This *Da Ming lü Jijie fuli* article cannot be found in the Da Qing lüli; the loss has been partly compensated by the 8 sub-statutes added to [律/lü 53 | Juyong youguo guanli 舉用有過官吏](https://lsc.chineselegalculture.org/eC/DQLL_1740/5.2.1.53), but the main consequence is that the important notion of 給由 : « career records » (Jiang Yonglin) disappeared from the Qing code

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[律/lü 59 | Guanli jiyou 官吏給由](https://lsc.chineselegalculture.org/eC/DMLJJFL_1610/8.2.1.59)

凡各衙門官吏，給由到吏部，限五日付勘完備，以憑類選銓注。若不即付勘完備者，遲一日，吏典笞一十，每一日加一等，罪止笞四十。首領官減一等。

若公私過名，隱漏不報者，以所隱之罪坐之。若罰贖記過者，亦各以所罰所記之罪坐之。若報重罪為輕罪者，坐以所剩罪。當該官司符同隱漏者，與同罪。承報而差漏，及上司失於查照者，並以失錯漏報卷宗科斷。

其漏附行止者，一人至三人，吏典笞一十，每三人加一等，罪止笞四十。

若有增減月日、更易地方、改換出身、蔽匿過名者，並杖一百，罷職役不敘。

有所規避及受贓者，各從重論。

*(See two sub-statutes after statutes translation and glossary)*

**Jiang Yonglin, *Great Ming Code* translation**

**Article 59 Career Records of Officials or Functionaries [ Guanli jiyou]**

[1] In all cases where each yamen submits career records of officials and functionaries [after the time due for scrutiny] to the Ministry of Personnel, [the Bureau of Evaluations] shall, within the time limit of five days, transfer [the records to each office for] verification and make them complete, according to which [officials and functionaries will be] selected in different categories and appointed [leixuan quanzhu]. If [the said bureau] does not transfer [the records for] verification and make them complete, for one day of delay functionaries shall be punished by 10 strokes of beating with the light stick. For each additional day, the penalty shall be increased one degree. The punishment shall be limited to 40 strokes of beating with the light stick.

The penalty for staff supervisors shall be reduced one degree.

[ 2] If [the officials or functionaries who shall have their career records submitted] conceal or omit their public or private transgressions and do not report, they shall be punished in accordance with the crimes that are

concealed. If the crimes are punishable by redemption or the recording of the transgression, in each case they shall also be punished in accordance with the crimes punishable by redemption or the recording of the transgression.

If they report their major crimes as minor crimes, they shall be punished in accordance with the crimes that are concealed. If the offices [which the officials or functionaries belong to] collude [with the officials or functionaries] and conceal or omit [the transgressions], they shall be punished the same. If they make errors or omissions in transferring [the reports of the officials or functionaries], or superior offices fail to verify [the reports], they shall be punished in accordance with "making errors or failing to report

archives" [Art. 72].

[3] If [the Ministry of Personnel] fails to attach records of conduct, for one through three persons, the functionaries shall be punished by 10 strokes of beating with the light stick. For each additional three persons, the penalty shall be increased one degree. The punishment shall be limited to 40 strokes

of beating with the light stick.

[ 4] If [the officials or functionaries who shall have their career records submitted, their offices, and the Ministry of Personnel jointly] change dates, places, or backgrounds or conceal transgressions, they shall all be punished

by 100 strokes of beating with the heavy stick; and they shall be dismissed from their appointments or employments and shall not be reassigned.

[5] If the crimes are committed to circumvent the law, or the acceptance of illicit goods is involved, in each case they shall be punished in accordance with the heavier penalties.

**Glossaire:**

jǐyóu 給由: career records ; état des services (CV ?)

官制名，由即由來、來歷。用之於人，即人之經歷、簡歷、履歷之意。最初出現在元朝，明清沿用。

Comm. This term completely disappeared from the Qing code, with the exception of incidental [條例/tiaoli 1](https://lsc.chineselegalculture.org/eC/DQLL_1740/5.3.6.144.1)

lèi xuǎn 類選 : Eng. appointment process ; Fr. nomination

依类选任

quán zhù 銓注 : Eng. selection procedure ; being selected ; Fr. procédure de recrutement (sélection ?)

谓对官吏的考选登录

[條例/tiaoli 1](https://lsc.chineselegalculture.org/eC/DMLJJFL_1610/8.2.1.59.1)

1. 凡官員三年任滿給由，以領文日為始。若到部過限四箇月之上，送問；一年之上，發回，致仕。其九年任滿者，一年之上，送問；三年之上，發回，致仕。雖有事故，並不准理。九年已滿，託故在任久住，不行赴部及不申缺者，參提究問，就彼革職回籍，冠帶閑住。

[條例/tiaoli 2](https://lsc.chineselegalculture.org/eC/DMLJJFL_1610/8.2.1.59.2)

1. 在外吏典，除役內丁憂及人多缺少，在官服役聽參外，若一考滿後，不行轉參，兩考滿後，不行給由，展轉掜故，在役管事，或歇役三年之上，就彼問發為民。中間雖有事故，亦不准理。其故違收參起送官吏，參問治罪。若兩考役滿，接喪丁憂服滿，遷延三年之上，不行起復者，亦發為民。其未及三年者，果有事故實跡，各該衙門保結起送，吏部查照定奪。雖在三年之內，起送過限到部者，送問重歷