

From Lawsuit Wrappers of China's Qing Dynasty to the “Site of the Central Party Department” Lawsuit Stamps of ROC

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1. The Brief History of Lawsuit Wrappers of China

In the past China, lawsuit paper (訴狀) meant a legal instrument filed to the court in accordance with the law, when one party submitted a plaint and stated the relevant facts & reasons to protect or realize his/her own rights & interests, or the other party raised a defense to the court against the claims & reasons of one party.

Lawsuit wrapper (狀面) referred to the cover, wrapper or front page of various lawsuit papers specially printed by the judicial department. In their lower left corner there was a preprinted charge amount in Chinese characters (namely the standard of litigation fee). Therefore, **the lawsuit wrapper is actually a kind of judicial stationery or judicial stamped paper.**

1.1. Lawsuit Wrappers of the Qing Dynasty (used from February 1910 to December 1911)

In the history of China, the lawsuit wrappers printed uniformly by the government began in the late Qing Dynasty (the empire existed from 1636 to 1911).

On 1 Dec 1907, the Ministry of Justice of the Qing Empire and other ministries announced to courtrooms at all levels in Beijing, that the Ministry would run a pilot on the lawsuit paper. The “Rules for the General Format of Lawsuit Papers” reported by the Ministry was approved by Emperor Xuantong on 2 Feb 1910. Then 12 “Dragon and Cloud Design” lawsuit wrappers were printed and issued (Figure 1).

The category, charging standard and purpose of these 12 wrappers was as the following table -



Fig. 1: one of the “Dragon and Cloud Design” lawsuit wrappers during the Qing Dynasty - unused criminal commission wrapper (刑事委任狀). Preprinted charging standard: 10 coppers of 16 per set. Overprinted with “Criminal Indictment Wrapper”, “Original Price Being Invalid” and “At the Command of the Ministry, Charging 30 cents of silver coin instead” in blue

No.	Category of wrappers	Charging Standard	Purpose
1	Criminal indictment (刑事訴狀)	10 coppers of 16 per set	Used for being submitted to the first tribunal by a criminal plaintiff
2	Criminal pleading (刑事辯訴狀)	Ditto	Used for being submitted to a tribunal by a criminal defendant
3	Criminal litigation (刑事上訴狀)	Ditto	Used for all criminal complainants, informants and protesters
4	Criminal commission (刑事委任狀)	Ditto	Used for a person entrusted by a criminal plaintiff and should be submitted together with the lawsuit paper
5	Civil indictment (民事訴狀)	10 coppers of 20 per set	Used for being submitted to the first tribunal by a civil plaintiff
6	Civil pleading (民事辯訴狀)	Ditto	Used for being submitted to a tribunal by a civil defendant
7	Civil litigation (民事上訴狀)	Ditto	Used for all civil complainants, informants and protesters
8	Civil commission (民事委任狀)	Ditto	Used for a person entrusted by a civil plaintiff and should be submitted together with the lawsuit paper
9	Limit (限狀)	10 coppers of 10 per set	Used for a person whose time limited by a court decision
10	Handing over (交狀)	Ditto	Used for a person who handed over his/her property, article and livestock related to the case
11	Receiving (領狀)	Ditto	Used for a person who received the property, article, livestock, stolen goods, etc. related to the case
12	Reconciliation (和解狀)	10 coppers of 20 per set	Used for both of the plaintiff and defendant after their reconciliation

The Ministry printed the guarantee wrapper and end wrapper in 1911(see the following table). It increased the quantity of lawsuit wrappers of the Qing Dynasty to 14.

No.	Category of wrappers	Charging Standard	Purpose
1	Guarantee (保狀)	10 coppers of 20 per set	Used for all guaranteed civil and criminal procedures
2	End (結狀)	Ditto	Used for all ended civil and criminal procedures

1.2. Lawsuit Wrappers of the Republic of China (used from April 1912 to December 1939)

After the founding of the Republic of China (abbreviated as ROC) on 1 January 1912, its Nanjing Provisional Government announced that “the laws of ROC have not yet been agreed and promulgated” and “temporarily follow the New Criminal Law implemented in the previous Qing Dynasty”. After the Beijing Government (successor of the Nanjing Provisional Government, which existed from March 1912 to June 1928) established its Ministry of Justice on April 21 of the same year, the Ministry removed the dragon design in the upper part from the “Dragon and Cloud Design” lawsuit wrapper during Emperor Xuantong period (changed to only text “司法部頒行” <issued by the Ministry of Justice>) and left only the cloud design in the lower part, and printed & issued new lawsuit wrappers (Figure 2-5).



Fig. 2: unused civil indictment wrapper (民事訴狀) of ROC. Preprinted charging standard: 10 coppers of 20 per set

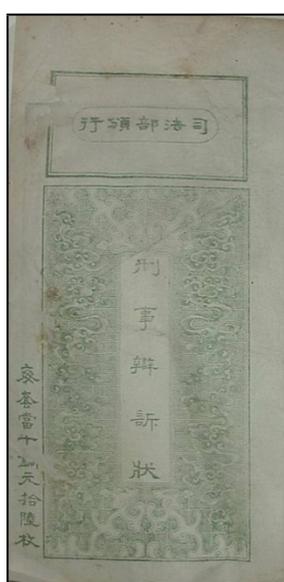


Fig. 3: unused criminal pleading wrapper (刑事辯訴狀). Preprinted charging standard: 10 coppers of 16 per set



Fig. 4: used civil litigation wrapper (民事上訴狀) dated on Aug 24, 1918. Preprinted charging standard: 10 coppers of 20 per set. Added to affix judicial stamps 2.95 dollars (local additional legal fee for a new case)



Fig. 5: unused criminal commission wrapper (刑事委任狀). Preprinted charging standard: 10 coppers of 16 per set. Overprinted with “Criminal Indictment Wrapper” in red

During the Beijing Government, the charging standard of lawsuit wrappers was adjusted as follows -

No.	Category of wrappers	Charging Standard	Purpose
1	Criminal indictment (刑事訴狀)	20 cents of silver coin per set	Used for being submitted to a tribunal or county office by a criminal plaintiff or informant
2	Criminal pleading (刑事辯訴狀)	Ditto	Used for being submitted to tribunals at all levels by a criminal defendant
3	Criminal litigation (刑事上訴狀)	Ditto	Used for all criminal litigants
4	Criminal commission (刑事委任狀)	Ditto	Used for a agent entrusted by a criminal plaintiff or informant, or a defender entrusted by a defendant
5	Civil indictment (民事訴狀)	30 cents of silver coin per set	Used for being submitted to the first tribunal by a civil plaintiff
6	Civil pleading (民事辯訴狀)	Ditto	Used for being submitted to a tribunal by a civil defendant
7	Civil litigation (民事上訴狀)	Ditto	Used for all civil litigants
8	Civil commission (民事委任狀)	Ditto	Used for all civil agents

9	Limit (限狀)	10 cents of silver coin per set	Used for a person whose time limited by government offices
10	Handing over (交狀)	Ditto	Used for a person who handed over the case to a government office
11	Receiving (領狀)	Ditto	Used for a person who received something related to the case
12	Guarantee (保狀)	30 cents of silver coin per set	Used for a person who provided a guarantee to a government office
13	End (結狀)	Ditto	Used for a person who provided an end to a government office
14	Reconciliation (和解狀)	Ditto	Used for the reconciliation between the plaintiff and defendant

After the Beijing Government enacted the “Regulations for the Criminal Procedure Law” and “Regulations for the Civil Procedure Law” on 1 July 1922, the designs of lawsuit wrappers of ROC were revised successively as the “Front View of the rebuilt Ministry of Justice” and “Front View of the Ministry of Justice” (Figure 6-8).



Fig. 6: used “Front View of the rebuilt Ministry of Justice” civil indictment wrapper (民事狀) of ROC, dated on Feb 28, 1919. Preprinted charging standard: 10 coppers of 20 per set. Added to affix 2 judicial stamps



Fig. 7: unused “Front View of the rebuilt Ministry of Justice” criminal indictment wrapper (刑事狀). Preprinted charging standard: 10 coppers of 16 per set. Overprinted with “Old Case” and “without Criminal Additional Fee” in red



Fig. 8: unused “Front View of the rebuilt Ministry of Justice” civil indictment wrapper (民事狀). Preprinted charging standard: 10 coppers of 20 per set. Overprinted “at the Command of the Ministry, Charging 30 Cents per Set Instead” in black

The Beijing Government enacted the “Revised Regulations for Lawsuit Papers” on 27 June 1923. Based on the previous 14 lawsuit wrappers, it newly added the civil protest wrapper and criminal protest wrapper (see the following table), and increased the quantity of lawsuit wrappers of ROC to 16.

No.	Category of wrappers	Charging Standard	Purpose
1	Civil protest (民事抗訴狀)	30 cents of silver coin per set	Used for all civil protesters
2	Criminal protest (刑事抗訴狀)	20 cents of silver coin per set	Used for all criminal protesters

The National Government of ROC established Nanjing as its capital in 1927. From December 14 of the same year, the Ministry of Justice issued the “National Government Office Design” and “Site of the Central Party Department” lawsuit wrappers with the portrait of Sun Yat-sen (Figure 9-13).

After the establishment of the Ministry of Justice & Administration on 16 November 1928, it reduced the previous 16 lawsuit wrappers to only 2 - civil wrapper and criminal wrapper (see the following table). They were used original design and colour, and issued from 14 February 1929.

No.	Category of wrappers	Charging Standard	Purpose
1	Civil wrapper (民事狀)	60 cents of national currency per set	Used for all civil procedures
2	Criminal wrapper (刑事狀)	30 cents of silver coin per set	Used for all criminal procedures



Fig. 9: used "National Government Office Design" limit wrapper (限狀). Preprinted charging standard: 20 cents of silver coin per set. Overprinted with "Civil Wrapper" instead (black). Dated on 8 Aug 1931

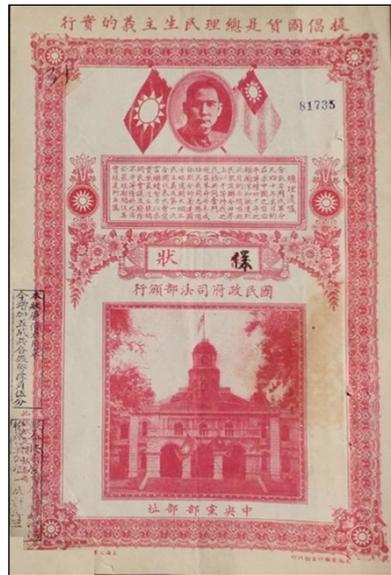


Fig. 10: used "Site of the Central Party Department" end wrapper (結狀). Preprinted charging standard: 30 cents of silver coin per set. Changed to "Guarantee" in handwriting and overprinted with "The original price of this paper is 30 cents, now charge 45 cents instead" in black



Fig. 11: used "Site of the Central Party Department" criminal indictment wrapper (刑事訴狀). Preprinted charging standard: 30 cents of silver coin per set. Dated on 12 Dec 1928



Fig. 12: used "Site of the Central Party Department" civil indictment wrapper (民事訴狀). Preprinted charging standard: 60 cents of silver coin per set. Dated on 15 May 1930



Fig. 13: used "Site of the Central Party Department" civil indictment wrapper (民事訴狀). Preprinted charging standard: 30 cents of silver coin per set. Overprinted with "at the Command of the Ministry, Increase the Price by 15 Cents" in black



Fig. 14: blue "Site of the Central Party Department" civil wrapper (民事狀). Preprinted charging standard: 60 cents of silver coin per set. Overprinted with "at the Command of the Ministry, Increase the Price by 30 Cents from 1 April 1929" in black. Dated on 18 Nov 1936



Fig. 15: blue "Site of the Central Party Department" criminal wrapper (刑事狀). Preprinted charging standard: 30 cents of silver coin per set. Overprinted with "Be Approved to Increase the Price by 15 Cents" in black. Dated on 27 Jul 1933

After 1931, the lawsuit wrappers were all changed to blue (Figure 14-15). Until 1939, because of the difficulty of wartime funds, the National Government decided to change those large wrappers since the Qing Dynasty into a kind of adhesive small wrapper from 1940, namely the lawsuit stamp.

Lawsuit stamps issued by the Ministry of Justice & Administration of the National Government, which used the same "Site of the Central Party Department" design as on the previous large wrappers. Maybe you already noticed that the buildings on Figure 9 and Figure 10 are exactly the same, but the names of the building printed on both of the wrappers are respectively "National Government Office Design" and "Site of the Central Party Department". Therefore, before starting to study the "Site of the Central Party Department" lawsuit stamps, it is necessary to give a brief introduction to the history of the building.

2. Brief Background of the Building - the Site of the Central Party Department

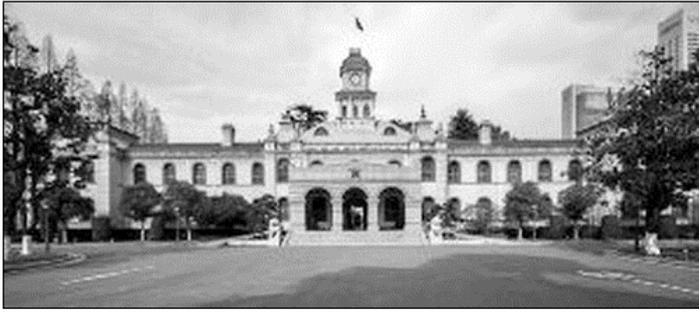


Fig. 16: Provincial Assembly of Jiangsu



*Fig. 17:
Mr. Sun Zhixia*

building of the Provincial Assembly. He was sent to Japan to investigate the building of the executive hall. After returning home he designed the building of the Provincial Assembly with the style of French palaces. The building was begun its construction in 1909 and completed in 1910. It was a brick & wood structure and was one of the earliest new buildings designed & built by Chinese architects in the history of modern Chinese Architecture.

After the outbreak of the 1911 Revolution in October 1911, many regions responded it in succession. On December 29 of the same year, representatives of 17 uprising provinces gathered in the conference hall of the Provincial Assembly. They elected Mr. Sun Yat-sen as the president of the provisional government, and announced that the country was named “the Republic of China”.

2.2. The Provisional Senate of ROC. The Provincial Assembly of Jiangsu was changed to the site of the Provisional Senate of ROC on 28 January 1912. On December 1 of the same year, Sun Yat-sen officially resigned his post as the provisional president of ROC there. Then the Provisional Senate was moved from there to Beijing on April 29.

2.3. The National Government Office and the Central Party Department. The ceremony for Nanjing as the capital of the National Government was held on 18 April 1927 in the building. First it became the site of the National Government Office, and then the site of the Central Party Department of the Kuomintang of China.

Before the fall of Nanjing in December 1937, the Central Party Department of the Kuomintang was moved to the West of China. Wang Jingwei's puppet National Government came into power in 1940 in Nanjing. The building was become the site of Wang's puppet Military Training Department, Overseas Chinese Affairs Committee, Borderland Committee, Relief Affairs Committee, Social Department, Military & Political Department, etc. After the surrender of Japan in 1945, the Central Party Department of the Kuomintang was moved back to its original site in Nanjing.

2.4. The Former Site of the Central Party Department of the Kuomintang. Nanjing was liberated on 23 April 1949. The former site of the Central Party Department of the Kuomintang was listed as a key national heritage conservation unit in July 2001. Now it is the location of Jiangsu Military Region and Nanjing Garrison Headquarters of the Chinese people's Liberation Army.

3. Studies on the “Site of the Central Party Department” Lawsuit Stamps

The “Site of the Central Party Department” lawsuit stamps issued by the Ministry of Justice & Administration of the National Government from 1940, which continued the design of previous “National Government Office Design” and “Site of the Central Party Department” lawsuit wrappers. They played a connecting role.

See printing processes and denominations of the “Site of the Central Party Department” lawsuit stamps as [Figure 18-24](#).



Fig. 18: civil stamp (60 cents).
Printed by the Zhong Hwa Book Co. (Hong Kong) in 1940



Fig. 19: criminal stamp (30 cents).
Printed by the Zhong Hwa Book Co. (Hong Kong) in 1940



Fig. 20: civil stamp (2 dollars).
Printed by the Chungking Branch Factory of Dah Tung Book Co. in 1942



Fig. 21: criminal stamp (1 dollar).
Printed by the Chungking Branch Factory of Dah Tung Book Co. in 1942



Fig. 22: civil stamp (10 dollars).
Printed by the Chungking Branch Factory of Dah Tung Book Co. in 1944



Fig. 23: criminal stamp (5 dollars).
Printed by the Chungking Branch Factory of Dah Tung Book Co. in 1944



Fig. 24: block of 6 of the criminal stamp (5 dollars) with side paper.
Printed by the Chungking Branch Factory of Dah Tung Book Co. in 1944

Due to the wartime inflations, at the command of the Ministry, these lawsuit stamps were mostly overprinted place-names or surcharged denominations by various localities in the later period (see part of them as Figure 25-31). Some of them were re-overprinted, even changed the purpose and used as other judicial stamps (Figure 32).



Fig. 25: multiple of Chungking Dah Tung print criminal stamp (5 dollars) in 1944, overprinted with the place-name "漢口" (Hankow) in purple



Fig. 26: Chungking Dah Tung print civil stamp (10 dollars) in 1944, overprinted with the place-name "漢口" (Hankow) in purple



Fig. 27: Chungking Dah Tung print criminal stamp (5 dollars) in 1944, overprinted with the place-name "粵東" (Eastern Guangdong) in purple



Fig. 28: Chungking Dah Tung print criminal stamp (5 dollars) in 1944, overprinted with the place-name "九江" (Kiukiang) in purple



Fig. 29: Hong Kong Zhong Hwa print civil stamp (60 cents) in 1940, overprinted with "暫作貳圓" (temporarily used for 2 dollars) in red



Fig. 30: Hong Kong Zhong Hwa print civil stamp (60 cents) in 1940, overprinted with "暫作貳圓" (temporarily used for 2 dollars) in red



Fig. 31: Chungking Dah Tung print civil stamp (2 dollars) in 1944, overprinted with "暫作拾圓" (temporarily used for 10 dollars) in red



Fig. 32: Chungking Dah Tung print criminal stamp (1 dollar) in 1942, overprinted with "暫作印紙" (temporarily used as other stamp) in black

← Fig. 29: Hong Kong Zhong Hwa print criminal stamp (30 cents) in 1940, overprinted with "壹元" (1 dollar) in black

The original denomination, overprint & surcharge, printing process and issue time of the “Site of the Central Party Department” lawsuit stamps are arranged as the following table -

No.	Change in denomination	Civil stamp (blue)	Criminal stamp (red)	Printer of original stamp	Issue time
1	Original denomination	60 cents (Fig. 18)	30 cents (Fig. 19)	Zhung Hwa Book Co. (Hong Kong)	1940
2	Overprint & surcharge	2 dollars (Fig. 30)	1 dollar (Fig. 29)	Ditto	From 1 Nov 1941
3	Original denomination	Ditto	Ditto	Chungking Branch Factory of Dah Tung Book Co.	30 Dec 1942
4	Overprint & surcharge	10 dollars (Fig. 31)	5 dollars	Ditto	From 1 Mar 1944
5	Original denomination	Ditto (Fig. 22, 24)	Ditto (Fig. 23)	Ditto	1 Mar 1944
6	Overprint & surcharge	20 dollars	10 dollars	Ditto	From 1 Sep 1944
7	Ditto	100 dollars	40 dollars	Ditto	From 1 Jan 1945
8	Ditto	500 dollars	250 dollars	Ditto	From 11 Sep 1945

Notes: a small number of lawsuit stamps were overprinted uniformly, and most of them were overprinted by localities

The “Site of the Central Party Department” lawsuit stamps were used until the end of 1946. They began to be replaced by the large wrappers and to be restored to use since January 1947. The main design of the latter is the site of the Ministry of Justice & Administration, commonly known as “Design of the Judicial Building” (Figure 33-34).



Fig. 33: used “Design of the Judicial Building” criminal wrapper (刑事狀), issued in Jan 1947. Without a preprinted charge amount, overprinted with “定價壹萬元” (priced at 10,000 dollars) in purple



Fig. 34: used “Design of the Judicial Building” civil wrapper (民事狀), issued in Jan 1947. Without a preprinted charge amount, charged litigation fee 2,600,000 dollars for a new case

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