban jirgo'an, 193 harban

jirwa'an; HY B 2:4b naiman sined;

HP'ags-pa: I:21 gorin jirgo'an, II:42-43 tabun sined,

III:3 harban tabun, IV:19 gorin tabun, V:34 qučin,

VI:25, VII:23-24, VIII:43 gorin naiman, IX:22 gorin

qurban, X:18 harban sined; cf. XII:33-34 zara-yin

naiman-a;

Arabic: no occurrences noted;

Uyyur: Mongolia and China: Qara-qorum 1346, 11 doloyan

sined, Tun-huang 1:8 gorin yurban, S-M 1338, 9

arban sined, 37 gorin nigen, Aruy Wang 1340, 20

gorin tabun, S-M 1348, 2 arban doloyan, S-M 1362,

31, 36 arban dörben, 54 arban goyar, Qara-qoto

Loan Contract, 2 yisän sined;

Uyyur: Turkestan: Buddhist and Divination: Bodh 166a10,

167b5 nigen sined, Calendar c1 gorin jiryuyan, f1

arban nigen;

Uyyur: Turkestan: Civil Documents: 1:13 goyar gaučin,

2:11 arban sined, 3:16 naiman gaučin, 8:11 yunan

sined, 5:19 yurban gaučin, 6:11-12 goyar gaučin,

7:18 arban gaučin, 8:16 dörben gaučin, 9:14

dörben gaučin, 10:9 dörben gaučin, 11:15 doloyan

gaučin, 12:16 arban qayučin, 14:10 arban yurban;

Uyur: Iran, Taheran, Syria, Anatolia: Abaya 1267/
1279, 14-15 arban Yiryuyan, Arzun 1289, 33 Yiryuyan
gaučid, Arzun 1290, 33-34 tabun sined, Yasan 1302,
13 arban dörben, Oljaito 1305, 41-42 naiman
gaučid, Abū Saʿīd 1320, h18 naiman gaučid,
Nūr ad-Dīn 1272/1273, a2, b2 qoyar gaučid.

What emerges from this presentation is the fact that several systems were used by the Mongols during this period. The following groups of texts employed system (1) as described above: hP'ags-pa and Uyur script texts from Mongolia and China, the Buddhist and divination texts from East Turkestan, where they are surely copies of works originally written in China, and, tentatively, the two texts in Chinese characters, although the dates in these are too few to be conclusive. The following groups of texts used system (2): the civil documents from East Turkestan and the Near East, with a distinction between the singular form gaučin in East Turkestan and the plural gaučid in the Near East. System (3) was not used. Thus, neither Ligeti, who preferred system (2), nor Cleaves and Mostaert, who preferred a kind of mixture of (2) and (3), were strictly correct.

There appears to be both a geographical and contextual basis for the use of system (1), which was roughly non-civil East, and system (2), roughly

civil West. The Qara-qoto loan contract from China should not enter into consideration, as its entire structure is simply modelled on Uyyur contracts, so that its date would consequently conform to the Uyyur system.

That is the second point that emerges from this comparison. The system (1) found in most Middle Mongol texts from the East is obviously identical with that found in all of the Uyyur civil documents, and just as obviously has nothing to do with a division of the month into three decades. Chavannes and Pelliot long ago established that the Uyyur system merely calqued the Chinese system, wherein yanqi "new" translated Chinese ch'u "first, beginning", a marker added to the first ten days of the month, which was followed by a straight enumeration from eleven to thirty for the remaining twenty days of the month (*Un traité*, p.310n). Just as the Uyyur is based on the Chinese, the Mongol system (1) is based on the Uyyur, as is witnessed by the translation sined for yanqi, and thereby provides one more example of the effect of the Uyyur chancery upon that of the Mongols.

THE REGISTER

After the date and the main body of the contract or document stands a section normally composed of the names of attesting witnesses, the identification of the attached seals or personal signs, and the certification of the scribe. The order in which these components occur, as well as their specific expressions, may be analyzed as forming a number of different structural types. Yamada has presented an excellent classification of these types, which I shall reproduce here with only a few alternations for the sake of clarity and to which I shall refer on several occasions below (Yamada 1963b, pp.321-322):

1. Normal Form

Date

Subject of contract

Names of witnesses

'This tanya or nišan is mine, the principal's'

Scribe

2. New Forms

A. Personal signs of witnesses added

Date

Subject

Witnesses

'This nišan is mine, the principal's'

Scribe

'This nišan is mine, the witness'

'This nišan is mine, the witness'

B. Only personal sign with witness

Date

Subject

'This nisan is mine, the principal's'

'This nisan is mine, the witness'

Scribe

C. Mixed case

Date

Subject

Witnesses

'This nisan is mine, the principal's'

'This nisan is mine, the witness'

Scribe

3. Compound Forms

A. Compound normal form

Date

Subject

Witnesses

'This nisan tanyu is mine, the principal's'

Scribe

B. Compound new form

Date

Subject

Witnesses

'This nisan tanyu is mine, the principal's'

Scribe

'This nisan is mine, the witness'

'This nisan is mine, the witness'

C. Compound mixed form

Date

Subject

'This nišan tanya is mine, the principal's'

Witnesses

'This nišan is mine, the witness'

'This nišan is mine, the witness'

Scribe

Yasuda further states that tanya is used together with nišan in 2. New Forms in three texts, and classifies such cases with 3. Compound Forms; however, I am not sure what he meant by this and have omitted it.

There are moreover a number of special cases, captions, insertions and postscripts, which appear in the register and cannot be accounted for by the above schemes. One such caption appears in a few contracts at the beginning of the register, and assumes the following forms:

14:7 bu ište, 86:17 bu iške + Witnesses "(Witnesses) to or at this transaction (are)";

43:17, 57:20 bu bitike + Witnesses "(Witnesses) to this document (are)";

16:5, 22:6 bu savda + Witnesses "(Witnesses) to or at this statement (are)"; also occurs at the beginning of a postscript in 33:24 bu savta;

28:8, 73:6, 78:11 bu sōzke + Witnesses "(Witnesses) to or at this statement (are)".

There are no common features among these phrases, and there is nothing of a formal nature in other contracts to suggest that the shape and inclusion of this caption was motivated by anything more than individual scribal practice. Therefore, I do not assume this caption to be an integral feature of the formal process of validation. Other special cases, insertions and postscripts shall be discussed in a separate section below (pp.358-362).

Witnesses

Nearly all of the contracts have a set of witnesses, although a few contracts miss this feature due to damage in the text (Nrs.7,23,26,38,48,71,83,92). Only two contracts lack witnesses altogether (Nrs.75,86), and of course depositions, petitions, decrees and registers are formally defined by the lack of this feature (Nrs.94-141).

Several scholars have commented upon the witness formula, and their opinions shall be duly noted in the appropriate places below (cf. Caferoğlu 1934, p.11; Cleaves 1955, pp.16-18; Mori 1961, pp.139-141, 145-146; Yamada 1964, p.111; Arat 1964, pp.51-53). We shall be occupied with four aspects of this component: (1) the structure and meaning of the formula; (2) the number of witnesses required for a given type

of contract; (3) the irregular cases in which, in addition to specified persons, Buddhist deities are invoked as witnesses (Nrs.59,60); (4) one case in which guarantors also appear in this component (Nr.82).

Structure and Meaning of the Formula

The most common type of witness formula assumed the form: tanug + Name of Witness, tanug + Name of Witness, and so on. In those cases in which the witness drew his personal sign upon the document, the formula took the form: bu nisan men tanug [Name of witness] - ning ol "this personal is mine, the witness [Name of Witness]".

One exception to the simple formula occurs in Nr.78:11-12 bu sōzke QWR^o(?) Qlday tanug Kōčdemōr End Buqa Tōkel Qaya Buyan Qaya tanug, in which the names of four of Tuyluy Temōr's officials appear between two occurrences of the word tanug. The reason for this, as well as the interpretation of QWR^o Qlday, remains unclear to me. A second exception is the receipt Nr.88 which ends bu tanug Taš bu tanyā [...] "this witness is Taš; this seal (...)" . A third exception is Nr.91 tanug Ešen Tutung ol "the witness is Ešen Tutung". Neither of these cases invites anything more than speculation.

The only exception to the formula in which the personal sign appears is Nr.49 where there are eight

occurrences of the formula: tanug [Name of Witness]
by nisan mening ol "Witness is [Name of Witness].
This personal sign is mine". Once more, I have no
explanation to offer for this case.

By means of the classificatory scheme of the
order of the various components of the register, as
outlined above (pp. 298-300), it is possible to see
which contracts used the simple formula and/or the
formula in which the personal sign of the witness
appears, and in which order these occurred (special
cases to be discussed are underlined):

1. Normal Form: Nrs. 1-6, 8, 9, 11-17, 20-22, 24-35, 39,
40, 44, 47, 54-56, 58-63, 65-70, 72-74, 77-81, 84, 85,
87, 89, 90, 93; underlined: 33, 67, 70, 78, 79;
- 2A. New Form: Nrs. 41, 51, 52, 86;
- 2B. New Form: Nrs. 42, 45, 46, 49;
- 2C. New Form: Nrs. 10(?), 18(?), 19, 43, 82;
- 3A. Compound Normal Form: Nrs. 53, 64;
- 3B. Compound New Form: Nrs. 37, 57;
- 3C. Compound Mixed Form: Nr. 50.

Of the special cases that have been underlined,
Nrs. 49, 78, have been discussed above (pp. 302-303);
Nrs. 75, 76, 88, 91, are not relevant here (see p. 302);
Nrs. 33, 67, 79, have an inversion of the scribe and
the witnesses, for which no explanation comes to mind;
and the remainder are discussed below: Nrs. 10, 18 (pp. 306-307),
Nr. 70 (pp. 360-361), Nr. 82 (pp. 320-324).

The word used for "witness" throughout the civil documents is tanuq (ED 518; DTS 532; Caferoğlu 1934, p.26; US, p.294; PDP 429; ATG 337; EWb 461). In the Mongol loan contract from Qara-qoto, the Mongol word qarači is used for "witness". Cleaves pointed out that here Mongol qarači is a translation of Uyyur tanuq which, in its turn, is a translation of Chinese chisa-jen (Cleaves 1955, p.18; cf. Mori 1961, p.145).

Number of Witnesses

It is important to know whether specific types of contracts required a specific number of witnesses, or whether the number of witnesses attesting to a given deed was an accidental result of their availability. If the number of witnesses is constant, or at least if it fluctuates around a constant mean, then this aspect becomes an integral part of the formal and legal structure of validation.

Most scholars have been aware of the significance of this aspect, but because they did not base their opinions on an examination of the total available material were not able to answer the question satisfactorily (Caferoğlu 1934, p.11; Mori 1961, pp.145-146; Yamada 1964, p.111; Arat 1964, p.53).

In the following, I shall tabulate the number of witnesses referred to in those documents which

actually list witnesses, while omitting those in damaged texts, in appended and disattached receipts (Mrs. 54, 56, 67, 87), and in irregular cases (Mrs. 59, 60, 78, 88).

<u>Document</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5*</u>	<u>Document</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
1		+				29		+			
2		+				30		+			
3		+				31		+			
4					+	32		+			
5		+				33				+	
6		+				34			+		
7		+				35		+			
8		+				38			+		
9		+				39				+	
10	+					40			+		
11		+				41				+	
12		+				42				+	
13		+				43				+	
14		+				44			+		
15		+				45		+			
16		+				46					+
17		+				47				+	
18	+					49					+
19		+				50			+		
20		+				51			+		
21		+				52				+	
22		+				53			+		
24		+				54			+		
25		+				55				+	
26		+				56				+	
27		+				57				+	
28		+				58				+	

*These numbers refer to the number of witnesses.

<u>Document</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>Document</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
61			+			77		+			
62			+			79		+			
63				+		80		+			
64		+				81		+			
65			+			82			+		
66		+				84	+				
67		+				85		+			
68		+				86				+	
69				+		88	+				
70		+				89	+				
72				+		90	+				
73		+				91	+				
74	+					93	+				

To the conclusion reached by most scholars, namely, that loan contracts (Nrs.1-23) required two witnesses, we may add that all animal hire and land rental contracts (Nrs.24-32) likewise required two witnesses. There are three insignificant exceptions to the first conclusion that may be easily explained. One of these, Nr.4, with five witnesses, is an exercise of some sort, as demonstrated by Radloff and Mori (see p.393), but not a valid contract.

Two contracts, Nrs.10 and 18, have exactly the same form of validation: one witness followed by the seal or personal sign of the borrower. Thus, they lack a second witness, other seals and scribal certification. Both of these are evidently unfinished texts, which the scribe has not completed because a

second witness was not immediately available, or because there was some further discussion of the terms of the contracts, in which case they would be no more than drafts. In yet another contract, Nr.19, only one witness is listed in its proper order, but two witnesses are listed as having attached their personal signs. It is my feeling that this is the manner in which Nrs.10 and 18 would have been completed, which is why I have classified them as 2C. New Mixed Form. To render this clear, I shall quote the passages:

10:10-11 tanuq Čoluq bu nišan sen Il Temčrning ol

18:9-10 tanuq Yake Baš Oyul bu tanyu sen Bädöš
Tutungnang ol

19:13-17 tanuq Toyin bu nišan sen Qallmtunng ol
bu nišan sen tanuq Toylnng ol bu nišan
sen tanuq Esen Baganng ol sen Qallmtu
özöm bititim

Yamada has correctly concluded that land sale contracts required three or four witnesses, with a few exceptions. The exceptions are Nrs.35 and 45 with two witnesses, and Nrs.46 and 49 with five witnesses, the first two of which are, I believe, explicable. Following the two witnesses in Nr.35 is the line köyöp oluryučl inim bätör, which Hamilton translates "as for the one who functions as guarantor,

my younger brother is confirmed [in this role]", whereby he takes köyöp olurquči "the one who sits (who occupies a function) and protects (guards or guarantees)" as a translation of Chinese pao-jen "guarantor" (Hamilton 1969, p.49, n.16). This latter identification is certainly correct, but, in my view, inim bötör must be translated "my younger brother completes it", in the sense of completing the list of witnesses. Thus, the phrase in Nr.35 should be translated "my younger brother who is the guarantor (of this contract) completes it (i.e., is the third witness)".

In Nr.45, which concerns properties of Töleg Temör, the end of line 10 has been left blank (or erased?) and line 11 has the names of two witnesses, Kerey and Temör Buqa, followed by an insertion stating that no one in the family of Töleg Temör is to dispute the contract. Lines 13-16 contain the identification of the personal signs of four people: (1) Töleg Temör, (2) Buyan Temör, (3) the witness Kerey, and (4) the witness Temör Buqa. The final line 17 states bu bitigni men Buyan Temör öz iligin bitivö tegintim "I, Buyan Temör, have ventured to write this document with my own hand". By his own tacit admission, Buyan Temör is no scribe, and this is verified by the fact that he has attached his

personal sign, as scribes never do. On the other hand, he has written the document after all, so that he does not identify himself as a witness, per se, in line 14, although it is clear that in fact he was the third witness of this contract. There is no other possible explanation of the presence of his personal sign following that of the principal of the contract.

Nrs. 46 and 49 are indeed exceptional documents. Both were obtained at Kuča and edited by Feng 1954. The register of Nr. 46 lists the personal signs of six people, one of whom is the principal of the contract (lines 16-21), and this is followed by the personal signs of five people designated as witnesses (lines 22-26). The remainder of this contract does not differ in any formal manner from other land sale contracts, but there is the unique mention in line 5 that the property has been sold oldi bitiqi birla "together with its inheritance document" (see p. 246), and it may be that this necessitated the unusual parade of people in the register.

The other document, Nr. 49, has only the fragmentary final sections, and lists first the personal signs of six people (lines 6-11), followed by the personal signs of at least five people designated as witnesses (lines 12-16). In this, it is formally the same

as Nr.46. However, written above the names of the people in lines 8-10 are still three further personal signs of people designated as witnesses, thereby bringing the total number of witnesses in this contract to eight! I am at a loss to explain either instance, unless we are to have recourse to a theory that the number of witnesses in these two contracts reflects some special conditions or procedures in Kuča that did not obtain elsewhere in East Turkestan.

Apart, then, from Nrs.46 and 49, all of the land sale contracts (Nrs.33-49) had either three or four witnesses. In the same way, the contracts for the sale of slaves and other people (Nrs.50-58) have either three or four witnesses, so that we may broaden this conclusion to say that all sale contracts required three or four witnesses.

The situation becomes less clear-cut after this. In the other contracts concerning slaves, adoption, and indentured servitude (Nrs.59-68), the table reveals that either two or three witnesses were present. A formal conclusion appears to be impossible in this regard, since the three adoption papers vary from two (Nrs.65,66) to three (Nr.64), and the two papers for indentured servitude (Nrs.67,68) with two witnesses, do not constitute sufficient exemplars on which to base any meaningful conclusion.

Nor can one discern any patterns in the miscellaneous contracts (Nrs. 69886), in which the number of witnesses varies from one to four. As these documents are all unique, that is, do not form any obvious formal groups, the lack of a pattern is not surprising.

However, one may infer from the number of witnesses in Nrs. 87-93, which are all receipts with one witness, that this type of document required one witness. In this regard, we may recall the other receipts which are appended to the main body of the contracts to which they pertain (Nrs. 54, 56, 67), and the disattached receipt Nr. 87 for the contract Nr. 58. It may or may not be the case that Nrs. 88-93 are similarly detached receipts belonging to main documents, but certainly none matches up with known contracts.

Among the appended receipts, Nr. 54 has two witnesses, Nr. 56 has one, Nr. 67 has one whose name is lacking due to damage, and the disattached Nr. 87 has one, although a second may have been in the succeeding garbled line. Moreover, in all these receipts, the witnesses are drawn from those witnesses present in the register of the main document. As Nr. 54 has two witnesses, and as there is nothing peculiar about this receipt in comparison with the

other receipts, we must conclude that receipts normally required only one witness, but could have two witnesses as well.

From the above discussion has emerged the following conclusion concerning the number of witnesses required for a given type of contract:

<u>Type of Contract</u>	<u>Number of Witnesses</u>
Loan	two
Land rental	two
Animal hire	two
Sale	three-four
Receipts	one-two

Religious Witnesses

There are two contracts, Nos. 59 and 60, in which Buddhist deities are invoked as attesting witnesses. No. 59 is termed a boš bitiq "deed of manumission" in lines 5-7 Kangšite tuyaiš Buqa Quli atl(i)y oyuiŋqa dgke qanqa buyanī taqzōn tip boš bitiq birtim "I have given a deed of manumission to the son named Buqa Quli, born in (ʔof) Kangši, saying 'Let the merit (of this act) reach to my ancestors'". Although the phrase boš bitiq does not actually occur in No. 60, it is clear that this text is the same "deed of manumission" to which Pintung himself later makes reference in his petition, No. 96:13ff. (see pp. 243-244).

For reasons altogether unacceptable to me, Yamada wishes to view Nr.59 as a contract for:

"...dissolution of adoption. It is true that there are so [sic] remarkable expressions and the same items with the above-mentioned document of slave-emancipation [Nr.60] as of blessing, of freedom of moving and of calling Deities. The reasons for his [i.e., Yamada's] classification, nevertheless, are: (1) even if the name of the boy— the adopted son in the author's opinion— was Buqa Quli, there is no evidence in the text that he was a slave (gul or qarsbaŋ), but he is merely called a son (oyul), (2) his family, the elder brother and the father as well, are referred to in the text, and (3) the adoptive father had no son except Buqa Quli, so that he is obliged to talk over the matter with his son-in-law, his daughter's husband and the latter of which even had the responsibility for this document acting on behalf of his father-in-law" (Yamada 1964, pp. 165-166).

This argumentation seems unusually muddled. Concerning the first point, the occurrence of gul "slave" as a component of a proper name (Buqa Quli) carries with it no connotation of actual enslavement, but can be found as part of a number of proper names in these texts: Burxan Quli, Buyan Quli, Nom Quli, Toyin Quli, Inaq Quli, and so forth. In any case, were we to take this name literally, the boy would be the "slave of a bull".

Moreover, a slave does not have to be designated either gul or qaraba in these documents, although it is true that they usually are. Indeed, in Nr.50, a man sells a thirteen year old or oylen "male child", and in Nr.51, a man sells his own son, Mubarak Qo
adly oyum. As a matter of fact, the word oyul in Nrs.51 and 59 can be interpreted simply as "boy" or "child", but we shall not press the matter here (cf. ED 81-82).

As for Yamada's point (2), it must be said that no one's father is mentioned in this text, although one may suppose that Yamada is here thinking of oq qanq, literally "mother and father", but in the context of transfer of merit only "ancestors"— in any case, this reference belongs to the principal of the text, Köni-quz, not to Buqa Quli.

Yamada does correctly note that the boy's older brother is mentioned in the text: 59:19-20
bu bitiqni ayası Boqsa Toyın Makinte qatınlarına ayıldır birtin "I (i.e., Köni-quz) have issued this document (of manumission) at the request of my relatives in the presence of his older brother, Boqsa Toyın". Here, the older brother of Buqa Quli— and there is no reason to think that slaves did not have brothers, fathers, or even mothers!— acts as a kind of witness to verify, should the need arise, that

Köni-quz indeed emancipated Buqe Gull in the presence of all of his relatives.

As for Yamada's point (3), there is no evidence in the text that Köni-quz was an "adoptive father", and certainly none that he was without other sons. The remainder of this portion of Yamada's argument, if I understand him correctly, is irrelevant. A man about to die, as Köni-quz was (line 2), would feel a certain obligation to discuss with his inheritors the loss of a part of their estate.

If I have expended so much space in refuting Yamada's ill-founded contention, it is because the occurrence of such a striking formula, the invocation of deities as witnesses, in two texts which emancipate slaves, cannot be an accident. Rather the formula itself must be an integral part of this type of contract. This formula in the two texts is as follows:

55:16-18 tanuq tört maxarač t(e)noqiler tanuq yiti eke baltiz t(e)noqiler yonquql "Witness: the Four Mahārāja Gods. Witness: the curse of the Seven Older and Younger Sister Goddesses" (followed by the names of two human witnesses);

60:17 tanuq tört maxarač t(e)noqiler yiti eke baldiz terimler(?) [yonquql] "Witness: the Four Mahārāja Gods (and) the Seven Older and Younger Sister Goddesses [their curse]" (then the names of two human witnesses);

With the aid of Nr.59, one might suggest that tarinlar in Nr.60 should be amended to t(e)narinlar, and that [yongquql] should be supplied at the end. But neither change is certain.

Previous editors have had little trouble with the translation: Nr.59: "Witnesses: the four Mahārāja gods, witnesses— the curse of the seven goddesses the Eke's, their sisters-in-law" (Ramstedt 1940, p.7, not quite correct), "Witnesses— the four Mahārāja gods, witnesses— the curse of the seven elder and younger sister goddesses" (Yamada 1972, p.251); Nr.60: "Witnesses are the four Mahārājas and the seven female supreme deities" (Feng-Tenisev 1960, p.148), "Witness— the four Mahārāja gods, (witness—) the seven elder and younger sisters tarin" (Yamada 1972, p.227).

The four Mahārāja gods (Sanskrit Caturmahārāja) are frequently mentioned in the Uygur Buddhist literature, the fullest descriptions of them being in the Diṣastvustik and the related T VII Nr.16. In fact, the Diṣastvustik constitutes a descriptions of the four guardians of the world (tört mahārāja) and all the demon legions who inhabit the four quarters of the world (cf. Stabl-Holstein, *Bemerkungen*, pp.93-94). The four guardians are identified in

Diđ 38b2-39a3 vayiz vir āze erkliā kṣatrikier 3 ānādhā
vināga dṛtiraṣṭri 4 āxaraḥ kṣāntān vināga virutaki 5
āxaraḥ kidin vināga virupakṣi 6 āxaraḥ tadyān vināga
vayśiravani 7 āxaraḥ bular erṣṭ tōrt viuy 6 ilioler
yirtinā kāzadāḥi 39a1 stl(1)ylar kṣlāqler tārtān
vināga 2 kāzadōrler qalln sālāq uluy 3 kṣlāqler
"the ruling warriors (Skt kṣatriya) upon the brown
earth (are): in the East the Dhṛtarāṣṭra Mahārāja,
in the South the Virūdhaka Mahārāja, in the West the
Virūpākṣa Mahārāja, in the North the Vaiśravaṇa
Mahārāja; these are the four great kings who guard
the four quarters, the great powerful ones with
numerous armies".¹⁸

As Staāl-Holstein pointed out, the four Mahārāja
gods are not only the four guardians of the four
quarters of the world, but also the rulers of various
legions of demons, and it is in the latter sense that
we ought to interpret their invocation in the present
two texts: (cf. Bemerkungen, p.98, n.4). The
manumission of a slave was evidently a meritorious
deed, as both texts speak of this, and this accrued
merit could be transferred to preceding generations
of one's family, as well as to noble, ecclesiastical
and saintly figures, just as in the buyan evirack
"transfer of merit" colophons added to copies of
Buddhist confession and doctrinal texts (UigI 15;

UigII Texts 7 and 8; Ş. Tekin, Azad İsin, Ankara 1966, pp.390-411; TT VII Nr.40) and is found as well in the Manichean sphere (ManI 28:23-29:37; TT IX 38-117; cf. TT IX, pp.6-7). Whether the association of the four Mahārāja gods with a meritorious act is here a contingent one, as it seems to be (cf. the similar association in BT II 1342-1344), or whether it is the power of the four Mahārāja gods to unleash their demon legions in case of breach of contract is here the inference, is an issue which can only be resolved by a Buddhologist.

Although the reading of the second set of witnesses is clear, the identification of "the seven sister goddesses" with their Buddhist original is not. The kinship terms ake "older sister" (ED 100; TME II 91-92; Ewb 38) and baltiz "younger sister" (ED 334; Ewb 60) in the compound ake baltiz may be translated simply "sisters", just as içi ini "older brother and younger brother" may be translated "brothers".

These sisters are termed terim in Nr.60, but tangric in Nr.59. Both words must here be interpreted as "goddess", although terim is normally a royal title or form of address, especially for royal ladies (ED 549; TME II 656-657), and tangrim is simply tangri with the first person possessive suffix

used as a diminutive and then a feminine suffix, and applied as a form of address to royal ladies (ED 524); or as a term meaning "goddess" (TME II 657). The latter meaning is certainly dictated by context in any case.¹⁹

But who are these seven sister goddesses? In their edition of Nr.60, Feng-Tenisev made the following identification:

"According to legend, Yāma, the sovereign of the nether kingdom, had seven sisters who were called 'seven mothers'. One of them had the name Cāundā, the second was Gaurī, the third Vaiṣṇavī, the fourth Kaumārī, the fifth Indrāṇī, Aindrī or Māhendrī, the sixth Randrī and the seventh Vārāḥī" (Feng-Tenisev 1960, p.148).²⁰

Perhaps a Buddhologist would be able to confirm this identification and to explain the link between these seven goddesses and the four Mahārāja gods, but I am unable to do so.

The final word in this formula is spelled YMNKQWQ, which Rasmstedt transcribed yongquq and translated "curse". Yamada followed this course, but supported the reading with a reference to MK yonga- "to make false accusations" (ED 944), yongay "false accusation and slander" (ED 949), and to ab III 414, 415, where the same two words are cited from the Qutadyu Bilig (Yamada 1972, p.252).

The semantic and phonetic difficulties with this identification are obvious. On one hand, none of the contexts of yongay suggest a meaning "curse", although an extension from "slander" to "curse" is not beyond imagining, and on the other, the form yongay has an element -g- (?-y-) that is lacking in MK yongay, although an aberrant spelling of this kind is not impossible. Nonetheless, I must accept the inspired, but troublesome interpretation of this word given by Ramstedt.

Guarantors

The various types of surety found in the Uygur contracts are not the subject of the present work. Rather, here I wish to briefly discuss the appearance of guarantors and the words for them within the register in a single document, Nr.82, a large part of which is quoted:

- 10 bu bitioteki čaoni birqinča
11 biz Inč Buga Yaruq iätin taätin bar yon
12 bolzar biz birle alyuči tunqū tavasašin men
13 Inč Buganlınq inim Esen men Yaruqlıq
14 oylur Qara Turma ikeqū bu bitioteki
15 čaoni bitio yosunča neqūke se tildamayın
16 čamsız kēni birqır biz
17 bu nišan men Inč Buganlınq ol
18 bu nišan men Yaruqlıq ol

19 bu niŋan men paoŋin Esenniq ol
20 bu niŋan men paoŋin Qara Tuymaŋiq ol
21 bu niŋan men tanuq Torŋining ol
22 bu niŋan men Yaruqŋiq ol
23 bu niŋan men tanuq Töleq Qayaŋiq ol
24 men Tuyma bular Inŋ Buqa Yaruq ikegöning
25 adainŋ bitidin

"(10) If we, Inŋ Buqa and Yaruq, should disappear before repaying the ch'ao paper currency (as stated) in this document, (12) (then) the t'ung-ch'ö tai-pao-jen who will assume joint responsibility, (namely), I, Eŋen, younger brother of Inŋ Buqa, and I, Qara Tuyma, son of Yaruq, the two of us, (14) shall faithfully repay without dispute the ch'ao paper currency (as stated) in this document, without seeking pretexts of any kind within contractual law.

(17) This personal sign is mine, Inŋ Buqa's.

This personal sign is mine, Yaruq's.

This personal sign is mine, the pao-jen, Eŋen's.

This personal sign is mine, the pao-jen, Qara Tuyma's.

< This personal sign is mine, the witness, Torŋi's.

This personal sign is mine, Yaruq's.

This personal sign is mine, the witness, Töleq Qaya's.

(24) I, [Qara] Tuyma, have written it down according to the statements of these two, Inŋ Buqa and Yaruq."

The first scholar to treat the question of guarantors in the Uyyur documents was F.W. Cleaves who, in his seminal edition of the Mongol contract from Qara-qoto, quoted the occurrence of paošin and tungšū taypaošin in Nr.82, and recounted the interpretations given to these terms by Radloff ["Mitarben(?)" for both; cf. Radloff 1909, p.186] and Möller [paošin = "Bürge", tungšū taypaošin = Chinese t'ung-shu tai-pao-jen; cf. SBW 1909, p.848]. In lines 12 and 18 of the Mongol contract, Cleaves transcribed the word bausin; translated it "guarantors", and gave its etymology from Chinese pao-jen (Ancient Chinese *pāu-ńziǎn, Ancient Mandarin *pau-žin, in h^o'ags-pa bas-žin; cf. Cleaves 1955, p.39, n.28). Finally, he pointed out that the word in this Mongol contract was simply borrowed from the Uyyur. He erred only in stating that paošin "is of frequent occurrence in the documents published by Radloff" (Cleaves 1955, p.16; as did Hamilton 1969, p.49, n.16).

In his edition of Nr.82, Radloff did not translate these terms (US, p.14), whereas Malov placed in the index paušin "heir (Chinese)" (US, p.290), and tongšū tai pau šin "?" (US, p.298). Unhappily, Arat followed Malov in his edition of the text, and translated both terms as "heir, inheritor [vāris]" (Arat 1964, p.67). Other editors and commentators

have adopted the correct etymology; DTS 21 has baosin [Chin. pao-jen] "guarantor(?)"; von Gebeln has tung-su [Chin. t'ung-ch'ü] "guarantor"; taypaoſin [Chin. tai-pao-jen] "guarantor" [Review of Mori 1961, UAJ XXXIV, 1962, p.202]; Yasada has the word from Chinese pao-jen "guarantor" (1964, p.111); Hamilton demonstrates that 35:15 kōvōp oluryuč "the one who sits and guards" is a calque of Chinese pao-jen "the man who guards (who protects, who guarantees)", and refers to Gernet 1957, pp.332-334 on the role of the pao-jen in Chinese documents (Hamilton 1969, p.49, n.16).

The fullest discussion of the guarantor is that of Masao Mori (1961, pp.132-146). He shows that line 12 of Nr.82 birle alyuč tungſu taypaoſin can in its entirety be explained from the Chinese. Thus, birle alyuč "who will take together" or "who will assume joint responsibility" is a calque of Chinese t'ung-ch'ü, which he defines as "a person whom an obligee can ask for reparation in case when chü chien jen and pian su jen escape or do not discharge their liabilities, and he will be a joint obligor" (Mori 1961, p.143). Moreover, this guarantor is always of the obligor's own family.

Thus, the phrase birle alyuč translates the following tungſu, which means "joint guarantor".

The phrase taypaoñin represents Chinese tai-pao-jen, which means "guarantor" (Mori 1961, p.135, n.169), so that the entire phrase birle alyuč'i tungšu taypaoñin could simply be translated "the joint guarantors" (cf. Mori 1961, p.141).

With the background of the terms clear, we must still ask why the guarantors are identified in the witness section. In the loan contracts, the guarantor formula appears within the main body and is always of the form: [Name of family member] kāni birzān "(If I do not pay, some member of my family) shall faithfully pay". But the seal or personal sign of this member of the family is never identified within the register.

Mori speculates that since the tanuq and the paoñin appeared in this section in only Nr.82, then perhaps in all the other loan contracts, the tanuq functioned both as the Chinese chien-jen "witness" and the pao-jen "guarantor" (Mori 1961, p.146). This does not appear to be the case, as there is no evidence that any of the witnesses in the loan contracts were members of the obligor's families, nor are their names ever identical with those of the guarantors mentioned in the guarantor clause of these contracts. Rather, it should be said that the special and still obscure terms of this contract are to account for the appearance of guarantors in the witness section.

Seals and Personal Signs

According to contractual law, proof of contract is provided by placing a contract under seal. Such a contract is irrevocable and attesting witnesses to it need not be recalled to attest its validity.

A simple contract is one not under seal. Such a contract is only a record of a contractual agreement, but could be validated by the attesting witnesses and the certifying scribe. To establish the existence and the identification of the seals in the Uyyur documents is, therefore, a matter of some importance.

All of the Uyyur contracts had seals, although the following texts miss these seals due to damage: Nrs.7,15,16,17,29,36,38,48,71,83,91,93. Both of the depositions (Nrs.94,95), but neither of the petitions (Nrs.96,97) have seals. Of the decrees (Nrs.98-119), only Nrs.98 and 112 have seals, whereas none of the registers or miscellaneous papers (Nrs.120-141) have seals. It should be kept in mind that these statements refer only to the identification of the presence of seals or signs within the formula of the texts. I have already pointed out above (p.216) that all the decrees for which facsimiles exist have seals affixed to the paper, although only two of the texts identify them as such.

The words used for these marks are tanya "seal" and nišan "personal sign". From the texts themselves we learn that seals were "impressed" (bas-) and personal signs were "drawn" (čiz-) upon the paper: 102:10-11 tanyalarımlıznı basıp birtimiz "we have impressed our seals (upon this document) and given it"; 96:18-19 elıq begıniq(?) tanyasın [bas]ınlıq(?) manqa boğ bitiq birip "the seal of a lord of a chiliarchy was impressed and then he gave the deed of manumission to me" (with some questionable readings); 24:16 nišan čisip bitiq birdim "I have drawn my personal sign on the document and given it"; the latter phrase also occurs in the unedited MB V 02, lines 16-17 nišan čisip bitiq aydtım "I have dictated(?) this document and drawn my personal sign on it" [cf. Stein, Innermost Asia, Pl.CXXVI].

The original meaning of tanya was probably "property mark" or "brand (for livestock)". Although the word does not occur in the Runic texts, several almost heraldic tanyas are inscribed upon the memorial stones of the Turkic rulers.²¹ In Manichean doctrinal texts, tanya translated "Seal of Light" (Assmusson 1965, p.221), and in a few Buddhist texts, it translates Sanskrit mūdra "mystical pose". Otherwise in the early literature, we find TT I 129 beq tanyası elqinodı "the seal of a lord is in your hand", and MK tanya

"the seal of a king or other individual" (ED 504). In the mediaeval period, tanya is commonly used as the name of a tax on trade or commerce (Poppe-Krueger 1957, p.83, n.10b), and in this meaning is found in Nr.75:4-6 tanya kōdō (cf. ED 505). An obscure use of the word is found in the documents in the phrase tanyally bōz "cotton cloth under official seal" (?) or tanyally quanpo "regulation linen under official seal" (cf. Hamilton 1969, pp. 42-43, n.4).

However, in the civil documents and in Inner Asian chancery practice generally after the XIII century, tanya was used to denote a seal affixed to a document to identify or associate a person who figures in that document. As such, the word has been discussed on many occasions and need not detain us (ED 504; DTS 530; KY 259, KYS 195; Ewb 460; TME II 564-565).²²

The word nisan is a borrowing from Persian "a sign, signal, mark, character; seal, stamp, character" (see p.167). Its earliest occurrences in Turkic literature are in the Qutadyu Bilig 1648, 4781, 6506, and the 'Atabetu'l-haqā'iq 279 (cf. DTS 93, 359), always with the meaning of the Persian word, and not with the meaning of a personal handwritten or stamped sign on a document. Indeed, the Persian meaning

continues to be found in Taf 230, CC 172, TZ 220, Id 6G, AL 174, Mn, NF, xŠ, Gul (Fazylov II 159-160), Ottoman and Čaytatay (TS IV 2879; Wb III 701), and in modern languages (Ewb 353). In fact, the meaning of "personal sign" is found only in the civil documents, both Uyyur and Mongol, of the XIII-XIV centuries.²³

The discussion of the seals and personal signs in the Uyyur civil documents is not far advanced. Möller demonstrated that Uyyur tanya was equivalent to Chinese yin and nisan to Chinese hua-ya, terms that can be found in Chinese contracts as old as the T'ang dynasty (Möller 1920, pp.323-324; cf. Weiers 1967, pp.30-33). Scattered remarks, largely upon the structure of the formula may be found in other works devoted to the documents (Mori 1961, p.146; Arat 1964, pp.36, 54-60; Yamada 1964, pp.112-113).

The two most important studies, devoted entirely to the seals and personal signs, are those of Yamada (1963a and 1963b). Important remarks upon Ydan period personal signs and seals may be found in Ferquhar (1966, pp.388-393), and the seal of Nr.35 is discussed by Tryjarski (1969, pp.327-328). These works will be taken into account in the following discussion of the structure and function of the formula and the physical nature and use of the seals and signs.

Structure and Function of the Formula

The most common form of the formula for seals and personal signs is that of the simple type, or 1. Normal Form, which has the following structure:

bu tanya [nišan, nišan tanya] men [X]-ning ol

"This seal [sign, sign-seal] is mine, [Name]."

The formula in which the seals or personal signs are those of the witnesses is of the 2. New Forms type, and always has the following structure:

bu nišan [tanya] men tanuq [X]-ning ol

"This sign [seal] is mine, the witness, [Name]."

The simple formula of the 1. Normal Form type has a number of variants, most of them contingent on the number of principals in the text, or on the contractual terms of the text. These variants may be identified and grouped as follows:

tanya

(1) bu tanya men [X]-ning ol: Nrs. 1-3, 18, 34, 40,

54, 55, 58-61, 63, 67-69, 72, 79, 81, 85, 90;

(2) bu tanya mening ol: Nrs. 56, 70, 75, 84;

(3) bu tanya biz [X]ening [X]-ning ikeqđning ol: Nr. 39;

(4) bu tanya biz [X]-ning [X]-ning ol: Nr. 47;

(5) bu tanya men [X]-ning [X]-ning ol: Nr. 33;

(6) bu tanya biz ikeqđnđng ol: Nrs. 17, 26, 44, 62, 65, 66, 92;

(7) bu tanya biz ođeqđning ol: Nrs. 16, 76;

(8) bu tanya men [X]-ning oyum [X]-ning ol: Nrs. 22, 35;

nisan

- (9) bu nisan men [X]-ning ol: Nrs.6,8-10,12,13,14,
19,21,26,28,30,31,41,42,43,45,73,74,77,78,82;
(10) bu nisan mening ol: Nrs.5,25,94,95;
(11) bu nisan biz [X] [X] ikaqönöng ol: Nrs.52,80;
(12) bu nisan bizning ol: Nrs.11,51,98;

nisan tamya

- (13) bu nisan tamya men [X]-ning ol: Nrs.50,53,57,64;
(14) bu nisan tamya biz [X] [X] bašlap onluqlarning ol: 37.

Certain special cases have been omitted from this distribution of the 1. Normal Form formula: Nr.4, which has bu tamya bisning ikaqönöng ol, but is only a scribal exercise; Nr.24, which has only the nisan čislp bitiq birdim cited above; Nrs.54,56,67,87, which are appended or disattached receipts; Nrs.46 and 49, with eleven identified nisan in the first text, and fourteen or more nisan in the second; and Nr.86, which will be discussed separately below. Other odd cases, the numbers of which are underlined in the schema above, will be discussed further on.

In the variants (1), (2), (9), (10), and (13), the person whose seal or sign or combined seal and sign has been attached is the offeror of the contract (borrower, seller, lessee, etc.), whose name will always be found in the first line. This statement excepts two of the land rental contracts, Nrs.30 and

31, in which the personal sign is that of the lessor instead of the lessee, as it is in the other rental contracts.

The preferred, perhaps even proper form for this formula was (1) in the case of a seal, and (9) in the case of a personal sign; in (2) and (1) the offerer's name is simply omitted. In the case of two offerers, that is, two persons acting jointly in some transaction, their names again appear in the first line as the subject of the contract, but only one seal or sign is used for both. Thus, in such cases, the variants (3), (4), (5), and (6), for seals, and (11) and (12) for personal signs, and (14) for a combined seal and sign, were employed.

Among these regular forms, there are several exceptional cases, all of which were underlined in the scheme above. In Nr.90 of (1) and Nr.92 of (6), the one who affixes the seal or sign is not mentioned in the first line; this is due to the fact that both are receipts, and the name of the man who receives the goods appears after the description of the goods he receives. In Nr.85 of (1), the one who affixes his seal is the man who gives discharge to two other men of their previously held liability. In Nr.33 of (5), the singular personal pronoun has been mistakenly used instead of the plural.

Nrs.17 and 20 of variant (6) are irregular in that the personal sign belongs to two persons not specified there, whereas there is only one borrower in each loan contract. The second person might be either the lender or the guarantor, who is always a member of the borrower's family. Nrs.16 and 76 of variant (7) similarly have a singular offeror, but both are considerably damaged and their full texts might have indicated some explanation.

Nrs.22 and 35 of variant (8) may be explained as cases in which the son of the principal executes the contract and thus affixes his own seal. Nr.59 of variant (1) is similar, although it lacks the special form, in that the son-in-law of the ill principal executes the deed and affixes his own seal.

Nrs.65 and 66 of variant (6) are adoption papers. In Nr.65, Qaytsu Tutung gives his son, Titsu, in adoption to Čintsu, a Buddhist monk. In Nr.66, Titsu, after a discussion with his older brother, Arčuuq, gives his younger brother, Antsu, in adoption to their blood relative, Toyīnaq Šilavanti, also a member of the Buddhist clergy. In the register of Nr.65, the names of three witnesses are mentioned, followed by the statement that Qaytsu Tutung has written the contract himself. After this statement stands the seal formula, bu tamya biz ikeqūning ol, which ought to refer to Qaytsu Tutung and the monk, Čintsu, since

it is immediately followed by a statement of Titsu swearing to fulfill his duties which is terminated with bu tanyā men Titsuning ol "this seal is mine, Titsu's".

The register of Nr.66 is somewhat more regular. The names of the witnesses appear first, then a statement that the deed has been drawn up in the presence of certain Buddhist clergymen, then, after a damaged line, the seal formula, bu tanyā biz ikeqčning ol "this is the seal of the two of us" (i.e., Titsu and Toylnaq Šilavanti?).

Finally, there are two odd cases, Nr.37 of variant (14) and Nr.86, in which the seals and personal signs are affixed on behalf of others or of a large group. Nr.37, whose first seven lines are mangled, deals with a group of people selling a property: lines 1-3 biz Tolu Qaya [Mislr Ul]uy Inč Qaya Mislr bašlap onluqların onodōninde(?) bōz kerçek belup "since we, the decades (onluq) headed by Tolu Qaya Mislr and Uluy Inč Qaya Mislr, required cotton cloth from the East(?)".

The register of Nr.37 is similarly odd: 21-24 tanuq Buyan Qaya, tanuq Tolu Qaya, tanuq Inč, bu nišan tanyā biz Qul Qaya Mislr Inč Qaya yana Mislr bašlap onluqlarnıng ol, men Čatır bu bitiqdēki onluqč bašta(?) kišilerke dč gada inčge ayıdıp bitiqil

timiške bitidim "Witness: Buyan Qaya. Witness:
Tolu Qaya. Witness: Inč. This nišan tany is that
of the decades (onluq) led by us, Qul Qaya Misir
and Inč Qaya, also a Misir. I, Čatır, when they
said 'Write it down', wrote it down precisely in
three copies at the request of the people at the
head of (or: acting for) the decades (onluq) who
are in this document".

Several textual comments are necessary. First
of all, the scribe has made an error either in line
1 or in the register, when he identifies the leader
of the decades first as Tolu Qaya Misir and then as
Qul Qaya Misir. Secondly, he writes Inč Qaya yana
Misir "Inč Qaya, also a Misir" to distinguish this
man from the witness Inč. Finally, the reference
in this text to the onluq "decade" is to the military
administrative organization typical of many powers
and periods in Inner Asian history: whereby the
peoples are divided into groups of ten (onluq), ten
groups of decades are taken to form a century (yözlök),
ten centuries form a chiliarch (biñq~ming "thousand"),
and ten chiliarchs form a myriarchy (tömen "ten
thousand"). The actual realization of this system
differs from period to period, but certainly some
form of it was in effect in East Turkestan during
this period, as attested by the civil documents (further

see TME III 67-69 for literature and discussion).

Nr.86, whose formula is not included in the schema above, deals with some special arrangement whereby a community leases out the services of one or more of its members, in return for which the community receives desired goods, and the worker himself an exemption from all taxes. As the arrangement is clearly between the state and its subjects, this document may involve a social rather than legal contract, and therefore be of greater importance than can be indicated here.

In lines 2-6 of Nr.86 there occurs a requirement clause consisting of the names of some seventeen people and the phrase: [Names] işimiz türlüq uluş başlap il bodunqa yol şıqdınıte yunqlaylıy böz kergek bolup "since we, the people of the community, headed by our comrades of the various surrounding towns (uluş), [Names], required cotton cloth from the East(??) for personal use". The register of the texts is as follows:

- 17 bu işke tanuq İş Buqa tanuq Ara Buqa
- 18 tanuq Mıslr tanuq Kersin bu nişan biz
- 19 bitigbekiçe atlıy il bodunñıq ol
- 20 men Berk Tuymış bitkeçi ilke bodunqa
- 21 çē qada inçqa ayıldıp bitidim
- 22 bu nişan tanuq men İş Buganñıq ol
- 23 bu nişan tanuq men Ara Buganñıq ol

- 24 bu nišan tanuq men Misirning ol
25 bu nišan tanuq men Kersinning ol
26 ilke asiyi ber qān borluq ioni
27 Turini borluqli birip Qara Toyinni
28 yandurup altimiz

"(Witnesses) to this transaction (are): Witness:
Iš Buqa. Witness: Ara Buqa. Witness: Misir:
Witness: Kersin. This personal sign is that of
the people of the community who are named in this
document. I. Serk Tuymış, the scribe, have written
it down precisely in three copies at the request
of the community and of the people. This personal
sign is mine, the witness, Iš Buqa. This personal
sign is mine, the witness, Ara Buqa. This personal
sign is mine, the witness, Misir. This personal
sign is mine, the witness, Kersin. For the sake
of his usefulness to the community, we have given
as a vineyard worker, Turı, the vineyard owner, and
have taken back (the previous vineyard worker) Qara
Toyin".

It would be of great interest to examine the
personal sign affixed to this contract, for which,
sadly, no facsimile is available, to determine whether
it is that of individual representatives of the
community or of a form adopted by a given community
to identify itself.

A final question that might be raised in this section is whether there was any significance in the use of tanya as opposed to nisan by the offerors and witnesses of given contracts. Unfortunately, the distribution of the basic formulas (1) and (9) entirely overlap within the loan and sale contracts and other documents, so that there can be no association of one or the other with a formal type of contract or with the contents of the contracts.²⁴

Physical Appearance and Use of the
Seals and Personal Signs

It is first of all clear that any discussion of this sort is necessarily limited without a close personal scrutiny of the original manuscripts. Since I have not had the opportunity to do so, my remarks shall be brief and largely based upon the information in the works of Yamada (1963a) and Arat (1964, pp.57-60, with drawings of seals and signs). There are also reproductions of seals and personal signs from the Yüan period in the article of Farquhar (1966, pp.388-393), and photographs of seals in the Otani collection in Monumenta Serindica IV (Plates 32 of Ot.Ry. 2150 and 1414a [not 1414b as there] and 33).

Yamada has noted, after an inspection of artifacts from East Turkestan housed in the Kyoto

and Berlin collections, that:

"...most of the real seals are made of copper, a few of jade and, in rare cases, they seem to be made of iron. I believe, however, that wooden seals must have been also used. Most of the faces of seals are square or oval and have geometrical patterns, some of which may have been developed from Uiyur and other characters. In size, they are generally from one to three centimeters in diameter. As far as I know, they were stamped with Chinese ink, but not with Chinese red as on the official documents" (Yamada 1963a, pp.254-255).

Furthermore, Yamada divides the personal signs into two groups: (1) very simplified ones such as O, +, 4, X, and (2) more complex ones among which are noted words in Uyyur script, such as bititla "I wrote", čiztla "I drew", and čln "truth" (Yamada 1963a, p.255).

Arat has given a similar, although in some respects fuller description of the shapes and appearance of the seals and signs. Seals are normally either rectangular or round, although odd shapes (star, emblem, and the like) are also known. Most have geometrical shapes on their faces, but several are elaborate scriptions in Uyyur. The latter include the seal on Nr.66, which has the name of the principal, Titsu, and a number of unedited documents in the Berlin collection which have the word čln "truth"

(Arat 1964, p.57, and figure 1).

Arat also divides the personal signs into two types, those which represent simple and idiosyncratic marks (cf. 1964, figure 2), and those which represent words in the Uyyur script (cf. 1964, figure 3). Among the latter, Arat has succeeded in deciphering examples which contain the following words: (1) čln "truth" in Nrs.12 and 124, and in a number of unedited documents; (2) čln ol "it is true" in Nr.91 and an unedited document; (3) edqđ kelqđ "it will be good(?)" in Nr.45 (Arat 1964, p.59).

Although the remarks of Farquhar on this subject are brief, they are of far more consequential value than those of Yamada and Arat, since his comparative base is broader and he is able to deal with the seals in hP'ags-pa script. Indeed, Farquhar demonstrates that one such seal in hP'ags-pa script which was stamped on one of the Mongol documents issued by Tuyluy Temür in either 1348 or 1360 [MTDoc 11] bears characters that constitute a Turkic text: 1 o-ron qud- 2 luq 3 bol sun [oron qutluy bolzun] "May the throne be divinely favored!" (Farquhar 1966, pp.388-389).

Farquhar also discusses the personal signs—which he calls "ciphers"—that are found on seals and fall into a few basic types, all ultimately derived

from Chinese signs. He writes:

"In China and Japan, these ciphers (hua-ya, hāo) were normally written with a brush, but in Yüan times, T'ao Tsung-i tells us, ciphers came to be carved in wood or ivory because Mongolian and Central Asian (se-mu) officials were unable to manipulate the Chinese hair brush. The practice spread from them to Chinese officials because of its convenience" (Farquhar 1966, p.3)

On the basis of Yüan materials, Farquhar is able to distinguish three types of seals of "the cipher sort", that is, of personal signs which are part of seals that are stamped on paper: (1) seals which contain only a personal sign, and these very often of remarkable resemblance to one another (1966, p.391, figures 22-27); (2) seals which contain a personal sign and either characters of a script which form a text (as MTDoc 11) or markings which imitate the characters of a script (1966, p.388, figure 20; p.391, figures 28-30); (3) seals in hP'ags-pa script which constitute a text (as MTDoc 11) or in markings which imitate the hP'ags-pa script (1966, p.392, figures 31-36).

It is obvious that the types (2) and (3) are really sub-types, one referring only to hP'ags-pa script, of one type. Several of the texts in seals of types (2) and (3) have been deciphered by Farquhar. Among those in hP'ags-pa are: č'in qi = ch'en chi "the seal of the Ch'en (family)", han qi = han chi "the seal of

the Han (family)", Xi qi = shih chi "the seal of the Shih (family)", and so on.

It is my view that Farquhar has pointed the way to a more correct classification of the seals and personal signs in Uyyur civil documents, whereas neither Yamada nor Arat seems to have made allowance for personal signs contained within seals. The significant classificatory features ought to be characteristics of the personal signs themselves, whether they represent characters in a script or are simply signs, whether they are combined with characters in a script or are not, and whether they form part of a seal that is stamped or are drawn by hand on paper. These features suggest a classification as follows:

- I. seals that are stamped on paper and resemble a heraldic emblem, without writing nor imitation of writing, and without personal signs;
- II. seals that are stamped on paper and contain characters in a script, hP'ags-pa or Uyyur, or imitate a script, and without personal signs;
- III. seals that are stamped on paper and contain both characters in a script, hP'ags-pa or Uyyur, or imitate a script, and with a personal sign;
- IV. seals that are stamped on paper and do not contain characters in a script, but only a personal sign;

V. personal signs that are drawn by hand on paper and represent characters in a script, usually Uyyur;

VI. personal signs that are drawn by hand on paper and do not represent characters in a script, but are simply personal emblems.

These six types may be illustrated by those on some of the Uyyur documents for which facsimiles exist, as well as by the representations in Arat 1964 and the reproductions in Farquhar 1966:

I. seals of ornamental design may be found on Nrs.22,35,59:[cf. Fryjarski 1969, p.328, for Nr.35]; otherwise see Arat 1964, figure 1, top three lines;

II. imitations of or texts in hp'ags-pa script may be found on the seals of Nrs.55,56,60; texts in Uyyur script may be found in the seals of Nrs.65,66 [cf. Arat 1964, p.57, for Nr.65]; otherwise see Arat 1964, figure 1, bottom line; Farquhar 1966, figures 22-27 (for Uyyur), 31-36 (for hp'ags-pa);

III. combined personal signs with seals may be found on Nrs.34 [identical seal on Nr. 71], 50,60,62, with characters in either Uyyur or hp'ags-pa; otherwise see Arat 1964, figure 1, bottom line (first seal); Farquhar 1966, figures 20,28-30;

IV. seals that contain only a personal sign may be found on Nrs. 17 and 46; Cleaves had already said of two of the signs on the latter that they seem "...to have been made by the impression of a seal" (Cleaves 1955, p. 17, n. 10, referring to the signs under line 16 and line 26); further see Arat 1964, figure 1, second line (several examples?), third line (last two?), figure 2; Farquhar 1966, figure 21;

V. personal signs that represent characters in a script may be found on Nr. 45 [cf. Arat 1964, p. 59], 46 [other than those under lines 16 and 26], 52, 82 [lines 21, 22, 23], and 98 [first and sixth only]; cf. Arat 1964, figure 3;

VI. personal signs that are merely idiosyncratic markings of some sort may be found on Nrs. 5, 21, 25, and others; cf. Arat 1964, figure 2.

The majority of my judgments as to which type the seals and signs belong are necessarily only rough guesses. It is particularly difficult in most cases to distinguish type IV. from types V. and VI., or the latter from each other, as well as type I. from II. and IV., or the latter from each other. Nonetheless, such a classification seems to me to be a fruitful approach to the question of the forms and types of seals and personal signs in the Uyyur civil documents, even if major revision should prove necessary.

There are yet some difficult questions to examine, including those which center on the actual uses of the seals and personal signs. Yamada has reached some tentative conclusions on this topic, which I shall paraphrase as follows:

(1) There must have been rules as to how many times the seals were impressed upon the documents, and on which part of the documents they were impressed. In the loan and sale contracts, they are impressed without exception at the beginning and the end, and in addition in the sale contracts, they are impressed at least once more, and sometimes two or more times, in the middle part and/or on the remaining two corners. Shorter documents, as receipts, have only one impression at the end.

(2) Only one seal is used on a given document, even when there is more than one principal mentioned in it.

(3) However, Radloff remarked that in three contracts with the same principal [US 107-109 = Nrs.38-40], three separate seals were used (US, p.205), and Yamada claims also to have seen a document with two different seals affixed to it (T II Čiqtim).

(4) As for personal signs, only one is drawn at the end of each text or clause, and when there are several principals each of them drew his own sign (cf. Yamada 1963a, p.255).

The conclusions reached by Yamada are fundamentally correct and comprehensive. From the available facsimiles of documents, it can be confirmed that, as Yamada's point (1), the number of impressions of a seal on a

document was four or five, although there is at least one case, Nr.56, with six impressions. The impressions run diagonally from the head of the first line to the bottom of the last line, spaced every five or six lines, depending on the length of the text.

Yamada's point (2) is by and large true. However, Nr.33 has two distinct seals, one for each of the joint sellers in the contract. Nrs.54 and 60 each has three entirely distinct seals, and Nr.70 has two. In these contracts, only one principal is mentioned in the text, so that the identification of the seals remains obscure. It should be noted that the unedited document (T II Čiqtim 5) mentioned by Yamada under point (3) actually belongs under (2) with the cases of two or more distinct seals on a single document.


So far as I can judge from available facsimiles, Yamada's point (4) is correct, but his point (3) requires comment. It is based on the observation of Radloff that the joint sellers, Ozmiš and Tökel of the "Toyrii" family, of Nrs.38 and 39 [US 107,108] affix their seal but a different seal on the two contracts:

"Das Siegel auf No 107 ist gross und kreisrund, hier [i.e., 108] aber ist länglich und mit abgerundeten Ecken" (US, p.205)

"... das Siegel [of US 109 = Nr.40] dem von No 108 ähnlich, aber nur an der vorderen Seite und den Ecken abgerundet" (US, p.205).

As there are no facsimiles for Nrs.38-40, it is difficult to accept these remarks in their entirety, although it would perhaps be foolish to think that Radloff could not distinguish different seals.

It ought to be the case that an individual would have only one seal and only one personal sign. This is certainly true of the principal of Nrs.34 and 71, Qaračuq Yig Bört, who has affixed an identical seal to both documents, and of the principal of Nrs.58 and 87, Aday Tutung, who has affixed the same seal to both the sale contract and its receipt. Important evidence on this problem is provided by Nr.82, whose full register is cited above (pp.320-321) and whose personal signs may be roughly given as follows:

17 bu nišan men Inč Buqanīng ol 

"This sign is mine, (the joint principal), Inč Buqa's"

18 bu nišan men Yaruqñīng ol 

"This sign is mine, (the joint principal), Yaruq's"

19 bu nišan men paošān Esennīng ol 

"This sign is mine, the guarantor (and brother of Inč Buqa), Esen's"

20 bu nišan men paošān Qara Tuymanīng ol 


"This sign is mine, the guarantor (and son of Yaruq), Qara Tuyma's"

21 bu nišan men tanuq Tordīnīng ol 

"This sign is mine, the witness, Tordji's"

22 bu nišan men [?tanuq] Yaruqning ol 

"This sign is mine, (the witness?), Yaruq's"

23 bu nišan men tanuq Töleq Qayaning ol 

"This sign is mine, the witness, Töleq Qaya's"

A glance at the personal signs in this text demonstrates not only that individuals retain the same sign in business affairs, but also that members of the same family use the same sign. Thus, we see that Inč Buqa and his younger brother, Esen, have an identical personal sign, as do Yaruq and his son, Qara Tuyma. It should be noted that the promisor, Yaruq, and the witness, Yaruq, do not use the same personal sign, and thus ought to be different persons. In support of this is the fact that principals of contracts never serve as witnesses, a situation that would be contrary to the practice of contractual law.

A second group of questions centers on the relationship between the actual uses of the seals and personal signs and the texts of the documents. Yamada has once more reached some general conclusions on this question, which I paraphrase as follows:

(1) The phrase nišan tampa occurs in five documents (Nos. 37, 50, 53, 57, 64), on which the seal of the principal is stamped. Therefore, the Uyyurs sometimes used only seals with the phrase nišan tampa, which ought not to mean "sign and seal".

(2) There is one unedited document (T II Čiqtim 4) on which a personal sign is drawn practically against the word tanya in the text.

(3) In many cases, seals alone or together with personal signs are used in documents which bear only the word nišan.

(4) In several cases, despite the existence of the word nišan in the text, neither seals nor personal signs are visible on the documents (cf. Yamada 1963a, p.257).

Once more, the observations of Yamada are in large part sound, although I fail to see the significance of his point (2). On the basis of available facsimiles, one can see in regards to point (3) that Nrs.41 and 52, which have nišan in the text, have both personal signs and a seal on the documents.

As for Yamada's point (4), Nrs.19,42,69,94, lack any traces of seals or personal signs, while in Nr.41 the signs of the witnesses are not present, and in Nr.52 one of the four witnesses has not drawn his sign. Apart from Nr.52, these texts should be viewed as simple contracts rather than as contracts under seal (see p.325).

There remains the significance of the nišan tanya of Yamada's point (1), and there viewed by Yamada as simply another phrase meaning "seal". It may be pointed out that there are no contingent contractual

or formal features in any of the five documents in which nisan tamya occurs that would seemingly require such a special term. Nor are there any obvious chronological arguments that would seem to apply to its use.

Therefore, the only other explanation for its use should be sought in the physical appearance of the actual nisan tamya affixed to the documents. Thus, a nisan tamya ought to be one of the six formal types of seals and signs outlined above (pp.341-342), or still a seventh type not otherwise noted. Unfortunately, facsimiles for only three of the relevant texts are available, and are themselves of limited utility in such a question.

Of the texts with nisan tamya, Nr.37 has a rather odd seal, possibly of type I-, stamped over four of its lines, but also several personal signs of type VI. that belong to the principals of the contract have been drawn after the last word of the main text. The most acceptable explanation of the use of nisan tamya, namely, that the principals affixed both their seals and their personal signs, is, however, incorrect. Neither Nr.50 nor Nr.57 show any evidence that the personal signs of the principals have been drawn on the paper. For the present, then, our material is simply insufficient to resolve the issue of the use of nisan tamya in these documents.

Scribal Certification

The final formula in the register consists of the certification of the scribe who has written the contract. Certain contracts miss this feature due to damage: Nrs. 7, 15, 16, 17, 22, 23, 29, 34, 36, 38, 48, 49, 68, 71, 83, 88, 93. Other contracts lack this feature: Nrs. 8, 10, 18, 72, 76, 81, 84, 90, 91, 92, of which Nrs. 10 and 18 have already been discussed (pp. 306-307). The simplest explanation for contracts without this feature is that they had not yet been certified.

One may discern three broad categories of certification: (1) autographs, in which the offeror (borrower, lessee, seller, etc.) writes down the document himself; (2) cases in which the scribe is otherwise mentioned in the text; (3) cases in which the scribe is neither the offeror nor otherwise mentioned in the text, so that he may be said to have the occupation of scribe.

The function of the scribe in these contracts is to certify the legality of the original document and of any copies of the original document made by him. Thus, the scribe is a public notary. It is not certain, but rather probable, that offerors and persons other than scribes who wrote these contracts were also qualified notaries.

The profusion of examples for all three categories of writers of contracts attests, as von Le Coq long ago realized, to a high degree of literacy: "... die Kunst des Schreibens war viel allgemeiner verbreitet, als sie es vor 50 Jahren war oder gar heute ist" (von Le Coq 1918, p.452).

In category (3), there is but one case, Nr.66, in which the scribe actually identifies himself as a bitkeči "scribe", although one finds payments or deliveries of goods made to bitkečis in Nrs.123.19 and 125.38. The word bitkeči appears to be of Syriac origin, and is not to be confused with the native derivation bitigči "one who writes, scribe" from biti- "to write" (ED 304; DTS 103,104; ATG 304; TME II 264-267; Ligeti 1970, pp.298-302; Bodrogligeti 1965, p.116; Mansuroğlu, IA II 657).

Moreover, the names of the scribes point to a high degree of incidence of this occupation among the Buddhist clergy:

Nrs.1,2 Yiqinč Tutunq, 3 Yam Čor Tu, 4,5 Qaysidu Tutunq, 6,27 Mislr-šila, 11 Guru, 20 Vaptsu Tu, 21 Yoga-širi, 39 Čiköy Tu(?), 40 Esen Tutunq, 50 Šila, 51 Asly Bulmš, 52 Törme(?) Baxš, 55 Tovın Cull Tutunq, 58 Tengrim Qutl Sevinč Bučun(?), 59 Qavsın Tu, 65 Qaytsu Tutunq, 66 Elqör Tutunq, 67 Qarimdu Tutunq, 85 Dz Qara Tu, 87 Aday [Tutunq], and surely others.

Several of these contracts are autographs, which, along with other evidence, indicates a high incidence of Buddhist clergymen participating in commercial activities in East Turkestan (also see p.176).

The formula of scribal certification is more or less constant in structure, although it exists in a number of variants. Its interpretation presents no special difficulties (cf. Mori 1961, p.147; Yamada 1964, pp.113-114; Arat 1964, pp.53-54). In the following, I shall list all the variants found in the contracts [one X = the name of scribe; X X = the name of scribe followed by the name of the principal at whose request the contract is written]:

- (1) men X ǒzǒm bititim "I, X, have written it down myself": Nrs.5,19,25,28,41,42;
- (2) men ǒzǒm bititim "I have written it down myself": Nrs.12,53,87;
- (3) ǒzǒm bititim "(I) have written it down myself": Nr.75;
- (4) men X ǒz iligim bititim "I, X, have written it down with my own hand": Nrs.65,69;
- (5) bu bitiqni men X ǒz iligim bitiyǒ tegintim "I, X, have ventured to write down this document with my own hand": Nr.45;
- (6) men X ǒk bititim "It is I, X, who has written it down": Nr.30;

- (7) men X ayltɪp bititɪm "I, X, have written it down at (their) request": Nrs.1-3,6,14,27,28,40,47, 54,58,59,61,62,70,85;
- (8) men ayɪkɪpsbititɪm "I have written it down at (their) request": Nr.17;
- (9) men X bititɪm "I, X, have written it down": Nrs.20,21,22,89,134;
- (10) men X inčqe ayltɪp bititɪm "I, X, have written it down precisely at (their) request": Nr.44;
- (11) men X X-ga ayltɪp bititɪm "I, X, have written it down at the request of X": Nrs.9,13,26,31,60,63, 67,73,74,77,78,79;
- (12) men X X-ga ayltɪp ɔzɔm bititɪm "I, X, have written it down myself at the request of X": Nr.11;
- (13) men X X-ga inčqe ayltɪp bititɪm "I, X, have written it down precisely at the request of X": Nrs.46,50,57,64;
- (14) men X X X ikeqɔke inčqe ayltɪp bititɪm "I, X, have written it down precisely at the request of the two of them, X and X": Nr.52;
- (15) men X X-ga ɔč qada ayltɪp bititɪm "I, X, have written it down in three copies at the request of X": Nrs.24,43;
- (16) men X bular X X ikeqɔning sɔsinčə bititɪm "I, X, have written it down according to the statements of these two, X and X": Nr.82;

- (17) men X bular ikegöke ayıtlıp bititim "I, X, have written it down at the request of these two": Nr.55;
- (18) men X bularga ayıtlıp bititim "I, X, have written it down at their request": Nr.33;
- (19) men X ikegö inçe ayıtlıp bititim "I, X, have written it down precisely at the request of the two (of them)": Nr.80;
- (20) men X olarga inçe ayıtlıp bititim "I, X, have written it down precisely at their request": Nr.51;
- (21) alyučlqa birgöçike inçe ayıtlıp men X bititim "I, X, have written it down precisely at the request of the buyer and the seller": Nr.35;
- (22) men X bu bitiqdaki onluğa başta kişilerke öç qada inçe ayıtlıp bitiqıl timişke bititim "When, 'When they said 'Write it down', I, X, wrote it down precisely in three copies at the request of the people at the head of (or: acting for) the decades who are in this document": Nr.37;
- (23) men X bitkeçi ilke bodunqa öç qada inçe ayıtlıp bititim "I, X, the scribe, have written it down precisely in three copies at the request of the community and the people": Nr.86.

Variants (1)-(6) and (12) fall into the category of autographs, or category (1) above. However, it should be pointed out that in variant (5), the scribe is one of the witnesses (see pp.308-309), despite his

use of the autograph form. In variant (6), the scribe is not the lessee of the land rental contract but the lessor. In variant (12), one of the joint principals writes down the contract "at the request" of the other. The two contracts of variant (11) do not use the autograph form, but appear nonetheless to have been written by the offerors.

Within category (2), or those contracts written by persons other than the offeror or the scribe, would fall variants (11) (but see above) and (16), in the latter of which the scribe is the son of one of the joint principals. One should also include here Nr.45 of variant (5), wherein the scribe is a witness, and Nr.38 of variant (6), wherein the scribe is the lessor and not the lessee.

If we set aside the autographs and one or two odd cases such as variants (12) and (16), the scribal certification of category (3) may be seen as an expanding formula whose components depend upon whether the offerors are mentioned either by name or some pronoun (bular, olar, etc.), or are simply assumed as the ones at whose request the document was written. This expanding formula may be given as follows:

(9) men X bititim

(7) (8) men X ayltip hititim

- (10) men X inčqa ayitlo bititim
(11) (17) (18) men X X-ga ayitlo bititim
(13) (14) (19)-(21) men X X-ga inčqa ayitlo bititim
(15) men X X-ga ōč qada ayitlo bititim
(22) (23) men X X-ga ōč qada inčqa ayitlo bititim

The essential verb for all variants of the formula is biti- "to write", which has been the object of so much literature that its discussion is unmerited here (ED 299; TME II 262-264; Sinor, EI² I 1248-1249; Bodrogligeti 1965, pp.98-100).

The verb ayit- with the converb -q appears here in an interesting usage. In this form, it is a causative formation of ay- "to say", thus, "to cause to say; to ask, to request". The subject of the verb is placed in the dative case -ga/-ke, thus, "it is requested by (someone)". It is clear that what is meant in this formula is that the scribe writes down the terms of the contract "at the request of" the principals involved. Clauson, on the other hand, has interpreted the phrase as "asking (the principal) what to say, I then wrote", or "I wrote it down according to (the principal's) dictation" (cf. ED 268-269). Such an interpretation requires, however, that principals not scribes knew the legalistic structure and formulas of contracts. Although this knowledge must be assumed in the case of autographs, it is quite improbable that

such knowledge was possessed by all those engaged in commercial activities in East Turkestan.

Indeed, one may conjecture that scribes themselves did not compose each text anew, but copied the forms and formulas from books in which such text formulas were collected, that is, something like the "formula books" which were kept in Western European chanceries. Another possibility is that scribes copied the form of a contract from copies of previous contracts of that nature in his possession. What is certain is that the rigid formulas of the various types of contracts had to be based upon standard formats retained in some form of reference work.

The other components of the expanding formula of scribal certification include the words inčqa and dc qada, the latter obviously meaning "three copies" (see pp.220-221). The word inčqa normally means "thin, fine, delicate" (ZD 945; OTS 261; KY 157), but by extension "subtle, meticulous" or "fine" in the sense of "exact, precise". Yamada has translated inčqa as "in detail" (Yamada 1964, p.114), but "precisely" or "meticulously" seems to fit the context better.

INSERTIONS AND POSTSCRIPTS

The aspects of formal validation discussed above are more or less rigid in their structure, but such conventions did not preclude the addition or insertion of supplementary terms or information within the register. Many of these special cases have already been discussed: Nrs.54,56,67, which are attached receipts, and Nr.87, which is a detached receipt (see pp.215,271); Nr.82, with guarantors in the witness section (pp.320-324); Nrs.20,35,35,52,54,57, which have deed titles on their verses (pp.221-222); Nrs.14,16,22,26,43,57,73,78,86, with a caption that initiates the register (pp.300-301); as well as odd phrases or expressions that are found within the formulas of validation.

Two of the insertions into the register speak of the non-interference of relatives of the principal in the terms of the contract:

45:11-12 [follows witnesses] antaql ayam inim tuyulşim
qadaşim kim kim me bolup talaşmazunlar "(as stated)
herein, my older and younger brothers, my blood
relatives and relatives by marriage, whoever they may
be, shall not dispute (this contract)";

54:17-19 [follows scribe] bu qarabaş kim çam qılşar
biz Şilu kadeqq inisi Bedizçi Sasıçl(?) maşi birle

birÖrbiz "if it is the slave (who is sold in this contract) who disputes (this contract), (then) we, Šilu, the son-in-law, and his younger brothers, the painters(?), Sasičl and Maši, shall pay".

The most interesting insertions are the several cases in which the contracts have been drawn up "in the presence of" some interested party who is not otherwise involved in the contractual agreement:

51:21-23 [follows scribe] bu bitiq [...]ning Beki Adarning tiqrasinte biditim "I have written this document in the presence of [...] and Beki Adar" (in this contract, a father sells his own son as a slave, and it may be that Beki Adar, which is a feminine proper name, is the mother or some female relative of the boy);

59:19-20 [follows witnesses] bu bitiqni ayasl Boqša Toyln öskinte qatınlarıma ayıdıp birtim "at the request of my relatives, I have given this document (which is a deed of manumission) in the presence of his older brother, Boqša Toyln";

66:15-17 [follows witnesses] bu bitiqni Yasadu Tu Bay Yeke-šila Taylekdö-šilalarning öskinde qiltimiz "we have drawn up this document in the presence of Yasadu Tu, the Bay Yeke-šila(?), and the Taylekdö-šilas" (in this adoption contract, the adopted boy is evidently being taken into the house of a Buddhist

clergyman, which may account for the presence of other members of the Buddhist church);

70:17-21 bu bitiqni Sutza Ked Qaya Tutung Tökel-e Kimsu başlap quvray Tavyač Yake İkiči başlap bodun nataşlarım Esene olar Gskinte birtim [witnesses, seals, scribe], 24-25 bu tamya men Tavyač Yakening ol bu tamya men Esenening ol "I have given this document in the presence of these: the religious community headed by Sutza Ked Qaya Tutung and Tökele Kimsu(?); the people headed by Tavyač Yake and İkiči; and Esene (of) my relatives by marriage." [witnesses, seals, scribe] "This seal is mine, Tavyač Yake's. This seal is mine, Esene's."

The same stipulation is found within the main body of two other texts:

79:2-6 men Ozmiš Toyrlı inim Basa Toyrlı bi(r)leki ališ beriš tıltayınta Qıtay Yalavač Alp Tuymış olar Gskinte tişip allım birim Özöşdümöz "I, Ozmiš Toyrlı, and my younger brother, Basa Toyrlı, have discussed the subject of our joint commercial activities in the presence of them, the 'Chinese Judge' and Alp Tuymış, and have settled our debts";

85:2-4 men Toyınçuq Tösike Barsıy biz Üčeqü edi(?) üč İoyı(?) beımläqä tuymışlımız Edqä Tonga Taydu Öz Qara Gskinte tişip "since we, Toyınçuq, Tösike,

and Bansiy, have become edī ōč čoyl (??), we have talked it over in the presence of our blood relatives, Edgū Tonga, Taydu and Ōz Qara" (the text goes on: "and from this day forward, whatever debts Tūsike may incur in Tangutia or China, Toyinčūq and Bansiy shall not be responsible, only Tūsike shall be responsible").

Evidently, this stipulation was inserted just in those cases when the contracting parties wished that those who could be affected by or who could affect any litigation arising from the terms of the contract in question to be present.

Those additions which lie outside the main body of the contracts are the following:

(1) Before the first and after the last lines of Nr.11, a loan contract for six rolls of cotton cloth that are to be repaid at an interest of twice that amount, we find the following: 11:1 on iki bāz ol "it is (a document concerning) twelve rolls of cotton cloth", 11:17 būdōn birdi "(which have been) paid in full". With these additions, the document could serve as a record for the borrower.

(2) After the main body of Nr.27, a land rental contract, there is the scription: 27:13-14 bu kōni tur [...]ning ol. The meaning and function of this damaged phrase are not clear.

(3) Following the main body of Nr.17, a loan contract that lacks scribal certification, the borrower adds the statement: 17:7-8 bu sōčūq alyall [?kelser men] [Ilt]miš kirtū birirmen "when he (i.e., the lender) comes(?) to get this sweet wine (which is the repayment of the loan), (I), Iltmiš shall faithfully give it". As a similar statement is already in the main body of the text, and indeed forms part of the format of loan contracts, it is difficult to see why it is repeated in a postscript.

(4) After the main body and register of Nr.33, a land sale contract, occurs the following phrase: 33:24-25 bu savta gayusl ayisar biz ūčer yuz bišer otuz gunpo ičre quvpar(?) birūšūr biz "whichever one of us deviates from this statement shall give the other 325 units of regulation linen ičre quvpar(?)" (a parallel to this difficult line may be found in 66:14-15; otherwise, see Zieme 1974, p.304).

(5) In Nr.65, which concerns the adoption of Titsu, the latter adds his own statement after the seal of the principal: 65:18-20 men Titsu yime bašimqa kōni tapinmadin ked[ser men?] bu bitiqteki qlyn taqir men bu tamya men Titsuning ol "moreover, should I, Titsu, by my own volition (bašimqa), go away without faithfully serving (my foster parents), I shall be subject to the penalties (stated) in this document. This seal is mine, Titsu's."

NOTES TO CHAPTER FIVE

1. Indeed, in the oldest examples of Turkic letters that survive in Chinese translation, the date stands at the head of the text; see the letters from Turkic rulers to the Chinese court edited in P. Pelliot, *Le plus ancien exemple du cycle des douze animaux chez les Turcs*, IP XXVI, 1929, pp.206-212, and M. Mori, *Ch'i-min Hakan'ın Bir Çin İmparatoruna Gönderdiği Mektubun Üslûbu Üzerine, Arat İçin*, Ankara 1966, pp.363-371.
2. The literature on the animal cycle is large. The more important works are listed in Pritsak 1955, pp.26-27 (notes), and Sinor, Introduction, pp. 351-352. To these should be added: P. Poucha, *Mongolische Miscellen*, VII, *Innsbrasilische Chronologie*, CAJ VII, 1962, pp.192-196; Carra de Vaux, *Notice sur un calendrier turc*, 'Aġab-nāma, A Volume of Oriental Studies Presented to E.G. Browne, Cambridge 1922, pp.106-116; L. Bazin, *Remarques sur les noms turcs des "douze animaux" du calendrier dans l'usage persan*, Mélanges d'orientalisme offerts à Henri Massé, Téhéran 1963, pp.21-30. Some often extravagant remarks, accompanied by a host of factual errors, upon the relationship of the animal names to astronomical

phenomena, may be found in Jean-Paul Roux's Faune et flore sacrées dans les sociétés altaïques, Paris 1966, pp.77-80.

3. S.G. Kljaštornyj - V.A. Livšits, The Sogdian Inscription of Sugut Revised, AOH XXVI, 1972, pp.72-73; the letter of 584 is edited by Pelliot in the work cited in note 1 above.
4. Rachmati somehow missed this Sogdian word when he noted the lack of a term for "zodiac" in the calendar texts edited by him, wherein the term does not, it is true, occur (TT VII, p.4). He did recall that the Arabic burj would later come to refer to the "zodiac" in Islamic Turkic texts, as was confirmed by G. Clauson, Early Turkish Astronomical Terms, UAJ XXXV, 1963, p.361.
5. There is a word in Mongol for the animal cycle. Its earliest occurrence appears to be Classical Mongol möčelge "twelve years, twelve year cycle" (Kow III 2061, citing the Manču-mongγol ügen-d toli bičiq 1,35). Otherwise, I find the word only in Kwb 267 mötölon "the animal cycle, all 12 years" (Ramstedt there gives the Classical form as möči-lgen). From Mongol, the word was borrowed into a few Turkic languages: Qazaq möčel (Wb IV 2227), Qırız möčel "12 year animal cycle" (Wb IV 2224, also citing Shaw for East Turki), Jarring

202 mūčal~mūjal "a year-cycle, consisting of 12 solar years" (these identified as Arabic موجل), Yaqut mūselge "cycle, 12 years; period of the termination of the time [when a mother is able] to bear children", mūselge oyo "the last child of a woman" (Pekarskiĭ, Slovar' jakutskago jazyka, II, 1652; cf. also Ewb 346). The latter meaning in Yaqut possibly links the word to Classical Mongol mūčelge~močilge "grave or critical period or situation" (Lessing 544), a word that otherwise has nearly a dozen meanings, none of which is "12 year animal cycle" (cf. TME I 502-505; also Doerfer, Die özbekischen Lehnwörter in der Sprache der Araber von Buchara, CAJ XII, 1969, p.306). Similarly obscure is the relationship of these forms to Classical Mongol mūče~mūči "quarter of an hour" (Lessing 544), "limb, leg, member" (TME I 505; cf. Ewb 346). The word deserves a special study.

6. A.N. Samojlovič speculated that kūskū replaced slčyan in these instances due to the taboo associations of the root of slčyan, a weak conjecture in view of the fact that slčyan remained in use in the majority of the cycles; cf. his *K voprosu o dvenadtsatiletnem životnom tsikle u turetskikh narodov*, Vostočnye zapiski I, Leningrad 1927, pp.151-152.

7. Marzazi gives a list of the twelve years among the Turks, the fifth of which is "l.bnet of the Water", which Minorsky tentatively interprets as "reptile", a reflection of nak rather than of lō; cf. V. Minorsky, Sharaf al-Zamān Tāhīr Marvazī on China, The Turks and India, London 1942, pp.21, 80-82, 161.
8. The date in the Yarkend contract is as follows: lines 10-11 yīl biš yōz on biš-te (*törk-je nāk) yīll rabī³ al-āxir ayīnda bu [...] xatt huījat birdim "I have given this (...) document as a legal document in the year 515 (nāk in Türk language); in the fourth month (Rabī³ II) of the year." Minorsky writes of the emended phrase: "I am inclined to read تۆركچه törk-je 'in Turkish', in view of the word bil-turkiyya which introduces the Turkish yond-yīll in an Arabic document of the same collection"; cf. V. Minorsky, Some Early Documents in Persian, JRAS 1942, pp.191-194.
9. It is highly probable, however, that the word is a Uralic substratum element in Telut, and I am able to cite at least one Ugric form which, despite the array of diacritics, is surely close to the original: Ostyak ṣāȳṣṛuāiṣ̄ "snake"; cf. K.F. Karjalainen, Ostjakisches Wörterbuch, Bearb. herausgeg. von Y.H. Toivonen, II, Helsinki 1948, p.839b.

10. Both lt "dog" and bit "louse" have curious reflexes in certain modern dialects. The Chuvash reflexes are yätä ~ yitä [a form *it would regularly become *yatä or *yätä, as id- "to seek" > yar-, iz "trace" > yer] and plytä. In East Turkestan/Kansu, we find: Jarring 144 it ~ išt ~ išt, 231 pit ~ pišt; Salar išt ~ išt ~ išt (Kakuk, AOH XIV, p.182), Sarlı Yuyur ašt ~ išt ~ ašt (Malov, Jazyk želtykh uigurov, Alma-Ata 1957, p.28), pišt (Ibid., p.92). In the Central Qipčaq dialects, we find: Qazaq, Xvarazm Ūzbek, Qırylz, Altay lyt and biyt (cf. S.M. Junusaliyev, Voprosy dialektologii tjurkskikh jazykov, IV, Baku 1966, p.28). Unquestionably, we are dealing in these two cases with a more complex root which, following Ščerbak 1970, p.152, could be indicated by *lyt "dog" and *biyt (or *plyt?) "louse". Modern forms of these words as it and bit, instead of lt and bit, could then be seen as palatalized vowel forms as a result of the loss of the y element.
11. There has been hardly any advance beyond the old etymology or, better, comparison of Vilhelm Thomsen, who transcribed the word in 8X S 10 as aiyazln [disproven by the Uyyur script occurrences], and wrote: "La ressemblance indubitable qui existe avec le mot mandchou correspondant oulghiyen

[i.e., Manchu ulqiyān "pig"], pourrait faire penser à un emprunt fait à quelque dialecte tongouse (par ex. la langue Kitaï?)" (cf.

Inscriptions de l'Orkhon, MSFOu V, 1896, p.183, n.109; Bang, WZKM XXIII, 1909, p.417, n.1; Pelliot, TP XV, 1914, p.231n; Ligeti, RO XVII, 1951-52, p.86).

12. S.H. Taqizadeh, The Early Sasanians, BSOS XI, 1943-46, pp.46-48; also his note to W.B. Hennings The Manichaean Fasts, JRAS 1945, p.160.
13. Taqizadeh, The Early Sasanians, p.46.
14. Taqizadeh, The Early Sasanians, pp.47-48.
15. Indeed, when the Turks first appear in Chinese sources in the VI century, these sources attribute to the Turks a month divided into three decades; cf. the citation "in the second decade of the fifth month" in P. Pelliot, Le mont Yu-tou-kin (Ütükan) des anciens Turcs, TP XXVI, 1929, p.214.
16. Serruys is of the view that a numeral before sine-de "seems to apply to the first half of the month", and quotes an example from the Qalqa Jirum (ed. Dylykov, p.255:3): arban yurban sine-de "on the thirteenth day"; cf. Henry Serruys, Mongol "QORIQ": Reservation, Mongolian Studies I, 1974, p.89, n.51. Such a system certainly seems to have been in use in later Classical Mongol texts, as we find Kow II 1456 sine "each day of the

lunar month from the first day of the month up to the fifteenth". For reasons unclear to me, Cleaves also cited this entry, but rejected its validity; cf. Cleaves 1955, p.26, n.2.

17. For this system in later Classical Mongol, see note 16 above. For Turkic, Ugric and Iranian parallels, see Bernard Munkacsi, *Ein altertümliche Zählung der Monattage bei Türken und Wogulen*, KCsA I, 1925, pp.413-414.
18. This passage is cited in TT VII, p.68, n.1, and there is a similar text in TT VII Nr.16:2-7. The four mahārāja gods are otherwise mentioned in Uyur Buddhist literature in: UigI 23.25; UigII 41:15,24; BTT II 1343; Arat, *Brückstücke eines Gebetsbuches*, SO XXVIII/9, 1964, IV 34-36; Suv 30:3. Individually mentioned are: Dhṛtarāṣṭra in Diś 11b6 (cf. DTS 159); Virūpākṣa in Diś 24a1 (cf. DTS 634); Vaiśravaṇa in Diś 30a6, 46b4-5 (cf. Stall-Holstein, *Bemerkungen*, p.97, n.3), TT X 297, UigI 28, TT VII 12:10 (cf. TT VII 12:3 bisaman, 13:14,49,54 basaman) (cf. DTS 632); the fourth, Virūdhaka, is not otherwise mentioned (cf. DTS 634). Apart from this, we may recall Kṛ N 13 Maqarač Tamyac, the name of the representative of the Türgeš Xayan at the funeral of Köl Tegin. In this case, Maqarač is simply "Great King", the

meaning of mahārāja in Sanskrit, and the full name really a title: "The Seal-Keeper of the Great King (i.e., Törgeš Xayan)".

19. Pelliot has advocated deriving terim from tengrim, although the phonetic and semantic problems in this derivation appear insurmountable; cf. his Tengrim > tārim, IP XXXVII, 1944, pp. 165-185. The attempt is rejected by Doerfer, TME II 657, but accepted by Clauson, ED 549.
20. Feng-Tenisev refer to W.E. Soothill - L. Hodous, A Dictionary of Chinese Buddhist Terms, London 1937, where, on p. 12, we find the entry:
"Saptamātr. The seven 'divine mothers, or personified energies of the principal deities'; they are associated 'with the worship of the god Siva', and attend on 'his son Skanda or Kārttikeya, to whom at first only seven Mātrā were assigned, but in the later mythology an innumerable number, who are sometimes represented as having displaced the original divine mothers'."
21. A.D. Grač, Voprosy datirovki i semantiki drevne-tjurkskikh tamgoobraznykh izobraženij gornogo kozla, Tjurkologičeskij sbornik 1972, Moskva 1973, pp. 316-333.

22. The word tamya has no etymology in Turkic (see the review in TME II 564-565), and ought to be an old "wandering word" in Inner Asia. As recently suggested by O. Szemerényi, Turkic tamya must be connected with Sogdian t'p "seal", and both of these must ultimately find their source in Semitic: Ancient Egyptian db'.t "seal", Hebrew tabba'at, Akkadian tambu, Arabic tābi'; cf. O. Szemerényi, *Iranica III*, W.B. Henning Memorial Volume, London 1970, p.422. Other indications may be found in K.H. Menges, *Problema etymologica*; alt-russ. tamga, türk. tamya, tamga 'Siegel, Stempel, etc.', Zeitschrift für slavische Philologie XXXI, 1963, pp.22-42.
23. For the use of nišan in Mongol texts, see the full discussions of Weiher, *Mongolische Reisebegleitschreiben aus Čayatai*, Zentralasiatische Studien I, 1967, pp.30-33; Ligeti, *Deux tablettes de T'ai-tsong des Ts'ing*, AOH VIII, 1958, pp. pp.213-214; Cleaves 1955, pp.42-43, n.34; TME II 94-95, 115, 554-565.
24. Yamada has attempted a chronological distinction between the use of tamya and nišan, stating that the first co-occurs in documents with iči, the Turkic word for "older brother", and the second with aga, the Mongol loanword for "older brother"

Moreover, he tries to draw a connection between the occurrence of čao "paper currency" and nišan, and then concludes that since aga and čao are Mongol or Yüan period terms, the use of nišan must also be of this period (Yamada 1963b, p.322). Although this conclusion is true, it must also be pointed out that both aga and čao occur in texts with tamya: 58:1 čao, 12 tamya, 59:19 aya, 20 tamya, 56:2 aya, 19 tamya, 69:2 čao, 35 tamya, 87:2 čao, 4 tamya. In the end, Yamada's argument is pointless by virtue of the fact that all of the documents are from the Mongol period, so that any major chronological distinction between the use of tamya and nišan of the sort proposed by Yamada is excluded at the outset.

CHAPTER SIX: CLASSIFICATION AND DESCRIPTION OF THE CIVIL DOCUMENTS

The present chapter is designed to facilitate access to the entire body of Uyyur civil documents. Here may be found the classificatory and bibliographical apparatus to which numbered documents throughout the work have referred.

The classification is based upon considerations of both the formal types (see Chapter Four) and subject matter of the documents. Each of the texts so classified has been assigned a sequential number that ignores the order and place of their original publication.

The description of each document includes the signature and number of lines of the manuscript (abbreviated: MS), the existence of a facsimile (FC), and the editions of and major commentaries to each text (ED).

The physical and bibliographical description is followed by a summary of the content of each document. Many of these summaries reflect only a tentative understanding of the purpose or content of a given text. In some cases, particularly when a facsimile is lacking, my incomprehension is acknowledged, as no useful purpose could be served by a detailed formal and philological analysis of the text in question.

Classification of the Documents

The documents have been grouped into three broad categories: legal documents that record contractual agreements between two or more parties and coincide with the formal type of contracts (Nrs.1-93); administrative documents that reflect the administrative relationship between the state and its subjects and include the formal types of depositions (Nrs.94-95), petitions (Nrs.96-97) and decrees (Nrs.98-119); and commercial documents that record for private use the outlay and receipt of goods and taxes and include the formal type of personal and official registers (Nrs.120-133), as well as a group of miscellaneous documents (Nrs.134-141).

Within each broad group, the documents are classified according to their subject matter. Thus, contracts deal with loans (Nrs.1-23), animal hire (24-25), land rental (26-32), land sale (33-49), slave sale (50-58), slave manumission (59-60), slavery (61-63), adoption (64-66), indentured servitude (67-68), inheritance (69-71), miscellaneous subjects (72-86), and receipt of goods (87-93). Decrees include miscellaneous decrees (98-104), post-horse decrees (105-109), provisions orders (110-112) and watch orders (113-119). Registers include the family account book (120), private ledgers (121-128) and tax registers (129-133).

Legal Documents

Loan Contracts (Nrs. 1-23)

The formal structure and the Chinese background of the Uyyur loan contracts may be regarded as well-studied since the appearance of Mori 1961, to which may be added the information in Cleaves 1955 and Yamada 1965.

Apart from features of the standard format (date, requirement clause, register), the loan contracts normally specify the amount of the loan, the date of repayment, the remunerative interest, the condition for payment of reparable interest in case of delinquency, and the assurance of some guarantor for the loan. These clauses are, as a rule, expressed through rigid formulas which have their origins in Chinese loan contracts of the T'ang period. However, there are also a good number of variant formulas and clauses and special provisions in these contracts. For the present, I refer the reader to the works noted above for discussion of these questions.

In the loan contracts, the following items serve as the objects of loan: Nrs. 1-4 kāmūš "money, cash", 5-8 kūnčid "sesame seed", 9 bor "wine", 10 tavar "silk cloth", 11-13 böz "cotton cloth", 14 kebez "cotton wool", 15-17 quanpo/gunpo/ganpo "regulation

linen", 18 kidiz "felt cloth", 19 buyday "wheat", 20 ör/öyör "a species of millet", 21 tarly "a species of millet", and 22-23, in which the product is indeterminable.

The basic currency system found in these loan contracts and generally throughout the documents is modelled on a Chinese system, as long ago demonstrated by Möller (1920, pp.319-321). The basic units were the baqlr, the stlr, and the yastug. The word baqlr originally meant "copper" (ED 317; TME II 255), but is used here as an equivalent to the Chinese ch'ien "mace". Ten baqlr comprise one stlr. The word stlr is fully vocalized only in two texts, 133:17,18 SYTYR and Huang Wen-pi 86 [=84]:5 SYTYR, but is otherwise always spelled STYR. The ultimate origin of the word is Greek στατῆρ "a silver coin" (see Chapter Three, note 35), but entered the present system in an obscure manner as an equivalent of Chinese liang "ounce". Fifty stlr compose one yastug. The word yastug originally meant "cushion" (ED 974), but in the meaning of "a silver ingot" represents a calque of Persian balis "a cushion, a silver ingot (shaped like a cushion)" (Möller 1920, pp.321-322; Clark 1973, p.186). Apart from these units, the çao [Chinese ch'ao] paper currency was introduced during the Yüan dynasty, and was used in the stead of silver coins.

There are several terms of measurement used in the loan contracts and in the documents generally. One set of such terms, kōri and šig, is once more modelled on a Chinese set, tou and shih, respectively, in which ten tou compose one shih. These terms are used as measurements of volume, largely for grains, and as measurements of land, according to the seeding capacity of a given plot.

Another set is found in connection with measures of wine. The words tambin/tanbin, from Chinese t'an "wine jar" and p'ing "pot" (Weiers 1967, p.39; ED 503), and gap "wine-skin, skin vessel" (ED 578), are the normal words for this liquid measure. However, we also find kōp "earthenware vessel" (ED 687) and batman used to measure wine. The word batman, which cannot be given a precise translation equivalent (ED 305), is otherwise restricted to the measure of dry goods.

As batman, certain other terms of measurement seem to have been used outside any standard system. In a few texts, cotton cloth is measured in tag weights, which must have referred to a procedure of counterbalancing the cotton cloth by a number of stones of equal size and weight. The word teng is used to measure the weight of cotton wool, and probably should mean "load", in the sense of a "donkey load", or two bundles of material draped over a pack animal

to constitute a balanced load (cf. ED 511; TME II 574-577). Found in a single document to measure wheat, the word tayar is yet an obscure measurement whose exact weight remains indeterminable (cf. TME II 512-519).

The measurement of cotton cloth is normally expressed by a numeral that precedes the word böz. This expression is to be interpreted as "X number of rolls of cotton cloth", which is comparable to the Chinese method of measuring cotton cloth as units of tuan "a length of cloth". In a few texts, this expression includes the term iki baylıq "two bundled", which represents a calque of the Chinese p'i, a unit that is equivalent to two tuan. In one text, Nr.108, the expression iki yarım baylıq "two and a half bundled" is used in a still obscure manner.

A good number of these terms and expressions for measurement have been discussed by Yamada 1971, with whose conclusions I am sometimes in disagreement. The present notes on the currency and measurement systems found in the documents hardly introduce the subject, but are intended only as general remarks on the terms which I leave untranslated in the synopses below.

Animal Hire Contracts (Nrs.24-25)

The contracts for animal hire, too, follow the standard format of validation, but greatly differ in their conditions from those of loan and rental contracts. With only two exemplars, it is presently impossible to establish a standard contractual form for such agreements. A brief comparison of these Uyyur texts with the Chinese camel hire contracts from Tun-huang studied by Gernet 1966, reveals once more a Chinese background.

The animals hired in these contracts are Nr.24 išek uley "pack-ass" and Nr.25 targen ud "cart-ox". In both contracts, ter means "hire" and the phrase terke al- "to hire" (cf. Radloff, US, p.77; ED 528).

Land Rental Contracts (Nrs.26-32)

Land rental contracts have not been studied in any detail, although Yamada devoted part of his monograph on loan contracts to the edition of a few of them. As pointed out by him (Yamada 1965, p.91), we have not in our possession sufficient exemplars of such contracts to make a full analysis of their formal structure. Indeed, the disparate forms and clauses in the texts of this group, as well as the lack of facsimiles for all but one, renders this task unfeasible at the present time.

The land rental contracts may also be termed leases. A lease is a contractual agreement by which the use of a fixed asset (land or vineyard) is transferred for a restricted period by its owner (the lessor) to a user (the lessee), while its title is retained by the owner. Generally, it may be said that, apart from features of the standard format, the land rental contracts contain two sections. One section specifies the location and type of property that is leased, and its rental price. The other section attaches the responsibility of payment of various debts and/or taxes to either the lessee or the lessor.

In Nrs.26-29 and 32, the property that is leased is termed yir "land", which is to be used for the cultivation of either kebez "cotton seed" or tarly "a species of millet". In Nrs.30 and 31, the property that is leased is a borlug "vineyard". The rental price is normally taken to be a certain measure of the crop yield from the leased property, although in Nr.29 the price is an amount of quanpo "regulation linen", and in Nrs.28 and 31, contracted between business associates, no price is stipulated. In these contracts, the word yaga means "rent" and the phrase yagaga tut- "to rent" (cf. Radloff, US, p.77, 273; ED 898; DTS 237).

Land Sale Contracts (Nrs. 33-49)

The formal structure and Chinese background of the land sale contracts are not as well-studied as those of the loan contracts. Nonetheless, a good preliminary study is that of Yamada 1964, and there are important further clarifications in Hamilton 1969, who makes effective use of a formal study of Chinese land sale contracts by Garnat 1957.

All of the contracts of this group have the standard format (date, requirement clause, register), as well as the following general clauses: a description of what is sold and the medium and amount of payment; a conveyance clause stating that the property and payment have been exchanged; a full description of the boundaries of the property sold; a clause that transfers title to the property to the buyer; a clause stating that the seller and his relatives shall not enter upon any litigations concerning the sold property; a penalty clause stating the fines for breach of contract; and a somewhat obscure clause that appears to release the buyer from liability for outstanding mortgages and legal disputes on the sold property (a clear title?).

Nearly all of these clauses are stated in terms of rigid formulas adopted from Chinese originals. There are, of course, modifications in some of the

formulas, as well as varying ways of expressing certain conditions or descriptions. However, an exhaustive internal comparison would undoubtedly yield a more or less conventional structural model of the normal Uyyur land sale contract.

In these contracts, the following kinds of properties are sold: Nrs. 33-35, 38, 39 yir "land", 37 angiz yir "stubble field" (cf. ED 191), 44 açyu ölenq "a cleared meadow", 40-43, 45, 46 borluq "vineyard". The mediums of payment for these properties are: Nrs. 33, 35 quanpo "regulation linen", 37-39, 41, 43 böz "cotton cloth", 40, 44 kümdö "money, cash", 42, 45, 46 çao yastuq "paper vouchers (ch'ao) for silver currency".

Contracts Related to Slavery (Nrs. 50-63)

Within this group are included contracts for the sale of slaves (Nrs. 50-58), the manumission of slaves (59-60), the compensation paid for a dead slave (61), a marriage between slaves (62), and an indeterminable transaction concerning a slave (63).

Yamada has recently edited all of these texts, except Nrs. 61 and 63 (Yamada 1972). With his personal reexamination of the original manuscripts, he was able to correct a number of errors in the original

editions, although by no means all (cf. Ligeti 1973). Until the work of Yamada, the issue of slavery in connection with these documents had been discussed only by Soviet scholars (Bernštam 1943; Kibirov 1950; 1952; Tikhonov 1966, pp.175-181, etc.; cf. Yamada 1964, pp.91,114). Needless to say, these texts constitute primary source materials of the highest importance for this topic.

In terms of their formal and legal structure, the contracts for sale of slaves do not substantially differ from those for the sale of land. The essential unity of sale contracts, whether for property or slaves, has been noted above (p.310) with reference to the number of witnesses required for such contracts.

The terms used in these texts to refer to slaves include the following: Nr.54 garabaš "a generic term for slaves (literally, 'black head')", 58,60,62 er garabaš "male slave", 56,62 opči garabaš "domestic slave, female slave", 55 qiz garabaš "girl slave", 61,62 qul "male slave" [in 61, the qul is also called er garabaš; in 62 the qul is also called qitay oyian "Chinese boy"], 53,57,62 kūng "female slave" [in 62, the kūng is also called opči garabaš], 52 qadun kiši "woman", 51,59 oyul "boy", 50 er oyian "male child", 63 qiz "girl" [damaged text; possibly was qiz garabaš].

The mediums of payment noted in the slave sale contracts are: Nrs. 50, 52, 53, 55, 57 būz "cotton cloth", 51, 54, 56 varmaq kūmūš "copper money(?)" (cf. ED 969), 58 čao vastuq "paper vouchers (ch'ao) for silver currency".

The deeds of manumission, Nrs. 59 and 60, are formally quite complex, but are at least quite similar to one another, which suggests some standard form for this type of contract. As already pointed out (pp. 312-320), the act of emancipating a slave was considered a meritorious deed, and both texts are partially couched in religious terms. Other general remarks on these texts, which are identified as boš bitiqs "deeds of manumission", have been made above (pp. 243-245).

The other contracts concerning slaves, Nrs. 61-63, are unique agreements and consequently do not conform to any formal standard.

Adoption Contracts (Nrs. 64-66)

The contracts that provide for the adoption of male children bear certain resemblances to sale contracts. In two of the contracts, Nrs. 65 and 66, the adopted child is exchanged for a sum of money, which is termed sūt sevinči "milk joy", an expression that probably refers to the cost of raising a child

(cf. Yamada 1972, p.243). The technical term in these contracts for "adoption" is oyullug bir- "to give as a son".

Contracts Related to Indentured Servitude (Nrs.67-68)

In these contracts, fathers hand over their sons as security in exchange for sums of money. It appears that these sons will serve the men to whom they are given for a stated period of time. Just as the sons and their families are bound to the creditors by an obligation of service until the debt is paid, the creditors, for their part, are also obliged to support the sons. The formulas in both contracts state these provisions. The term used for "indentured servitude" is tutuy/tutquy bir- "to give as security". In line 8 of Nr.67, there occurs the very interesting phrase: ilning tutuy yanginča "in accordance with the security laws of the community".

Wills (Nrs.69-71)

The three extant wills are in poor states of preservation, thereby hampering close comparison. Inspection of them reveals that there was no single format by which they were drawn up, but there is an opening phrase that is indicative of such contracts:

70:2-4 men Töšimi aylr iqke taqmışke edqđ ayly
bolyay men tip kışim Şilangqa bitiq qotdım "because
I have become seriously ill and will become good or
bad (a euphemism for death); I, Töšimi, have left
this document for my wife, Şilang";

71:1-2 men Qaračuq aylr iqlemişte oylumqa qalmış
tavarly ötekler qotdum "because I have fallen seriously
ill, I, Qaračuq, have drawn up a list of and bequeathed
my remaining property to my son".

Nr.69 lacks the beginning of the text due to
damage, but probably contained a similar phrase.
Still another example may be found in Nr.59, the
deed of manumission:

59:2-3 men Köni-quz aylr iqke taqip ölüp idip baryay
men tip "as I, Köni-quz, have become seriously ill,
and shall die and be released and go away (all
expressions for death)".

Miscellaneous Contracts (Nrs.72-86)

To this group of contracts belong special
agreements, contracts dealing with legal disputes,
and other arrangements. Apart from Nrs.80 and 81,
which are yanut bitiq "duplicate documents" (see
pp.232-241), each of these contracts is more or less
formally unique so that internal textual comparison
is impossible.

Receipts (Nrs. 87-93)

Within this group of contracts, Nr. 87 is the detached receipt for the sale in Nr. 58, and the remainder are simply brief papers stating that goods or payments have been received (al- "to receive"). To Nrs. 54, 56, 67, are appended receipts, but these are physically part of those contracts. Other remarks on formal aspects of these receipts may be found above (pp. 215, 271, 311-312; cf. Yamada 1964, pp. 114-115).

Administrative Documents

Depositions (Nrs. 94-95)

These are exceptionally interesting documents which Arat thought "...must be connected with a universal census" (Arat 1964, p. 33). Both texts are identical in format and phraseology, apart from the names and dates. They are addressed: Iduq-qut tenqrikenimizke ülči(?) tömen ilči beqlerke "to our Majesty, the Iduq-qut, and to the ministers and lords of the ülči(?) myriarchy". They swear to the correctness of uluy tabdarta bitidmiš naqū kimim "the possessions and persons of mine that I have had down in the great register". I have discussed texts at greater length above (pp. 219, 252-255).

petitions (Nrs.96-97)

Each of the petitions is termed ötüg within the text (see pp.249-251), and each lacks the features of validation (pp.215-217). Apart from this, the style of each text is unique and cannot be discussed in formal or general terms.

Miscellaneous Decrees (Nrs.98-104)

Four of this group of decrees, Nrs.98-101, have a protocol consisting of an intitulatio (sender) with the term süzüm(üz) "my (our) word" (see pp.151-152) followed by an inscriptio (addressee). The main texts of all decrees in this group consist of a narratio (exposition of circumstances) and a dispositio (enactment), but otherwise lack the formal components of the edicts that issued from Mongol chanceries in China, Turkestan and the Near East. None of these decrees has a final protocol, but Nrs.102 and 103 begin with a date, and Nr.98 ends with a personal sign.

Post-horse Decrees (Nrs.105-109)

These in Uyyur, and a few in Mongol (MTDoc 1,4), are the only documents relating to the important post-horse relay system that existed during the Mongol period. Four of them, Nrs.105-108, conform to a standard format, while Nr.109 is merely a note releasing a horse.

The standard format of Nrs.105-108 may be summarized:

- A. Nrs.107 and 108 have the name of the official who issues the decree.
- B. Date.
- C. Description of the business or task of the people to whom the post-horses are to be given.
- D. Names of the people to whom the post-horses are to be given.
- E. The stable or group of horses from which the post-horses are to be released.
- F. A phrase that resists all analysis is transcribed by Radloff and Malov: bačaq-a-taq yoz-inta bolmish trz, it is apparently an attribute of some kind to the following phrase.
- G. The number of post-horses to be given and, optionally, the number of days they are to be used.
- H. The amount of qubčir the users of the post-horses are to pay.

Apart from the phrase in F., the Uyyur post-horse decrees can be read with confidence. A cursory comparison of these with the Mongol exemplars, themselves still not fully understood, reveals certain contextual parallels, but at the same time certain striking differences. As an example, the Mongol decrees provide for the release of provisions along the post-horses, but make no mention of a levy of qubčir. Both the Uyyur and the Mongol texts are primary sources on this

Provisions Decrees (Nrs. 110-112)

Each of these brief texts provides for the release of various amounts of provisions to representatives of the state. All of them have a date at the beginning, and Nr. 112 has a seal at the end. It is otherwise difficult to detect a standard format for this kind of decree.

Watch and Work Orders (Nrs. 113-119)

Four of these texts, Nrs. 113-116, provide that various amounts of rations, wine and lamb, shall be released to persons who shall hold a given kazig "watch, round" (ED 758; see above, p. 160). Presumably, these are watch orders for guards, but it is not stated what the guards are to be watching, whether roads, fields, gates, buildings, or what?² Although some standard format can be vaguely discerned, the watch orders are too poorly edited to permit any general conclusions about their structure or, in several cases, their contents.

Of the other orders in this group, Nr. 117 provides for the tending of livestock, Nr. 118 for the release of rations for some indeterminable purpose, and Nr. 119 for the provision of workers for some unknown purpose.

Commercial Documents

Family Account Book (Nr.120)

This is the only extant text of this nature: which is a running account written on a continuous roll of paper of the expenditures of members of a single family over the years. It must be assumed, however, that most or all families of higher economic and social standing kept such books. A detailed description of this text may be found below.

Private Ledgers (Nrs.121-128)

The texts of this group range from scraps of paper to full sheets, and appear to have been personal accounts kept by merchants. In them is recorded the outlay of goods, through sale or trade, occasionally by taxation, which is expressed by a phrase of the kind: [...]birtim "I gave (such and such to so and so)".

Tax Registers (Nrs.129-133)

As the private ledgers, the texts of this group are personal accounts that record the outlay of taxes (Nrs.129-131) and the receipt of taxes (Nrs.132-133).³

Miscellaneous Documents (Nrs.134-141)

This group of texts includes those which are too damaged to permit serious examination, or which defy any sort of classification into the above categories.

Description of the Documents

1. MS: T I D 51 (M222); 10 lines
FC: Le Coq 1919, 6; Yamada 1965, 4
ED: Radloff 1909, p.190; Radloff, US 18, pp.24-25,
79, 219 (Malov); Le Coq 1919, p.107; Mori 1961,
pp.114-115; Yamada 1965, pp.191-192

Bolmîš borrows six stîr from Qara Oyul, to be repaid with interest of one and a half baqlr every month the loan is out (30% per annum). Bolmîš' wife, Tûzûk, is guarantor.

2. MS: Roborovskij-Kozlov/Klementz; 6 lines
FC: none
ED: Radloff, US 52, pp.89-90, 231 (Malov)

Bolmîš borrows three stîr from Işire, to be repaid with interest of one baqlr every month the loan is out (39.6% per annum). Bolmîš' wife, Tûzûk, is guarantor.

3. MS: Roborovskij-Kozlov/Klementz; 8 lines
FC: none
ED: Radloff, US 47, pp.82-83, 230 (Malov)

Bolmîš borrows four stîr from Kûsûnçi, to be repaid with interest of one baqlr every month the loan is out (30% per annum). Bolmîš' younger brother, Tanîqtaçî(?), is guarantor.

4. MS: 3 Kr.33b: 13 lines

FC: none

ED: Radloff, US 113, p.208,250(Malov)

Qaysidu Tutung borrows ten stir from Qinsun Šali, to be repaid on the tenth day of the tenth month of the same year. Qaysidu's younger brother, Ozmiš Toyrl, is guarantor. I am in agreement with all previous editors that this text is a scribal exercise and ought not to be used as source material (cf. Radloff, US, p.208; Mori 1961, pp.127, 145; Yamada 1964, p.82).

5. MS: T I D 176 (M226); 11 lines

FC: Le Coq 1918, 1; Yamada 1965, 2

ED: Radloff 1909, pp.184-185; Le Coq 1918, pp. 455-456; Radloff, US 7, p.7, 218 (Malov); Malov 1951, p.208; Mori 1961, pp.113-114; Yamada 1965, pp.173-178

Qaysidu borrows one kūri of sesame seed from Il Tamir and will repay two kūri of sesame seed in the first ten days of Autumn. Qaysidu's younger brother, Qasuq, is guarantor.

6. MS: T I; 16 lines

FC: none

ED: Radloff, US 37, pp.54-55, 223 (Malov)

Čor borrows one kōri of sesame seed from Qayımtu and will repay two kōri of sesame seed in the first ten days of Autumn. Čor's son, Qara Quđ, is guarantor.

7. MS: T I (M215); 12 lines

FC: none

ED: Radloff, US 27, pp.40-41, 79, 222 (Malov);

Malov 1951, pp.215-216

Qumara Bay borrows ten double padir measures of sesame seed from Qayımtu and will repay twenty double padir measures of sesame seed in the first ten days of Autumn. The padir is a monk's begging bowl (Sanskrit pātra; see Chapter Three, note 35).

8. MS: T I (M233); 17 lines

FC: none

ED: Radloff, US 20, pp.26-27, 79, 220 (Malov)

Surya-điri borrows one kōri of sesame seed from Qayımtu Baxđı and shall repay two kōri of sesame seed in the first ten days of Autumn. Surya-điri's family is the guarantor.

9. MS: T I D 176 (M230); 12 lines

FC: none

ED: Radloff 1909, p.182; Radloff, US 1, pp.1-2,
76-77, 217 (Malov); cf. Caferoğlu 1934, p.7

Ming Temür borrows half a gap of wine from Turī Baxšī
and will repay one gap of sweet wine in the first
ten days of Autumn. Nom Qulī's family is the guarantor.

10. MS: T I D 176 (M236); 11 lines

FC: none

ED: Radloff, US 8, p.8, 78, 218 (Malov)

Il Temür borrows an amount of silk cloth from Sengge
and Bay Temür and will repay within the first month
fifty taš weight of cotton cloth as the remunerative
interest(?). For every roll of cotton cloth not
repaid, Il Temür will pay two rolls of cotton cloth
as repayable interest. Unclear. [See infra, pp.306-307]

11. MS: T I; 17 lines

FC: none

ED: Radloff, US 34, pp.51-52, 80, 223 (Malov)

Sišī and Guru borrow three rolls of cotton cloth each
from Noqoy and will repay six rolls of cotton cloth
each in the first ten days of Autumn. Their younger
brother, Čisun Sengge, is guarantor. [See infra, p.361]

12. MS: T I (M234); 14 lines

FC: none

ED: Radloff, US 10, pp.10-11, 78, 218 (Malov)

Torbay borrows one and a half rolls of cotton cloth from Qaylatu and will repay one qag containing thirty tanbin of sweet wine in the first ten days of Autumn. Torbay's son, Temür Buqa, is guarantor.

13. MS: T I (M212); 15 lines

FC: none

ED: Radloff, US 29, pp.42-43, 79, 222 (Malov);

Yamada 1965, pp.185-187

Qirya-quz borrows two p'i of cotton cloth from Yanpatu and will repay two qag of wine in the first ten days of Autumn. If Qirya-quz is delinquent, an unnamed person will give to Yanpatu a piece of property belonging to Qirya-quz. This is an unusual form of guaranty in these contracts.

14. MS: T II D 43; 10 lines

FC: none

ED: Radloff, US 70, pp.122-123, 235 (Malov);

Yamada 1965, pp.183-184; Yamada 1971, pp.496-497

Usine borrows four teng of cotton wool from Sauriya-širi and will repay seven teng of cotton wool in the first ten days of Autumn. Usine's younger brother, Budaq,

15. MS: T II Toyoq; 6 lines

FC: none

ED: Radloff, US 85, p.140, 238 (Malov)

Inal Bars borrows one hundred units of regulation linen from Yačanqlr and will repay one hundred and fifty units of regulation linen on a specified date exactly one year later. The contract lacks clauses for interest and guaranty.

16. MS: T II D 149a; 7 lines

FC: none

ED: Radloff, US 67, p.120

Abiĭ borrows one thousand units of regulation linen from Tay Beg and will repay some amount (damaged) of some item (damaged) every month. Someone's family (damaged) is guarantor.

17. MS: Ot.Ry. 2733a-b; 8 lines recto and verso

FC: MS IV, 37

ED: Yamada 1961, pp.218-219

Iitmiĭ borrows sixty three units of regulation linen from Artmiĭ and will repay an amount (text obscure) of sweet wine in the first ten days of Autumn.

A peculiar responsibility clause states that the

lender, Artmiš, will be responsible in the case that the wineskins are damaged (burned?) or the baggage animals carrying them are injured. Iltmiš' son, Qirya-quz, is guarantor. A postscript states that Iltmiš will hand over the wine when Artmiš comes to claim it [see p.362]. Unclear passages.

18. MS: T II Čiqtim 2; 10 lines

FC: none

ED: Radloff, US 63, pp.115-116, 234 (Malov);

Yamada 1965, pp.188-190

Buddš Tutung borrows one roll (?) of felt from ram's wool from Arslan Sinqur Dl (?) and will repay six rolls of cotton cloth when the caravan with which Buddš is travelling returns. The clause for reparable interest precedes that for remunerative interest and states that the term is full repayment of the loan along with interest of one roll of cotton cloth each month. The remunerative interest is specified as the same. Buddš Tutung's younger brother, Ali, is guarantor. The setting of this contract is unusual, but its form is that of the normal loan contract. [See infra, pp.159, 305-307]

19. MS: Istanbul University, Yıldız Saray; 17 lines
FC: Yamada 1963, 1
ED: Yamada 1968, pp.12, 21-24

Qalimtu borrows two and a half tayar of wheat from Irinč-köl(?) and will repay the loan on the fifteenth of the month in the form of two young women who shall perform labor for Irinč-köl. The repayable interest consists of the labor of the two women plus their day-wages(?). Qalimtu's younger brother, Čaq-širi, is guarantor. Unclear passages.

20. MS: Ot.Ry. 2734a-b; 6 lines recto, title verso
FC: MS IV, 35; Yamada 1964, 2; Yamada 1965, 1
ED: Haneda-Yamada 1961, p.213; Yamada 1965, pp.77-80; Yamada 1965, pp.168-172

Yigedmiš borrows two šiq of dyūr-millet from Čanaq and will repay the two šiq along with a "suitable interest" in the first ten days of Autumn. Yigedmiš' son, Qavsung, is guarantor. [See infra, pp.140, 221]

21. MS: SJ M7; 13 lines
FC: Malov 1927, 1; Yamada 1965, 3
ED: Malov 1927, pp.[?]; Yamada 1965, pp.179-192

Üğrüş Temir borrows two körü of early-millet from Bedrüz and will repay one qap of sweet wine containing thirty tambin in the first ten days of Autumn. Üğrüş Temir's younger brother, Quş, is guarantor.

22. MS: Ot.Ry. 2149a + 1108; 3 lines + 4 lines
FC: MS IV, 37 + 36; Yamada 1964, 3 (1108)
ED: Yamada 1961, p.217 (2149a), 216 (1108);
Yamada 1964, p.84 (2149a), 82-83 (1108)

Qut Arslan Sangun borrows some item from some person (damaged). His son, Taydu KÜÇ Arslan Eren, is guarantor. Both of these small fragments have an identical seal stamped upon them, although they were edited as different texts by Yamada. The scrap of paper, Ot.Ry. 2149b, contains only the names of one witness and a scribe, and is not connected to these texts. [See infra, p.332]

23. MS: Ot.Ry. 2150a; 4 lines
FC: MS IV, 32
ED: Yamada 1961, p.218; Yamada 1964, pp.84-85

The few words that survive on this scrap assure that it was a loan contract.

24. MS: T I (M235); 20 lines

FC: none

ED: Radloff, US 3: pp.3-4, 77, 217 (Malov);

Yamada 1965, p.161

Sarayuč hires a pack-ass from Qibridu and will return the ass along with its hire price of 29 bales (boy) of cotton cloth. In case of Sarayuč's delinquency, Qibridu will cultivate and consume the produce off the land of Sarayuč for a term of two Autumns. If the ass grows lean(?) during the hire period, Sarayuč will feed it five times daily. Several unclear passages and phrases. [See infra, pp.220, 326]

25. MS: Ol'denburg, Idiqt-Šāhri, 1909; 19 lines

FC: Malov 1932, 6; Yamada 1965, 6

ED: Malov 1932, pp.143-144; Yamada 1965, pp.207-209

Töleg Temür hires a cart-ox from 'Omar and will pay the latter a hire price of two šiq of tarly-millet and three šiq of Qyūr-millet in the first ten days of Autumn. If the ox dies and Töleg sends it back, 'Omar will give him another and be responsible for the death of the ox(?). The term of hire is stated to be until the first day of the tenth month, that is, the first month of Autumn. [See infra, p.155]

26. MS: T I (M237); 14 lines

FC: none

ED: Radloff, US 11, pp.11-12, 78, 218 (Malov);
Yamada 1965, pp.198-201

Temör Buqa rents a property for the cultivation of millet from Qayımtu and will pay a rental price of two şig of the millet yield. Temör Buqa, the lessee, will be responsible for debts, seizure of the crop(?), and mortgage payments(?) during the rental term.

27. MS: T II M 11a; 14 lines

FC: none

ED: Radloff, US 66, pp.119-120, 234 (Malov);
Yamada 1965, p.149 (lines 2-6)

Tınsıdu rents a property from some person (damaged) and will pay a rental price of amounts (damaged) of tarlı- and öyür-millet. Tınsıdu, the lessee, will be responsible for debts, seizure of the crop(?), and mortgage payments(?) during the rental term. [See p.361]

28. MS: T I (M211); 10 lines

FC: none

ED: Radloff, US 28, pp.41-42, 79, 222 (Malov);
Malov 1951, pp.216-217; Yamada 1965, pp.202-204

Ilči receives a property ready for cultivation of millet from his business associate, Qayımtu. They agree to share the task of cultivation and the resultant crop, and to take equal responsibility for any debts on the property that come due during the term. This document is an agreement that is drawn up in contractual form by business associates, and reflects a heightened sense of the necessity of keeping records in business, regardless of the nature of the transaction (also see Nr.31).

29. MS: T II D 149b; 8 lines

FC: none

ED: Radloff, US 86, pp.141, 238 (Malov); Yamada 1965, pp.143-144

Qaymıŝ Sangun rents a property from Ačari Bay and will pay a rental price of fifty units of regulation linen. Ačari Bay, the lessor, will be responsible for any taxes upon the property during the rental term.

30. MS: T I D 176 (M232); 13 lines

FC: Le Coq 1918, 1; Yamada 1965, 5

ED: Radloff 1909, pp.182-183; Le Coq 1918, pp. 453-455; Radloff, US 2, pp.2-3, 77, 217 (Malov); Yamada 1965, pp.193-197

In the introductory clauses, Bay Temür rents a property for the cultivation of cotton seed from Temiči. Then, it is stated that, in fact, Bay Temür has rented the vineyard of Temiči, for which he will pay a rental price of ten gq of cotton wool along with an unspecified amount of interest in the first ten days of Autumn. Temiči, the lessor, will be responsible for any taxes or poor-rates (Arabic zakat; see p.171) on the vineyard during the rental term. The contract is poorly executed, written by Temiči and validated with Temiči's personal sign in place of the lessee's.

31. MS: T I (M78); 12 lines

FC: none

ED: Radloff, US 19, pp.25-26, 79, 220 (Malov);

Malov 1951, pp.214-215; Yamada 1965, pp.205-206

Qayımtu receives for cultivation a vineyard from his business associate, Mısr, and therefore will not pay a rental price (see Nr.28). Mısr will be responsible for debts or seizure of the crop(?) during the rental term.

32. MS: T II Nr.3; 6 lines

FC: none

ED: Radloff, US 87, pp.142, 238 (Malov)

Although clearly a land rental contract, this text is too poorly transcribed to permit interpretation.

33. MS: T III M 205; 25 lines, title verso

FC: Zieme 1974, pp.296-297

ED: Zieme 1974, pp.295-308

Yarp Yanga and Edgē sell a property with a seeding capacity of seven šiq to Qutadmīš for 3,250 units of regulation linen. The goods are conveyed, title is transferred, penalties for breach of contract are stated, and the boundaries of the property are described. A postscript states a special penalty of 325 units of regulation linen for whoever breaches the contract (see p.362). [See infra, pp.222, 345]

34. MS: Ot.Ry. 1414a; 22 lines

FC: MS IV, 34 (text), 32 (seals); Yamada 1964, 1

ED: Yamada 1961, pp.209-210; Yamada 1964, pp.73-77

Qarađuq Yig Būrt sells a property with a seeding capacity of three šiq to Qutluy Taš for 125 units of regulation linen. The goods are conveyed, title is transferred, and penalties for breach of contract are stated. [See infra, p.346]

35. MS: Stein, Yar Xnto 0014 [B.M.Gr.8212(106)];
19 lines, title verso

FC: Hamilton 1969, pp.40-43

ED: Hamilton 1969, pp.26-52; Stein, Sarindia, III,
p.1175; Tryjarski 1989, p.328 (seal)

Adly Tarxan sells a property with a seeding capacity of one šiq to Alp Taš Sangun for 100 units of regulation linen. The goods are conveyed, the boundaries of the property are described, the title is transferred, and the penalties for breach of contract are stated. Qaramuq, the son of Adly Tarxan, is guarantor for the contract. It should be pointed out that there is a very close formal and stylistic similarity between Mrs.34 and 35. [See infra, pp.105,140,222,307-308,332]

36. MS: Ot.Ry. 1097a; 27 lines
FC: MS IV, 36; Yamada 1964, 3
ED: Yamada 1961, p.213; Yamada 1964, pp.80-82

This text is obviously a land sale contract, but is so heavily damaged that its value as source material is virtually nil.

37. MS: Malov acquisition from Actan; 27 lines
FC: Malov 1951, between pp.204-205
ED: Malov 1951, pp.204-207

Tolu Qaya Misir and Uluy Inē Qaya Misir, who are representatives of a decade (see p.334), sell a stubble-field to Qēš Tamūr for thirty taš of cotton cloth. The goods are conveyed, the boundaries of the property are described, the title is transferred, and the penalties for breach of contract are stated.

310-320 333 334 340

38. MS: 3 Kr.41; 21 lines

FC: none

ED: Radloff, US 107, pp.202-203, 244-245 (Malov)

Ozmış Toyrlı and Tökel sell a property to their older brother, İnîçök, for 170 rolls of cotton cloth. The goods are conveyed, the title is transferred, the penalties for breach of contract are stated, a clear title(?) is given, and the boundaries of the property are described.

39. MS: 3 Kr.39; 23 lines

FC: none

ED: Radloff, US 108, pp.204-205, 246 (Malov)

Ozmış Toyrlı and Tökel sell a property to a relative, Baza Toyrlı, for 23 rolls of cotton cloth. The goods are conveyed, title is transferred, the penalties for breach of contract are stated, a clear title(?) is given, and the boundaries of the property are described.

40. MS: 3 Kr.36; 19 lines

FC: none

ED: Radloff, US 109, pp.205, 247 (Malov)

Ozmış Toyrlı sells a vineyard to a relative, Baza Toyrlı, for one yastug and five stlr in cash. The goods are conveyed, the boundaries of the property

are described, the title is transferred, and the penalties for breach of contract are stated.

41. MS: T I D 168 (M224); 20 lines

FC: Le Coq 1918, 2

ED: Radloff 1909, pp.186-187; Le Coq 1918, pp.

456-458; Radloff, US 13, pp.14-16, 78, 219

(Malov); Malov 1951, pp.209-211

Sada sells a "six-worker" vineyard to Solda Aya for 100 o'i of cotton cloth. The goods are conveyed, the boundaries of the property are described, the title is transferred, and the penalties for breach of contract are stated.

42. MS: Istanbul University, Yildiz Saray; 27 lines

MS: Arat 1965, between pp.266-267

ED: Arat 1965, pp.263-272; Yamada 1966, pp.18-21

Tarbiš sells a "three-worker" vineyard to Udčl Buqa and Esen for 100 yastuq in ch'ao paper currency. The title is transferred, the goods are conveyed, and the penalties for breach of contract are stated.
[See infra, pp.152, 186]

43. MS: Ot.Ry. 543; 23 lines

FC: Haneda 1958, 1; Yamada 1963, 22

ED: Haneda 1958, pp.44-49, *79; Mori 1960, pp.22-50

Beg Temür sells a vineyard to Qiyasudīn for 100 rolls of cotton cloth. The goods are conveyed, the boundaries of the property are described, the title is transferred, the penalties for breach of contract are stated, and a clear title(?) is given. [See infra, p.221]

44. MS: Mannerheim acquisition; 24 lines

FC: Ramstedt 1940, 3

ED: Ramstedt 1940, pp.9-11; cf. Yamada 1964, p.90, n.6

Maosi and Edgü Bir Oyul sell a cleared meadow to Toyinčuq for 9 stlr in cash. The boundaries of the property are described, the title is transferred, the penalties for breach of contract are stated, and a clear title(?) is given. Since the conveyance clause is lacking, there must have been a separate receipt for the transaction in this contract.

45. MS: T I D 176 (M238); 17 lines

FC: Arat 1964, 8

ED: Radloff, US 15, pp.19-20, 78, 219 (Malov);
Arat 1964, pp.68-69

Töleg Tamör sells a group of properties to Tolmīš, a monk, for 20 yastug in ch'ung t'ung pao ch'ao paper currency (see p.164). The properties are: (1) a walled vegetable garden (qavlalīq; see p.163); (2) a property with a seeding capacity of seven kūri; (3) a property with a seeding capacity of four šīq; (4) a property with a seeding capacity of six šīq; (5) a property with a seeding capacity of four šīq. These properties are described, the goods are conveyed, the names of two witnesses are given, and then the seller forswears any future legal disputes. An interesting contract. [See infra, pp.308-309,358]

46. MS: Sino-Swedish expedition of 1953 at Kuča; 27 lines
FC: Hunag Wen-pi 1954, 104 [94]; Cleaves 1955, 2
ED: Feng 1954, pp.120-122; Tikhonov 1966, pp.
259-260; cf. Cleaves 1955, p.17, n.10

Turmīš Tigin sells one or more properties to Vapsu Tu for 10 yastug in ch'ung t'ung pao ch'ao paper currency (see p.164). The goods are conveyed, the penalties for breach of contract are stated, the title is transferred, and a clear title(?) is given. The signs of validation in this contract are remarkable and have been frequently alluded to above. [See infra, pp.152, 246, 309-310]

47. MS: T I; 28 lines

FC: none

ED: Radloff, US 30, pp.44-46, 80, 222 (Malov)

Qaqša Ačari and Virya Ačari exchange a vegetable garden belonging to a monastery for a vineyard(?) belonging to Ľkŭš Qaya Ačari and Yitmiš Qaya Ačari. The properties are exchanged (taqšŭrŭš-), the boundaries of one of them are described, title is transferred to Ľkŭš and Yitmiš, the penalties for breach of contract are stated, a clear title(?) is given, and it is stated that the irrigation canal to the large vegetable garden is within the boundaries of the land received by Qaqša and Virya(?). Many unclear passages, and a complex contract that is not definitely for the sale of land.

48. MS: Ot.Ry. 1792a; 3 lines

FC: none

ED: Yamada 1961, p.217; Yamada 1964, p.83

All that survives is a portion of the requirement clause.

49. MS: Sino-Swedish expedition of 1953 at Kuča; 17 lines

FC: none

ED: Feng 1954, pp.126-127

All that survives of the main text is the penalty clause. The signs of validation are abnormal and have been commented on above. [See infra, pp.302-303, 309-310]

50. MS: T I D 181 (M95); 33 lines

FC: Yamada 1972, 1

ED: Yamada 1972, pp.190-196

Quqdamuni sells a 13 year old male child named Yungči to Alpış for 80 taş of cotton cloth. The goods are conveyed and the title is transferred. There is a responsibility clause stating that whether Yungči grows up to be a thief and a liar or the leader of decades and centuries (see p.334), Quqdamuni and not Alpış will be responsible. The main text ends with a statement of the penalties for breach of contract. [See infra, pp.148, 152]

51. MS: ReborovaKij-Kozlov/Klementz; 26 lines

FC: none

ED: Radloff 1899, pp.64-67; Radloff, US 57, pp.100-101, 233 (Malov); Yamada 1972, pp.223-225

Qutluy sells a boy named Mubarak Qoç to Sengəkdez Aya for 60 gold coins in yarmak kımış. The title is transferred and the penalties for breach of contract are stated. A special situation is reflected in this contract in that Mubarak Qoç is the son of Qutluy Temür who, before selling him, discusses the sale with the boy's older brothers, Tuymış and Toqdamış. It is highly probable that Sengəkdez Aya (aya "older brother") is also an older brother to the boy. [See infra, pp.145, 359]

52. MS: T I D 187 (M206) [Mainz 693]; 32 lines, title verso
FC: Le Coq 1918, 3; Yamada 1972, 2
ED: Radloff 1909, pp.189-190; Le Coq 1918,
pp.458-460; Radloff: US 16, pp.21-23, 79,
219 (Malov); Malov 1951, pp.211-214; Yamada
1972, pp.197-201

Tedmilig and Qara Buqa sell a woman named Qutluy to Qutluy Temür for 150 rolls of thick cotton cloth. The goods are conveyed, the title is transferred, the penalties for breach of contract are stated, and a clear title(?) is given. [See infra, pp.222,225]

53. MS: Roborovskij-Kozlov/Klementz; 22 lines
FC: none
ED: Radloff 1899, pp.57-63; Radloff, US 56,
pp.98-99, 232-233 (Malov); Yamada 1972, pp.220-221

Qalimdu sells a female slave named Tolat to Bolat for 100 rolls of cotton cloth. The goods are conveyed, the title is transferred, and the seller assumes responsibility should the slave cause any legal trouble.

54. MS: T II D 373; 23 lines, title verso
FC: Yamada 1972, 3
ED: Radloff, US 61, pp.112-114, 233-234 (Malov);
Yamada 1972, pp.202-205

Kuču, son of Liu Tai-po, sells a slave named Po-king to Kingsun, a monk. f' 47 stir in yarmag kōmḡḡ. There is a conveyance clause (lines 6-8), but in fact the payment is received one day later and so noted in an appended receipt (lines 20-23). The title is transferred, the penalties for breach of contract are stated, and a clause is added after the scribal certification stating that the son-in-law and younger brother of the seller will act as guarantors if legal action is taken by the slave. [See infra, pp.222, 225, 271, 358-359]

55. MS: 3 Kr.38; 19 lines

FC: Yamada 1972, 5

ED: Radloff, US 110, pp.206, 248 (Maiov);

Yamada 1972, pp.208-212

Qalling Qaya Ači sells a 12 year old girl slave named Taš Kūng to Iničūk for 80 rolls of cotton cloth. The goods are conveyed, the title is transferred, the penalties for breach of contract are stated, and the seller assumes liability for legal actions on the part of his relatives or by the slave.

56. MS: 3 Kr.34; 17 lines
FC: Yamada 1972, 4
ED: Radloff, US ii4, pp.209-210, 251 (Malov);
Yamada 1972, pp.206-207

Yip Toyrl sells a domestic slave named Kimzun to Ineci for 50 stlr in yarmaq kUm03. There is a conveyance clause (lines 4-6), but in fact the payment is received three days later and so noted in an appended receipt (lines 15-17). The title is transferred, the penalties for breach of contract are stated, and the seller assumes liability for legal actions. [See p.271]

57. MS: SJ M/6; 27 lines, title verso
FC: Malov 1927, 2; Yamada 1972, 6
ED: Malov 1927, pp. [?]; Yamada 1972, pp.213-216

Bačaq sells a female slave named Esen Tigin (an odd name for a female) to Bedröz for 50 p'i of cotton cloth. Following the conveyance clause, the scribe begins the penalty clause, then, realizing his mistake, breaks off. The title is transferred, the penalties for breach of contract are stated, and the seller assumes liability for legal actions. [See infra, pp.222, 225]

58. MS: Sino-Swedish expedition of 1953 at Idikut-
žähri; 13 lines

FC: Feng-Tenišev 1960, between pp.144-145;
Yamada 1972, 7

ED: Feng 1958; Feng-Tenišev 1960, pp.144-146;
Yamada 1968; Yamada 1972, pp.217-219

Aday Tutung sells a Chinese male slave named Pintung to Sivšay Tayši for 9 yastug in ch'eo paper currency. There is a conveyance clause, but in fact the payment seems to have been received in two installments and is so noted in a Chinese text on Nr.87, which is the detached receipt for this sale (see p.271). The title is transferred, the penalties for breach of contract are stated, and the seller assumes liability for legal actions. For the later fortunes of this slave boy, see Nrs.60 and 96. [See infra, pp.106-108, 227, 242-243, 346]

59. MS: Mannerheim acquisition; 21 lines

FC: Ramstedt 1940, 2; Yamada 1972, 12

ED: Ramstedt 1940, p.7; Yamada 1972, pp.250-252

Köni-quz, after a discussion with Singuy Toyinčuq Beg and Like, his son-in-law, frees the slave boy named Buqa Quli. The argument of Yamada, that this is not a deed of manumission, but a contract that dissolves an adoption, has been refuted above (see pp.313-315). [See infra, pp.145, 243, 312-320, 332, 359]

60. MS: Sino-Swedish expedition of 1953 at Idikut-
šāhri; 19 lines

FC: Feng-Tenišev 1960, between pp.145-146;
Yamada 1972, 8

ED: Feng 1958; Feng-Tenišev 1960, pp.146-149;
Yamada 1972, pp.226-232; cf. Ligeti 1973

Sivšay Tayši frees the slave boy named Pintung who
was sold to him in Nr.58. The text contains a list
of those to whom the merit for this deed of manumission
is to be transferred and, as Nr.59, a penalty clause.
[See infra, pp.106-108, 152-153, 312-320]

61. MS: 3 Kr.37b; 20 lines

FC: none

ED: Radloff, US 116, pp.211-212, 253 (Malov)

This contract concerns the death of a slave. Qitay
Qaya writes: 2-5 Songsoy atily qitay oyianla yašip
qač kante tilap tapışmatın "my Chinese boy disappeared
and after looking for him for several days without
finding him", 5-7 qanqlı yollın kürgeli barlı bir bız
ton tapıp kelmış [bu ton oq ...] alıñqa qulum ıldı tip
"someone came who had gone to look for him along the
cart road and had found a piece of cotton clothing,
and since (my slave?) had taken (this clothing), he
said my slave is dead". Qitay Qaya receives half a

yastug in cash from Ineči, who sold him the slave.
This cash settlement is apparently the compensation
provided for such an event in the original contract.
[See infra, p.153]

62. MS: T II Čiqtim Nr.7; 18 lines
FC: Arat 1964, 5; Yamada 1972, 9
ED: Radloff, US 73, pp.125-126, 236 (Malov):
[lines 1-15] • US 81, pp.137, 237 (Malov)
[lines 16-18]; Arat 1964, pp.64-66;
Yamada 1972, pp.233-235

This text is a contractual agreement between Otuz
and Toyinčuq, whose respective slaves, a temirči
garabaš "blacksmith slave" named Baltur and an epči
garabaš bözči "domestic slave, a weaver" named Ay
Siliq, have become man and wife without consulting
their masters. The owners agree not to part them,
but arrange that Otuz shall continue to collect the
blacksmith's birt "head-tax", and Toyinčuq that of
the weaver's. [See infra, p.141]

63. MS: 3 Kr.35; 23 lines
FC: none
ED: Radloff, US 115, pp.210-211, 252 (Malov);
cf. Arat, Der Herrschaftitel Idug-qut,
UJ XXXV, 1963, p.153

This text, whose beginning is either missing or unintelligible, is drawn up by Qutluy Tonga and concerns a girl named Adar. It appears to be a settlement of some kind between Qutluy Tonga and Inači concerning the girl, who is probably a slave. The penalties for breach of contract are stated. [See infra, p.153]

64. MS: Ol'denburg 1; 34 lines

FC: none

ED: Radloff, US 98, pp.169-171, 240 (Malov)

Yamada 1972, pp.236-241

Torji Baxči gives one of his two sons named Turmıš in adoption to Sutpaq. Turmıš will eat the food given him and perform the work assigned him by Sutpaq who, for his part, will think of Turmıš: 10 özömtin tuyrıšča "as having been born of my own family". Two further conditions provide for marriage and inheritance: 11-13 qız allı birle yana minde oyl qız tıyaa ol oylus birle tang tız tudup "(I, Sutpaq,) will marry him off, and if a son or daughter is born (of this marriage), they shall be mine, and I shall treat him as equal with my own sons," 16-18 oylanlarım belze ol oylanlar birle tang ok alıš qubı birdıren "as .or (all) my sons, I will give him (Turmıš) an inheritance equal to that for those sons". [See infra, pp.147, 152, 155, 159]

65. MS: Ol'denburg 7 [SJ 0/70]; 20 lines

FC: Malov 1932, 3; Yamada 1972, 10

ED: Malov 1932, pp.135-137; Yamada 1972, pp.242-245

Qaytsu Tutung gives his son named Titsu in adoption to Čintsu, a monk, in exchange for half a yastuq in silver currency. The penalties for breach of contract are stated, and there is an oath by Titsu to serve Čintsu well. [See infra, pp.13,110,153,154,157,332-333,362]

66. MS: Ol'denburg 8 [SJ 0/55]; 19 lines

FC: Malov 1932, 4; Yamada 1972, 11

ED: Malov 1932, pp.138-140; Yamada 1972, pp.246-249

Titsu, after consultation with his older brother, Arčuq, gives his younger brother, Antsu, in adoption to their relative, Toylnaq Šilavanti, in exchange for 20 stir in cash. It is stated: 5-7 men Toylnaq Šilavanti yime oyulum Sambudu birle töz olöšlög qllip oyullanu altım "I, Toylnaq Šilavanti, have taken him as a son, making him an equal heir with my son, Sambudu". There is a conveyance clause and a statement of penalties for breach of contract. [See infra, pp.145,332-333,338,359-360]

67. MS: Roborovskij-Kozlov/Klementz; 12 lines

FC: Radloff, US, between pp.86-87 (2)

ED: Radloff, US 51, pp.86-88, 231 (Malov);

cf. Yamada 1964, p.100

Kedirc gives his son, a monk named Bolmŭŭ, as security in indentured servitude to Qambuqdu Tutung for half a yastuq in yamaq kŭmŭŭ. There is a conveyance clause (lines 4-5), but the payment is received a few days later and is so noted in an appended receipt (lines 10-12). The title is transferred, and the creditor states his obligations to the boy .

68. MS: Ol'denburg 6 [SJ 0/45]; 30 lines

FC: Malov 1932, 1-2

ED: Malov 1932, pp.130-135; cf. Yamada 1964, p.92, n.11

Qaytesu Tutung gives his son, Titsu, as security in indentured servitude to Čintau-šila [later to be Čintau Ayayqa Tegimlig in Nr.65] for a period of three years for ten stir in cash. There is a conveyance clause, then a detailed statement of the mutual obligations of debtor and creditor toward the boy. This contract, written in the twelfth PIC year, necessarily precedes Nr.65, written in the eleventh DOG year, wherein Titsu is adopted by Čintau. Thus, eleven years elapse between the indentured servitude and the adoption of Titsu. It is unlikely that Titsu was a grown man at the time of his adoption, so that he was certainly very young (5-7) at the time of his indenture.

69. MS: Roborovskij-Kozlov/Klementz; 36 lines
FC: Radloff, US, between pp.94-95 (3)
ED: Radloff, US 55, pp.94-97, 232 (Malov);
cf. Arat 1965, p.268ff (notes)

Yablira wills his property to his sons and wife:
to his son, Qutluy Buqa, go sums of money and household
goods (lines 1-4); to Tarmış Tutung go several
properties, some livestock and household goods (4-14);
to Tarmış, jointly with Çirquş, go several properties,
one of which is the subject of Nr.42 and is mentioned
in Nr.82 (14-23); to Tökel go a house, a cart, some
livestock and household goods (23-26). The penalties
for breach of contract are stated. [See infra, pp.142,245-246]

70. MS: T II Çiqtim Nr.5; 25 lines
FC: Arat 1964, 4 (lines 1-23)
ED: Radloff, US 78, pp.133-135, 237 (Malov)
(lines 1-23), US 82, pp.138, 237 (Malov)
(lines 24-25); Arat 1964, pp.62-63

Tösimi wills his home to his wife, Şilang, providing
that she look after his son, Altılaş Qaya, and not
marry again. Moreover, his other sons, Qoşang and
Esen, are not to attempt to marry Şilang, or suffer
severe penalties.⁴ [See infra, pp.153, 360]

71. MS: Ot-Ry. 1414b; 12 lines

FC: MS IV, 34

ED: Haneda-Yamada 1961, pp.201-202

Qaračuq [Yig Bört] wills his property to his unnamed son. There is a list of household goods, whose Turkic names are largely unknown, but this list is interrupted by a tear in the text. [See infra, pp.127,346]

72. MS: 3 Kr.31a; 11 lines

FC: none

ED: Radloff, US 112, pp.208, 249 (Malov)

This contract appears to concern the settlement of legal dispute: 1-4 men Yoga Basa Toyrlınlıq Sevig Buyruq birlėki Ćamllıq edqđ quturulmıř olar birlė bldıq qllıq b[irtim] "I, Yoga, have drawn up and given a document to Basa Toyrlı and Sevig Buyruq concerning the joint(?) litigation with them which has been concluded favorably (i.e., in my favor)". It is then stated that Yoga receives eight stır in cash which is apparently an amount of interest owed to him. The text is unclear. [See infra, pp.147,218,232]

73. MS: T I (M227); 8 lines

FC: none

ED: Radloff 1909, p.184; Radloff, US 6, pp.6, 77;

218 (Malov); Yamada 1965, p.151; Arat 1964, p.27

This contract concerns a dispute over the original document for the rental of a piece of property: 1-6
men Ara Temör Turıq bıtıq bızır men Turıñıñ borluqıñı
manga qılın birsiñ bız bıtıq ıdıl bıtıq ol sonq barın(?)
şın bıtıq ol tip şam şarın qılmaş men borluqın qaşan
tıleser neqçke me qaldırmaşın yandurup birör men yana
tonquz yıl adlamiñke altalı tambin söçşq yağanı kōni
birör men "I, Ara Temör, give this document to Turı.
I say that the original document for (the rental of)
the vineyard of Turı that was drawn up and given to
me is the ıdıl bıtıq, and is (sonq barın?) the genuine
original document, and I shall make no litigations.
When he asks for his vineyard, I shall return it to
him without retaining it on any pretext. Moreover,
I shall faithfully pay the rental price of sixty
tambin of sweet wine for the cultivation (of this
vineyard) during the Pig Year." [See *infra*, pp.219,
226, 228-230, 230-232, Chapter Four, note 4]

74. MS: T I D 135 (M205); 22 lines

FC: none

ED: Radloff, US 32, pp.48-49, 80, 222 (Malov)

This contract represents a pledge transaction between
Turı and an old man named Taşlıq. Taşlıq receives a
loan from Turı with which he will pay his creditors.

Turi will retain Tašiq's vineyard as security against repayment of the loan within three years. [See infra, pp.155, 219]

75. MS: T II Čiqtim 6; 9 lines

FC: none

ED: Radloff, US 64, pp.117-118, 234 (Malov)

This text is a contract under seal, but is otherwise of an obscure nature. It concerns, perhaps, the receipt of taxes: 4-6 bu ŋč stlr tanyā kōmōñi yunt yilqī tanyā kōmōñinga tudar men "I shall hold these three stlr in tanyā kōmōñ as their tanyā kōmōñ for the Horse Year". [See infra, p.181]

76. MS: 3 Kr.40; 8 lines

FC: none

ED: Radloff, US 127, pp.216, 258-259 (Malov)

This contract may be a promissory note. Following a list of goods and sums of money, we read: 6-7 men il ŋōñmiš oylum Ylp Tuymlışa Beq Tuymlışa Erindōks bīrdr men "I, il ŋōñmiš, will give (these goods) to my sons, Ylp Tuymlış, Beq Tuymlış, and Erindōg". The text is clumsily and simply written, and remains unclear.

77. MS: T II D 388[7338]; 14 lines

FC: none

ED: Radloff, US 62, pp.114-115, 234 (Malov)

This contract is a dependent promise, wherein Sadi receives goods from Adaq Totoq valued at 100 yastuq and contracts to sell them as his agent. If Sadi sells the goods for 100 yastuq, he will repay goods valued at 50 yastuq; if he does not, he will return the consignment. This interpretation is tentative due to the obscurity of the first lines of the text.

78. MS: Kr. IV 618; 14 lines

FC: Tikhonov 1966, p.240

ED: Tikhonov 1966, pp.240-241

This contract is drawn up by Mungsuz Qaya and addressed to Turaiš Temör, one of Tuyluy Temör's (1347-1363) officials in East Turkestan (see pp.109-110). It concerns a legal dispute over the original document for (the sale of?) a vineyard. [See infra, pp.109-110, 145, 219, 226, 302].

79. MS: 3 Kr.33a; 14 lines

FC: none

ED: Radloff, US 111, pp.206-207, 249 (Malov)

This contract represents a settlement of debts that have arisen during business dealings between Ozalî Toyriî and his younger brother, Bese Toyriî. There is a clause stating that Ozalî Toyriî shall undergo the penalties stated in the yasa for breach of contract. [See infra, pp.158, 360]

80. MS: T I; 7 lines

FC: none

ED: Radloff, 1909, pp.183-184; Radloff, US 5, pp.5, 77, 217 (Malov)

This is a duplicate document for a lost previous document concerning the sale of some animal skins by Turî to Ballîq and 'Omar. [See infra, pp.232-241]

81. MS: Roborovskij-Kozlov/Klementz; 8 lines

FC: Radloff, US, between pp.84-85 (1)

ED: Radloff, US 48, pp.83-84, 230-231 (Malov)

This is a duplicate document for a lost previous document concerning the receipt of five stlr in cash in interest by Qanturmiş Toyriî from Kedire. [See infra, pp.232-241]

62. MS: T I (M225); 25 lines

FC: La Coq 1919, 7; Arat 1964, 7

ED: Radloff 1909, pp.185-186; La Coq 1919, pp.

108-109 (inadvertently omits line 20);

Radloff, US 12, pp.12-14, 78, 218-219 (Malov);

Arat 1964, pp.66-67; Mori 1961, pp.135, 141,

145, et passim

Inč Buqa and Yaruq act as executors of their grandfather's estate; their grandfather is Tarbiš, who figures in Mrs.42 and 69. They assume responsibility for the payment of an outstanding debt for the purchase of a piece of property. Esen, younger brother of Inč Buqa, and Qara Tuyma, son of Yaruq, are the guarantors. [See infra, pp.159, 219, 320-324, 346-347]

83. MS: Roborovskij-Kozlov/Klementz; 8 lines

FC: none

MS: Radloff, US 49, pp.84-85, 231 (Malov)

This is a considerably damaged contract, whose nature is only partially indicated by: 4-8 bir yarım atır kömüñni men Temir altın biticini qaçan belqölep keiser aslyın bir baqlır kömüñni birörmen "I, Temir, have received one and a half atır in cash; when he comes and shows this document, I shall give him one baqlır in cash as interest". [See infra, p.219]

84. MS: 3 Kr.32b; 4 lines

FC: none

ED: Radloff, US 120, pp.213-214, 255 (Malov)

This contract represents a pledge transaction in which Ineči holds the vineyard of Alp Toyrl as security against the payment of seven kōri of Hyār-millet.

85. MS: Mannerheim acquisition; 11 lines

FC: Ramstedt 1940, 1

ED: Ramstedt 1940, p.5

This contract is drawn up by Toyinčuq, Tōšike, and Bansi, and states that Toyinčuq and Bansi will not be responsible for debts incurred henceforth by Tōšike in Tangutia and China. However, the three men, who are evidently business associates, will continue to share their payments of qalan. [See infra, pp.149,331,360-361]

86. MS: T I (M220); 28 lines

FC: none

ED: Radloff 1909, pp.187-188; Radloff, US 14, pp.16-18, 78, 219 (Malov)

A group of officials representing the community and people receive 100 rolls of iki yarlı baylıq bōz "two and a half bundled cotton cloth" from 11 xoja "the community Xoja", and hand over the qiančī

named Turl to Buda-širi to serve as a vineyard worker (on an in]a-vineyard?). At the same time, they take back the previous qalanč named Qara Toyla. Henceforth, Turl will not be subject to a variety of taxes (qalan, qurut, tādān, qabln). The latter condition may also be found in Nr.102, which deals with a vineyard worker on an in]a-vineyard. [See infra, pp.149-150, 179-180, 219, 221, 335-336]

87. MS: Sino-Swedish expedition of 1953 at Idikut-šāhri; 4 lines

FC: Feng-Tenišev 1960, between pp.141-142

ED: Feng 1958; Feng-Tenišev 1960, pp.143-144;
cf. Yamada 1972, p.99

This is the detached receipt for the sale price of the slave boy, Pintung, in Nr.58. [See infra, pp. 106-108; 271, 346]

88. MS: 3 Kr.31c; 7 lines

FC: none

ED: Radloff, US 126, pp.215-216. 25R (Malov)

Basa Temir and Ked Taš receive 3 atir and 6 baqir in cash for 1 šiq and 2 kčri of barley [arpa: metathesis for arpa], and will deliver the barley to Ačiq(?).

89. MS: 3 Kr-31b; 7 lines

FC: none

ED: Radloff, US 125, pp2215, 257 (Malov)

Kesin Arslan and Balben receive 5 stlr and 5 baqlr of the 6 stlr and 6 baqlr owed(?) them by the baq. However, the baq has caused the remaining sum to be renounced (bošut-; cf. ED 378), so that the two men have received it from Esas Toyrlil. Unclear.

90. MS: T II D 373a; 10 lines

FC: none

ED: Radloff, US 83, pp-136, 237 (Malov)

Titau-šila receives 72 kičio from Kintsun-šila.⁵
[See infra, p.331]

91. MS: T II D 373b; 7 lines

FC: none

ED: Radloff, US 84, pp-139, 238 (Malov)

Toyln Quli and Kintsun-šila have come and taken an old mattress and an old tamen čindar(?) of Kintsun-šila's. Not clear. [See infra, p.302]

92. MS: 3 Kr.37a; 4 lines

FC: none

ED: Radloff, US 117, pp.212, 253 (Malov)

Iličak and Outluy Bort receive some amount of some grain (damaged) from the granary(?) of Ineči. [See, p.331]

93. MS: 3 Kr.32a; 6 lines

FC: none

ED: Radloff, US 124: pp.215, 257 (Malov)

Some person (damaged) receives 80 kāri of gyōr-millet from the city of Lōkčang. This reading is dubious, inasmuch as ten kāri are equivalent to one šig (see p.377) and measures in excess of ten kāri are always given as one šig and (X-number of) kāri, and so on.

94. MS: T I (M224); 11 lines

FC: Arat 1964, 6

ED: Radloff, US 40, pp.57-58, 80, 223 (Malov);

Arat 1964, pp.65-66; Arat, Der Herrschertitel

Idug-qut, UJ XXXV, 1963, p.153; Yamada 1964,

p.29; Tikhonov 1966, p.35

Sevinč swears to the truth of the figur : concerning his property and people that he has had written down in the "great register". [See infra, pp.219, 252-255]

95. MS: T I; 9 lines

FC: none

ED: Redloff, US 41, pp.58-59, 80, 223 (Malov)

A1[...] swears to the truth of the figures concerning his property and people that he has had written down in the "great register". [See infra, pp.219, 252-255]

96. MS: Photographed by Malov in Urumči in 1913; 28 lines

FC: Malov 1951, between pp.200-201

ED: Malov 1951, pp.201-204; Adams 1968, pp.53-57

This is a petition written by Pintung, who figures in Nr.58, wherein Aday Tutung sells him as a slave to Sivšay Tayši, and in Nr.60, wherein Sivšay Tayši frees him from bondage. The latter text is a boš bitiq "deed of manumission" dated perhaps the same or a few days later (damaged) than Nr.58, which indicates that Sivšay Tayši bought Pintung for the sole purpose of freeing him. In 96:5, a direct reference is made to Aday Tutung: men Pintung Adayning evintin šerte "when I, Pintung, left the house of Aday", 6-9 šidiqinte bitiq užik nom bošyut [šer]enmiş ädän netaq erser toyl bolup toylın täršinte yorlyay nu men aqınlıp "(being unable to perform any heavy labor) and thinking that since I had learned writing and the scriptures in my youth, I would become a monk and live in accordance

with the laws of monks". Consequently, Pintung requests the protection of the Chinese tayšis, headed by Tigdy Tayši, who take the boy into their service in return for his eventual manumission. Although, it does not appear in this text, it is obvious that Sivšay Tayši purchases Pintung for this purpose, and that the deed of manumission stamped with the seal of the beg of a chiliarchy mentioned in 96:18-19 is the document Nr-60. However, Tigdy Tayši asks Pintung to let him keep the boš bitiq for safekeeping because: 22 yoq qilyay sen "you will lose it". When Pintung later asks for the return of the document so that he can leave the service of the tayšis and enter a monastery, his master claims that Pintung himself has lost the document and furthermore threatens to call him as a slave (legally, without the boš bitiq as proof, Pintung is still a slave). The specific nature of Pintung's petition is uncertain, since, after this historical narration of his complaint, the text ends: 35-36 beglerin buyanlayu taoyurgayu yarliqasar kängölkerä uqa yarliqazunlar "when my lords (to whom the petition is addressed) exercise their merciful and gracious kindness, may they do so with compassion and understanding". The "Pintung" group of texts form the only episode of a single individual's life in all of Uyyur literature and are thus of a unique value. [See infra, pp.220, 243-245, 249, 326]

97. MS: T I (M221), Murtuq; 66 lines

FC: Arat 1937

ED: Radloff 1909, pp.191-193; Radloff, US 22,
pp.28-32 (omits first 8 lines), 79, 220 (Malov),
Vernadsky 1935; Arat 1937; cf. von Gabain,
PTF II, p.184; Arat, Der Herrschertitel
Idug-qut, UAI XXXV, 1963, p.153

This is a long but somewhat repetitious petition from a group of in]u-vineyard workers to Tugluy Temür, ruler of the Čayatai realm from 1347 to 1363. Lines 1-44 of the text constitute a history of the taxation of these vineyard workers under previous rulers, each section following the format: "In the reign of [Name of ruler set in 'honorific lift'], [Names of tax collectors] came and levied the qalan, and there was no qalan levied upon the in]u-vineyard workers." Many of the names of these rulers are missing or damaged, but can be reconstructed, as I have done above (see pp.17-20). A second section of the petition occupies lines 44a-51, and states that since the reigns of these above-mentioned rulers, the vineyard workers have cultivated their vineyards and gone along giving strength to their Xans without being subject to any other alkan yasaq. A third section consists of lines 52-66, which are written by a different scribe with

with a different dialect (line 48 edle-, but 55 lyle-), and speak about the prosperity which the injo-vineyard workers have brought to the government's vineyards. Lines 62-65 are the key to the petition: bir kiŋi iki [t]udzun tiser [bay]lar [xan]alzninq ol alban biznino ol "If it is said 'One person shall be subject to two (forms of) alban', (then) the vineyards are our Xan's, the alban is ours". It is my view that work upon injo or crown lands⁶ was one form of alban, and the levy known as galan was another form of alban. Workers upon injo properties were normally exempt from galan and other taxes (see Nrs.86, 102, 103), just as these vineyard workers in Nr.97 had always been exempted. Evidently, Tuyluy Temür, or the local officials of this ruler, have introduced an additional form of alban, such as the payment of galan. Therefore, the vineyard workers petition their ruler to take back his vineyards— that is, to relieve them of their work upon the vineyards— and allow them to pay only the newly imposed alban. [See infra, pp.17-20, 98-99, 108, 122-123, 144, 146, 148 150, 154, 158, 247, 248,249]

98. MS: T II 035; 5 lines
FC: Arat 1964, 11
ED: Arat 1964, pp.70-71

Six local officials— Qutluy Qaya, Temür Turmıš, Qalladı, İl Temür, Maši, and Balta— order Gurlıçulu to pay two and a half rolls of cotton cloth to Temür Qaya as the sale price of a set of clothes.

99. MS: T I; 18 lines

FC: none

ED: Radlof?, US 24: pp.33-34, 79, 220 (Malov);
cf. Arat 1964, p.27

Ara Temür issues a decree to Turı Baxdı, stating that since the community has seized Turı's vineyard and sold it to Inalyuč, Turı is to be compensated by another vineyard. The text continues:

- 11 töleč quruy qaimayın tiser sen
- 12 senteki İdış bitiqni birip
- 13 manga čin baš bidıq qılıp
- 14 İdyıl bidıq kelmişte ornın-
- 15 -ta borluq tilap alayın sanga
- 16 borluqunonıne sadıyın kóz yarıqla
- 17 qılıp qodayın bolmaza sen quruy
- 18 qaldačing

"If you say 'Let me not remain without compensation and without the land [quruy 'dry']', then give me the İdış bitiq that you have and make out and send to me a genuine original document. When the document

comes, (and it states) 'I desire and wish to receive a vineyard in replacement (for the seized vineyard)', I will draw up and place (aside) for you the sale price of your vineyard in the first ten days of Autumn. Otherwise (i.e., if you do not send the document), you will remain without the land [quruy 'dry']". [See infra, pp.155-156,219,226,228-232]

100. MS: T I; 16 lines

FC: none

ED: Rauloff 1909, p.191; Rauloff, US 17, pp.23-24, 79, 219 (Malov)

Representatives of the community and the people issue a decree to the haga of Suyar:

- 5 sizlerte Toyin Qull Acharl-
- 6 -ning Qzoklga Turining
- 7 oq yirning ba bitig
- 8 bar ermish ol bitig Qo Qe
- 9 Qisalta qayuta bolgar tilep
- 10 Yimlaga birip Yimlstin
- 11 oq tilep allnqlar Turiga
- 12 uluy qaryada bolup turur osal
- 13 qilmanqlar Yimlaga suz
- 14 sen Suyarlartln Turining
- 15 bitiqin allp birqil sen ok
- 16 tapdurup birqey sen

"You (the Suyar lords) once had an original document for the land of Turi in the handwriting of Toyin Qull Ačari. Wherever that document may be in Qočo Qlell, search for it and give it to Yimlš. Then, ask for it back from Yimlš. There has developed a great legal dispute against Turi, so do not be negligent (in this matter). The order for Yimlš: You will receive Turi's document from the Suyars, and then give it back. You will hand back (the document to them)." [See infra, pp.220, 226]

101. MS: T II Čiqtim 1; 4 lines

FC: none

ED: Radloff, US 69, pp.121-122, 235 (Malov)

This decree, which contains two separate orders, has been quoted in full above. [See infra, pp.151, 159, 247,248]

102. MS: T I D 200 (M223); 13 lines

FC: none

ED: Radloff 1909, pp.190-191; Radloff, US 21, pp. 27-28, 79, 220 (Malov); Arat 1937, p.107, no.1

This is a decree from officials of Tuxluy Temür (see p.109) to representatives of a community. It concerns the disposition of in q-vineyard workers:

- 2 [...]yi Qaya ming Qaya ikeqū erk yoo
- 3 onluc inǰārtin inǰā borluqqā
- 4 edieqūǰi bir erkliq kiǰi birzān
- 5 timā āǰān biz Turalā Temār Tākel
- 6 Qaya Keray Kūǰ Temār baǰlly beq-
- 7 -ler bu Altun Qayayaru(?) erk tudup
- 8 turur qalanin il ānqāninde(?)
- 9 āāā Buda-ǰiriā borluqǰi
- 10 birtimiz

"Because it has been said '[...]yi Qaya and Ming Qaya, hābe two of them, have no authority, and that a person with authority who will cultivate the inǰā-vineyard should be appointed from among the inǰā-people of the decade', we, the lords headed by Turalā Temār, Tākel Qaya, Keray, and Kūǰ Temār, hereby invest this Altun Qaya with authority. We have discharged (him of the responsibility of paying) his qalan before the community, and have given him as a vineyard worker to Buda-ǰiri." Since Altun Qaya is to perform inǰā-service, he will no longer be subject to payment of various taxes (qalan, qurut, tāāān, qabān, nor any sort of alban; see lines 12-13). [See infra, pp.109, 146, 150, 326]

103. AS: T I; 11 lines

FC: none

ED: Radloff, US 25, pp.34-35, 79, 220 (Malov)

Much of this decree is obscure, and in particular it lacks mention of the sender and addressee. It apparently provides that all the inig-vineyard workers shall go to work in shifts(?), and that, since these workers are still subject to payment of saliq, an obscure tax, three people— Nom Qull, Čidin and Bay Temdr— will pay their saliq for them. Unclear.

104. MS: T I; 15 lines

FC: none

ED: Radloff, 1909, p.185; Radloff, US 9, pp.
9, 78, 218 (Malov)

This decree speaks of a document sent to the ministers concerning the imposition of taxes. Nearly the whole of the text is unintelligible in its present state.

[See *infra*, pp.110, 151, 157, 220, 255-256]

105. ~~NS~~: Robotovskij-Kozlov/Klementz; 11 lines

FC: none

ED: Resloff, US 53(1), pp.90-92, 231 (Malov);
cf. Arat 1964, p.36

The recipient shall give one post-horse for two days from the riding horses quartered in the city to Adam Toyrl and Susang, who are coming to get horses from the Eastern army, and shall collect three baqlr as gubčir. [See infra, pp.151, 159]

106. MS: Boborovskij-Kozlov/Klementz; 9 lines

FC: none

ED: Radloff, US 53(2), pp.90-92, 231 (Malov)

The recipient shall give one post-horse from the horses that go to Ambi(?) to Yegenčsk and Turaiš, who are going to obtain the seven double bales(?) of cotton wool that are in Icqsln, and shall collect three baqlr as gubčir.

107. MS: Boborovskij-Kozlov/Klementz; 11 lines

FC: none

ED: Radloff, US 53(3), pp.90-92, 231 (Malov)

By order of Qačan Kōke, the recipient shall give one post-horse for two days from the riding horses quartered in the city to the ambassadors of Qorla, of the Xan, and of Soyts [SWQTW], who are coming to organize the wine pressing(?), and shall collect three baqlr as gubčir.

108. MS: Roborovskij-Kozlov/Klementz; 12 lines

FC: none

ED: Radloff, US 53(4), pp.90-92, 231 (Malov)

By order of Qorunčıl Oyul, the recipient shall give some number (damaged) of post-horses from the riding horses quartered in the city to Salyar, the wine-seller, who is coming to cultivate wine, and shall collect one and a half baqlr as qubčir.

109. MS: T II; 3 lines

FC: none

ED: Radloff, US 93, p.156

The recipient shall give: Ma]sm[a]d[a]rlarnıng bir yol atın Tayaqıtıqı yolčıga "one horse belonging to the Mazmadars to the traveller who is in Tayaqi".

110. MS: T II S 18; 6 lines

FC: Arat 1964, 9

ED: Radloff, US 71, pp.123-124, 235 (Malov);

Arat 1964, pp.69-70

The recipient shall give 20 batman of good wine that is stored at Keysedü Ačari's from the wine produced at Tuđqu to the ambassadors who are coming from the West, and shall hand over this wine to Esen and Atelz.

111. MS: T I (M68); 6 lines

FC: Arat 1964, 10

ED: Arat 1964, p.70

The recipient shall keep in the granary of Turfan
[TWRPⁿⁱ] one sh of meat and five tambin of wine
that will be given as watch provisions to the retinue
of the ambassador, Buyan Tamör, and will give them
to Taqış Qays. [See infra, p.149]

112. MS: 3 Kr.29b; 8 lines

FC: none

ED: Radloff, US 123, p.214, 256 (Malov)

A considerably damaged text that appears to concern
amounts of sydr-millet that are to be given to the
serly bayanlar "yellow nobles"(??). [See infra, p.148]

113. MS: T II D 146a; 10 lines

FC: none

ED: Radloff, US 65, pp.118-119, 234 (Malov)

The recipient shall give one sheep and a certain amount
of wine from the two sheep and two gap of wine (stored
somewhere?) to certain lords headed by Qara Noqoy and
[...] Xoja, who shall hold the tenth watch. Then, the
recipient shall give another gap of wine to the same
lords, who shall hold the third watch.

114. MS: T II D 238; 4 lines

FC: none

ED: Radloff, US 75, pp.129, 236 (Malov)

The vineyard(?) of Bikoš Buqa shall give one gap of wine as the watch rations that are due on the 26th day to Yeko Buqa, the ambassador of Yučin(?).

115. MS: T II D 68; 6 lines

FC: none

ED: Radloff, US 80, pp.137, 237 (Malov); cf.

Yamada 1965, p.25 (lines 3-4)

The house of Altin Sarly [very dubious reading of Yamada] shall give one gap of wine to Il Buqa, the ambassador, who shall hold the ninth watch.

116. MS: Istanbul University, Yıldız Saray; 5 lines

FC: Yamada 1968, 2

ED: Yamada 1968, pp.12, 24-25

The house of Altin [Sarly] (??) shall give one gap of wine to Berki Beg(?) and İringc Atay(?), who shall hold the fifth watch.

117. MS: T II D 321; 4 lines

FC: none

ED: Radloff, US 68, pp.121, 235 (Malov)

Saš Gays shall tend the livestock because it is his turn. Damaged and unclear text.

118. MS: T II D 238b; 8 lines

FC: none

ED: Radloff, US 76, pp.129-130, 236 (Malov)

An obscure text that concludes: 8 on biš badman min
me birzōn "he shall also give 15 batman of flour".

119. MS: 3 Kr.29a; 8 lines

FC: none

ED: Radloff, US 122, pp.214, 256 (Malov)

This is a roster of the number of men provided by various people to work for an unspecified person and purpose.

120. MS: SJ $\frac{\text{Kr.4}}{638}$ Paket 8; 200 lines

FC: Tikhonov 1966, pp.242-251

ED: Tenišev 1966; Clauson 1971

This is the longest and, in certain respects, most important Uyyur civil document that we have. It is a detailed account of the expenses incurred over a period of years by members of a single family which is, as pointed out by Clauson (1971, pp.169-170), the Toyrl family (see pp.174-176). The account book

may be divided into six sections, or "documents" as they are termed by Clauson. Each section relates to a different type of expense, which have been aptly summarized by Clauson:

"Two of the documents relate to funerals, IV to that of Inanču himself, and V to that of three relatives of the compiler: the financial summary in V aggregates the cost of the two funerals, and the postscript to VI also recapitulates the expenditure on a funeral which may or may not be that referred to in IV. Four of the other documents, I, II, III, and VI, relate to expenditures on weddings. It appears from lines 171ff. that, apart from two daughters who are specifically excluded, Inanču had two sons and three daughters, all of whom got married, but it is not clear that any of the documents relate to expenditure on these weddings, though some very well may. III seems to relate to expenditure on the wedding of the daughter of a man called Tođrīl 23 years previously, but there is nothing to show what relation, if any, she was to Inanču." (Clauson 1971, p.170)

There are only a few inaccuracies in this summary. Section III recounts the expenditure for the dowry of the daughter of Ūdōđ Tođrīl, not simply Tođrīl (see Chapter Four, note 7). The name Inanču as transcribed by Clauson throughout his edition is none other than the Ineđi of the "Tođrīl" texts as transcribed by Radloff-Malov (see p.175). This Ineđi

is identified as the older brother of Ozni Toyrl and Tökel Toyrl in Nr.38, and all are older brothers of Basa Toyrl in Nr.79. There can be little serious doubt that the Ineči of the "Toyrl" texts and the Inanču of the present text are the same man, so that this name must be amended to read, after the facsimiles of 120:105,122,132,171, *YN'NČY = Inenči or Inanči. The last section of this account book begins: 187 atam Basa Toyrl tiriginde "during the life of my father, Basa Toyrl". It is written by Teman, the son of Basa Toyrl, probably some two generations later. Thus, Nr.120 spans several generations, including those of several members of the Toyrl family who figure in other documents. [See infra, pp.131-132]

121. MS: T II(B2288a; 11 lines

FC: none

ED: Radloff, US 72, pp.124-125, 235 (Malov)

This is a ledger of amounts of cotton cloth delivered [-ke tecti "(so much cotton cloth) reached (someone)"] to various people.

122. MS: T I (M228); 10 lines

FC: none

ED: Radloff 1909, p.183; Radloff, US 4, pp. 4-5, 217 (Malov)

A ledger of various amounts of wine which are either rationed out or sold to various people. Arat suggested that this text, as Mrs. 94 and 95, had to do with a census, in that the amounts of wine indicated here are the amounts owed by the various people as a form of tax. (Arat 1964, p.33). It seems to me that there is no evidence in the text to support this interpretation, since the use of the dative -qa/-ka indicates that the wine is given "to" these people.

123. MS: T II D 147a; 20 lines

FC: none

ED: Radloff, US 74, pp.127-129, 236 (Malov)

This is a ledger of often quite large amounts of quang "regulation linen" that has apparently been given to various people, most of whose names appear to be non-Turkic. I must voice my suspicion that much of this text has been badly transcribed by Radloff; to note only one example, in the phrase in lines 5-7 occur both eliq and biq on as numerals for "50".

124. MS: T II B 21; 12 lines

FC: none

ED: Radloff, US 79, pp.135-136, 237 (Malov)

This ledger is a list of various types of mattresses which the compiler has given (i.e., sold) to various people.

X 125. MS: T II D 360; 40 lines

FC: none

ED: Radloff, US 91, pp.153-155, 239 (Malov)

This ledger is a list of various foodstuffs and provisions delivered to various people. There are two separate entries: 1-3 Bušači buyrug beqi bolmista birmišim "my deliveries when Bušači became the local governor were (etc.)" (cf. ED 387); 27-28 Udči buyrug beqi bolmista birmišim "my deliveries when Udči became the local governor were (etc.)". [See infra, pp.194-195]

126. MS: Ot.Ry. 2718b; 11 lines

FC: MS IV, 22

ED: Haneda-Yanada 1961, p.205

Only parts of five lines can be read, but these indicate that this text concerns measures of cotton seed either delivered to or received from various people.

127. MS: Ot.Ry. 1415; 29 lines

FC: MS IV, 15

ED: Haneda-Yanada 1961, pp.2202-203

This text is clearly labelled: 1 Qu[mar] Toyrlinlne
bie[im q]llalš otōqī "a register of the debts
accumulated by Qumar Toyrlī"; 28-29 Qumar Toyrlinlne
iki viltin berō munda birim qllē tēcīndī "such are
the debts which Qumar Toyrlī has undertaken to
accumulate over the past two years". Between the
two statements is a careful ledger of his debts and
creditors. It is interesting to note that these
debts were incurred in both Beš-ballq (lines 7,12,14)
and Qočo (lines 8,12). [See infra, pp.251-252]

128. MS: Ot.Ry. 2782; 9 lines

FC: MS IV, 23

ED: Haneda-Yamada 1961, p.205

This is a ledger of the interest received by a merchant:
1 yunt yllqī tōš kirdi "that which came in as tōš-
interest during the Horse Year". Throughout the text,
the verb is kirdi "(some measure of dry goods) entered",
and the kinds of interest include sōkti "bran", tarly
"millet", bišly tarly "cooked millet", kičiq čubayan
"small jujube fruits", uluy čubayan "large jujube
fruits", evin yayaq "assorted nuts and seeds", and
bilerōz "?". An interesting and significant text.

129. MS: T I O 176 (M207); 26 lines

FC: none

ED: Radloff, US 31, pp.46-47, 80, 222 (Malov)

This ledger begins: 1-5 lt yll onund syninattin berð
men Orauleynina birnið bœrninga peni "an account of
the rolls of cotton cloth which I, Orauley, have paid
since the tenth month of the Dog Year". These
payments include the following: 6-7 on bœr xanga birnið
"I paid ten rolls of cotton cloth (as a tax) to the Xan";
7-8 bir ton tœðonke birnið "I paid one set of (cotton)
clothing for the tœðon-tax", etc. [See infra, p.154]

+ 130. MS: T I; 15 lines

FC: none

ED: Radloff, US 33, pp.50-51, 222 (Malov)

This ledger begins: 2-3 temðr Buqaga [...] birnið
galan yarim bœz "the galan which was paid [...] to
Temðr Buqa was half a roll of cotton cloth". It ends:
13-15 bir xan[ga] birðr bœz tip bir bœz birnið yena
ilçike bir bœz birnið "I paid one roll of cotton cloth
designating it one roll to be paid to the Xan, and
paid one roll of cotton cloth to the ambassador".
[See infra, p.150]

131. MS: T I, 18 lines

FC: none

ED: Radloff, US 38, pp.55-56, 223 (Malov)

It is probable that Mrs.130 and 131 are disjointed pieces of a single ledger, as they are interrelated by a number of features. The present text begins: 1-5 yilan yilqı qalanqa ilçike birsişim Temör Buqaqa bir böz yana Beq Temör Buqaqa bir böz birdim "my payments of the qalan to the ambassador during the Snake Year. I paid one roll of cotton cloth to Temör Buqa, and still another roll of cotton cloth to the beq, Temör Buqa." [See infra, p.150]

132. MS: Roborovskij-Kozlov/Klementz; 10 lines

FC: none

ED: Radloff, US 54, pp.93, 232 (Malov)

Each of lines 1-8 of this text are constructed: [Proper Name] atı bış baqlr. The word at may be interpreted either as "name" or as "horse", so that this phrase may be read either as "the one named [X], five baqlr", or as "his horse (named [X]), five baqlr". Indeed, several of the proper names are suitable for horses: 3 qlr Čečaq "Desert Flower", 4 Yıqaldı "Destroyer", 6 Temir Aşaq "Iron Ankles(?)". The text ends: 9-10

birip dao alzun gubčirga "(the above-named?) shall give (the five baqır?) and receive a ch'ao paper voucher for the gubčir". Could this be a ledger compiled by a post-horse station master? [See p.151]

133. MS: Mannerheim acquisition; 19 lines recto, 1 verso

FC: Ramstedt 1940, 4

ED: Ramstedt 1940, pp.11-12

This ledger is a list of payments of various amounts of money by 19 different people. Each payment is expressed in the following manner: [X]tin bir viciroi stir biš baqır taqdi "From [X] arrived eleven stir and five baqır (or some other amount)".

134. MS: T I; 3 fragments of 3,1, and 4 lines each

FC: none

ED: Radloff, US 39, pp.56-57, 223 (Malov)

These fragments were edited out of order by Radloff, and should be ordered 3a-c,1,2a-d. Among the debris are found the words gubčir and at ulay "post-horse".

135. MS: Roborovskij-Kozlov/Klementz; 3 lines

FC: none

ED: Radloff, US 50, pp.85-86, 231 (Malov)

The writer of this text paid small amounts of money for certain items to Bolalā and Qallā. The purchased items are difficult to identify and their names were at least partially mistranscribed by Radloff (cf. ED 680 under goz).

136. MS: 3 Kr.30a; 8 lines

FC: none

ED: Radloff, US 118, pp.212-213, 254 (Malov)

This text contains a list of people who are to give or to receive an item that was transcribed by Radloff as čirql.⁷

137. MS: T I; 7 lines

FC: none

ED: Radloff, US 35, pp.52-53, 80, 223 (Malov)

This text is written by Kān Birmā Sengun, who states that he has received 82 units of regulation linen from Ōlēm. As a result of a sale of yurūt "yogurt", he has a sum of 666 units of regulation linen. After selling a jar of kōčī bor "Kuča wine", he has a sum of 390 units of regulation linen. Finally, after selling two jars of wine in Lōkčōng, he has a sum of 320 units of regulation linen. Not at all clear.

138. MS: T I; 6 lines

FC: none

ED: Radloff, US 36, pp.53, 80, 223 (Malov)

This text mentions Kdn Birmiš Sangun and was written in the same year as Nr.137. It states that a number of sheep and goats have died in their shelter. The writer has seen them and bought them(?), giving one of the milch ewes to Ineči, and selling one of the goats to Kdn Birmiš Sangun for ten units of regulation linen. The text is not clear.

139. MS: 3 Kr.30b; 4 lines

FC: none

ED: Radloff, US 119, pp.213, 254 (Malov)

This fragment mentions four tambin of flour and some yellow straw that: 1 Inečining tsang[Inqa] godup "is to be placed in the granary of Ineči". Tentative.

140. MS: 3 Kr.30c; 4 lines

FC: none

ED: Radloff, US 121, pp.214, 255 (Malov)

As Nr.139, this damaged text appears to concern the placement of various measures of tariy-millet in the granary of Ineči.

141. MS: Ol'denburg 9; 24 lines

FC: Malov 1932, 5

ED: Malov 1952, pp.140-143

This text lacks a beginning, but the first 15 lines appear to be a list of various animals, riding horses, and peck-esses, that are to be collected from various people. Lines 16-24, in the hand of a different scribe, begin with a date, but list amounts of money to be given by various people. The two sections must be related in some way, as they are on the same paper, but the nature of both eludes me.

NOTES TO CHAPTER SIX

1. The post-horse system is very old in Inner Asia. In the Mongol language of the rulers of the T'o-pa Wei dynasty (386-534), it is called *qian, which is found in Middle Mongol as jam and in Turkic sources as yam; cf. L. Ligeti, Le tabghatch, un dialecte de la langue sien-pi, Mongolian Studies, Budapest 1970, pp.294-296; P. Pelliot, Sur yam ou jam, relais postal, IP XXVII, 1930, pp.192-195. This word is not found in the Uygur civil documents, but the system is reflected in them; cf. M. Kotwicz, Contributions aux études altaïques. A. Les termes concernant le service des relais postaux, RO XVI, 1950, pp.327-355; Peter Olbricht, Das Postwesen in China unter der Mongolenherrschaft im 13. und 14. Jahrhundert, Wiesbaden 1954; Barthold, Turkestan Down to the Mongol Invasion, p.467; Clark 1973, p.186.
2. Chapter Nine of the Secret History of the Mongols concerns the disposition of the great variety of guards and watches under the Mongols, and might be expected to shed some light on these texts. See the convenient although not definitive English edition of this chapter by Kuo-yi Pao, Studies on the Secret History of the Mongols, IUP, UAS 53.

Bloomington 1965; cf. Barthold, Turkestan Conq
to the Mongol Invasion, pp.384-385.

3. The present documents contain valuable primary data on the systems of taxation current during the period of Mongol rule. Those scholars who have attempted to utilize this material have inevitably faltered on Radloffian mistranscriptions and misinterpretations; cf. Schurman 1956 and J. Masson Smith, Jr., Mongol and Nomadic Taxation, HJAS XXX, 1970, pp.46-85. Some remarks on the Mongol terms alban, qolan, qubdir, and γsssg, may be found infra, pp.146-159, but I have made no effort to present a systematic discussion of these and numerous other such terms and references in the present work.
4. The proscription against marriage of the sons to their father's widow is not, of course, the levirate, which specifically provides for the marriage of a widow to her husband's brother. This text confirms what Boyle has recently emphasized, namely, that the practice of the Turks and Mongols to marry without restriction the widows not only of brothers, but also of fathers and paternal uncles bears only a superficial resemblance to what anthropologists call the levirate; cf. John

Andrew Boyle, *The Thirteenth Century Mongols' Conception of the After Life: The Evidence of their Funerary Practices*, Mongolian Studies, i, Bloomington 1974, pp.6-7; Boyle, Juvayni, p.240; Barthold, Turkestan Down to the Mongol Invasion, p.390; Wittfogel-Feng 1949, p.18.

5. Here, the word kičig cannot mean "small (things)", and it may be a mistranscription. Arat has amended it to kičir, and apparently thinks of Mongol kičir "ends of a bow" (Lessing 464), which is also found in Siberian Turkic dialects as kečir "gristle, cartilage" (EWb 246; LSS 181); cf. Arat 1964, p.61.
6. Due to its complexity, I have studiously ignored the problem of the in]a institution in the present work. At least four texts, Nrs. 66, 97, 102, 103, deal with this institution, which essentially involved a special relationship between a ruler and a group of subjects assigned certain lands to cultivate or certain duties to perform, the proceeds of which labor belonged directly to that ruler. The word in]a is found as early as 925 A.D. in a Xotanese document that refers to the Turks: in]uwa ~ in]ū ~ i]ūva [= in]a] "domain, territory, people living in a certain territory"; cf. Even Hovdhaugen, *Turkish Words in Khotanese Texts*. A

Linguistic Analysis, Norsk Tidsskrift for Sprogvidenskap, XXIV, Oslo 1971, pp.191-192. Clauson suggests that the original meaning of the word may have been something like "family or clan property; a chief's own property" (ED 173). The origin of the word, which is certainly neither Turkic nor Mongol, is unknown (cf. TME II 220-225; Ewb 44). The Uyyur civil documents disclose that the performance of labor on in lands was one of the several kinds of tributes subsumed by the term alban, and that those who performed such labor were exempted from other forms of taxation.

7. Malov entered this word in the index as čirql~čayay~čiyay, without translation (US, p.254). A word čiyay has been read in KP II.2-4 in a context suggestive of some kind of textile fiber. Clauson thought it could be connected with Jarring 72 čiqs "wild hemp, a cord made of wild hemp" (ED 412; cf. Ewb 110). Hamilton, however, emended that reading to čiyari "a reel", which he considered to be a loanword from Iranian, probably Sogdian; cf. Hamilton, La Conte, p.60, n.II.3; ED 410 [čiyari "mill wheel, pulley; spinning wheel; cotton reel"]. In cursive Uyyur script, several of these readings are possible.

APPENDIX ONE:
CONCORDANCE OF PREVIOUS EDITIONS OF TEXTS
WITH ENUMERATION USED IN THE PRESENT WORK

Adams 1968 = Present Nr. 96		Haneda-Yamada 1961, 12b	125
Arat 1937	97	13	128
Arat 1964, I	70	HU see Le Coq 1918	
II	62	Jur see Malov 1951	
III	94	KE see Le Coq 1919	
IV	82	Le Coq 1918, 1	30
V	45	2	5
VI	110	3	41
VII	111	4	52
VIII	98	Le Coq 1919, 6	1
Arat 1965	42	7	82
Clauson 1971	120	Malov 1927, 1	21
DUD see Malov 1927		2	57
Feng 1954, I	46	Malov 1932, 1	68
II	49	2	65
Feng-Pint see following		3	66
Feng-Tenizhev 1960, 1	87	4	141
2	58	5	25
3	60	Malov 1951, 1	96
Hamilton 1969	35	2	37
Haneda 1916[1956]	43	7	5
Haneda-Yamada 1961, 7	71	13	41
8	127	16	52

Malov 1951, 19	31	Ramstedt 1940, I	88
27	7	II	89
28	28	III	44
MB see Malov 1927		IV	133
MO see Malov 1932		Tenisev 1965	120
Mori 1960	43	Tikhonov 1966, 240-241	78
MS = Monumenta Serindica		URD see Malov 1932	
PDP see Malov 1951		Urkunde see Le Coq 1918	
Radloff 1899, 1	53	US = Radloff-Malov 1928	
2	51	US Nr.1	9
Radloff 1909, 1	9	2	30
2	30	3	24
4	122	4	122
5	80	5	80
6	73	6	73
7	5	7	5
9	104	8	10
12	82	9	104
13	41	10	12
14	86	11	26
16	52	12	82
18	1	13	41
21	102	14	86
22	100	15	45
23	97	16	52
Radloff-Malov 1928 see US		17	100

US Nr. 18	= Present Nr. 1	US Nr. 61	= Present Nr. 67
19	31	62	7
20	8	63(1)	106
21	102	63(2)	106
22	97	63(3)	107
24	99	63(4)	108
25	103	64	132
27	7	65	69
28	28	66	52
29	13	67	51
30	47	61	54
31	129	62	77
32	74	63	16
33	130	64	75
34	11	65	113
35	137	66	27
36	138	67	16
37	6	68	117
38	131	69	161
39	134	70	14
40	94	71	110
41	95	72	121
47	3	73 + 81	62
48	81	74	123
49	83	75	114
50	135	76	114

US Nr.78 + 82=Present	Nr780	US Nr.120 = Present	Nr.84
79	124	121	140
80	115	122	119
81 (see 73)		123	112
82 (see 78)		124	93
83	90	125	89
84	91	126	88
85	15	127	76
86	29	Vernadsky 1936	97
87	32	Yamada 1961, I	34
91	125	II	20
93	103	III,1	36
98	64	III,2	22
107	38	III,3	48
108	39	III,4	22
109	40	III,5	23
110	55	III,6	17
111	79	Yamada 1964, 1	34
112	72	2	20
113	4	3.1	36
114	56	3.2	22
115	63	3.3	48
116	31	3.4	22
117	92	3.5	23
118	136	Yamada 1965, 1	20
119	139	2	5

Yamada 1965, 3=Present Nr221		Yamada 1972,2 = Present Nr.52	
4	14	3	54
5	13	4	55
6	18	5	55
7	1	6	57
8	30	7	58
9	26	8	53
10	28	9	51
11	31	10	60
12	25	11	62
Yamada 1968, 1	42	12	64
2	19	13	65
3	116	14	66
Yamada 1971	14	15	59
Yamada 1972: 1	50	Zieme 1974	33

APPENDIX TWO:
QUICK REFERENCE TO PUBLISHED FACSIMILES

- Nr=1 Yamada 1965,4; Le Coq 1919,6
5 Yamada 1965,2; Le Coq 1918,1
17 MS IV,37
19 Yamada 1968,1
20 MS IV,35; Yamada 1964,2; Yamada 1965,1
21 Yamada 1965,3; Malov 1927,1
22 MS IV,36,37; Yamada 1964,3
23 MS IV,32
25 Yamada 1965,6; Malov 1932,6
30 Yamada 1965,5; Le Coq 1918,1
33 Zieme 1974, pp.296-297
34 MS IV,34; Yamada 1964,1
35 Hamilton 1969, pp.40-43
36 MS IV,36; Yamada 1961,3
37 Malov 1951, pp.204-205
41 Le Coq 1918,2
42 Arat 1965,2
43 Yamada 1963,22; Haneda 1958,1
44 Ramstedt 1940,3
45 Arat 1964,8
46 Cleaves 1955,2; Huang Wen-pi 1954,104[94]
50 Yamada 1972,1
52 Yamada 1972,2; Le Coq 1918,3
54 Yamada 1972,3

- 55 Yamada 1972,5
- 56 Yamada 1972,4
- 57 Yamada 1972,6; Malov 1927,2
- 58 Yamada 1972,7; Feng-Tenišev 1960, pp.144-145
- 59 Yamada 1972,12; Ramstedt 1940,2
- 60 Yamada 1972,8; Feng-Tenišev 1960, pp.145-146
- 62 Yamada 1972,9; Arat 1964,5
- 65 Yamada 1972,10; Malov 1932,3
- 66 Yamada 1972,11; Malov 1932,4
- 67 US, pp.86-87(2)
- 68 Malov 1932,1-2
- 69 US, pp.94-95(3)
- 70 Arat 1964,4
- 71 MS IV,34
- 78 Tikhonov 1966, p.240
- 81 US, pp.84-85(1)
- 82 Arat 1964,7; Le Coq 1919,7
- 85 Ramstedt 1940,1
- 87 Feng-Tenišev 1960, pp.141-142
- 94 Arat 1964,6
- 96 Malov 1951, pp.200-201
- 97 Arat 1937
- 98 Arat 1964,11
- 110 Arat 1964,9
- 111 Arat 1964,10
- 116 Yamada 1968,2
- 120 Tikhonov 1966, pp.242-251

126	MS IV,22
127	MS IV,15
128	MS IV,23
133	Ramstedt 1940,4
141	Malov 1932,5

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B.A. in Linguistics, Indiana University,
Bloomington, Indiana (1968)

M.A. in Turkic Linguistics, Indiana
University, Bloomington, Indiana (1970)

Ph.D. Candidate in Altaic Linguistics,
Indiana University, Bloomington, Indiana
(1975)

M.A. Thesis: Utilizing Early Turkic Linguistic
Sources (Eighteenth Century Chuvash) (1970)

Ph.D. Thesis: Introduction to the Uyghur
Civil Documents of East Turkestan (13th-
14th cc.) (Defense: May 19, 1975)

Employment: U.S. Air Force, Security Service, Russian
Linguist, 1962-1966; Tours of Duty in
Turkey 1963-1965 and at National Security
Agency 1965-1966

Associate Instructor, Indiana University,
1971-1972

Lecturer, Indiana University, 1972-1975

Fellowships: National Defense Education Act, Title VI,
Fellowship, 1968-1971

Research Fellowship at József Attila
Tudományegyetem, Szeged, Hungary, Fall
1973-1974

Memberships: Mongolia Society
Inner Asian Society

Conferences: American Oriental Society, Cambridge,
Mass., April 16, 1971; read paper entitled
"The Chuvash-Mongol Relationship"

American Oriental Society, Chapel Hill,
North Carolina, April 19, 1972; read paper
entitled "The Language of the Turks of
Lobnor in Northwest China"

XVth Permanent International Altaistic
Conference, Vienna, August 7-12, 1972;
discussion of ongoing research in Altaic
Linguistics

Publications: Article: "The Turkic and Mongol Words in
the Latin Account of the Journey of
William of Rubruck (1253-1255)", Journal
of American Oriental Society XCIII, 1973

Article: "On a Mongol Decree of Yisün
Temür (1339)", Central Asiatic Journal
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Translations: modern Turkish poems of
Orhan Veli and Nazim Hikmet appeared in
Cantaloupe, Bloomington, Fall 1970

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Nazim Hikmet and Özdemir Ince appeared
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Review: of Y.T. Dzhangidze, Самыйский
словарь казахского диалекта азербайджан-
ского языка, Ural-Altaische Jahrbücher
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Review: of Кумыкско-русский словарь,
Ural-Altaische Jahrbücher XLIII, 1971,
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