[Da Qing lüli 大清律例 (1740)](http://lsc.chineselegalculture.org/eC/DQLL_1740/) → [目錄 | Content](http://lsc.chineselegalculture.org/eC/DQLL_1740/5) → [名例律 Mingli lü](http://lsc.chineselegalculture.org/eC/DQLL_1740/5.1) → [Mingli lü shang 名例律上名者，五刑之罪名。例者，五刑之體例也。](http://lsc.chineselegalculture.org/eC/DQLL_1740/5.1.1) → [Zhiguan youfan 職官有犯](http://lsc.chineselegalculture.org/eC/DQLL_1740/5.1.1.6)

**律/lü 6 | Zhiguan youfan 職官有犯**

**Officials Who Are Guilty of Misconduct**

凡在京在外大小官員，有犯公私罪名，所司開具事由，實封奏聞請旨，不許擅自勾問。指所犯事重者言，若事輕傳問，不在此限。若許准推問，依律議擬，奏聞區處，仍候覆准，方許判決。

若所屬官被本管上司非禮陵虐，亦聽開具陵虐實跡，實封徑自奏陳。其被參後，將原參上司列款首告者，不准行，仍治罪。

(1) In all cases involving officials at all levels, stationed in the capital or the provinces, if there are those who are guilty of misconduct that is designated as public or private, the appropriate office shall expose the facts with all their details in a well sealed memorial, requesting an imperial rescript; it is not permissible to arbitrarily seize and interrogate them. This regulation is directed towards those who are guilty of major misconduct; if the misconduct is minor, (the procedures for) convening a tribunal and carrying out an interrogation do not fall under these restrictions. If the investigation is permitted to go forward, make a preliminary decision in accordance with the appropriate statutes and a memorial should be submitted requesting imperial guidance. Only after such authorization is received, is it permissible to pronounce judgment.

(2) If subordinate officials have been subjected to unrighteous and oppressive treatment by a superior, they are allowed to present a true account of the facts of the unrighteousness and oppression ina sealed memorial submitted directly to the Emperor. Regarding those who, after being impeached, bring charges against the superior official who launched the original impeachment them, this is not permitted and, furthermore, is subject to punishment.

**Glossary**

fanzui 犯罪: to be guilty of misconduct

(gongsi) zui 罪: misconduct 公罪=public misconduct; 私罪=private misconduct. These terms are usually translated as public/private crimes or public/private offenses, both of which are misleading. The advantage of “misconduct” is that it is a generic term for all types of wrongdoing, regardless of whether it takes place within the public or private sphere or whether it is administrative or criminal in nature. Other possibilities that I considered and rejected are (1) “wrongdoing,” which is a bit more cumbersome, but has one advantage over “misconduct,” which is that we can use the word “wrongdoer” to refer to someone who is guilty of wrongdoing – both misconduct and wrongdoing mean the same thing and it is possible that wrongdoing might be the more useful term in the end; (2) “public and private transgressions,” which struck me as being too religious/moralistic, but has the advantage of having other verb/noun forms: “to transgress” and “transgesser.”

A note on gongzui and sizui: Gongzui always occur within the public sphere and do not encompass criminal acts, so translating these forms of misconduct as “crimes” is both confusing and incorrect. By contrast, sizi can take the form of major administrative offenses that take place in the public sphere, but also can take the form of criminal acts, such as murder, rape, or corruption (which are discussed in the criminal code). For this reason, characterizing “sizui” as “offenses” equally confusing and incorrect. In sum, the defining factor that separates « gongzui » from « sizui » is not the sphere (public or private) in which the misconduct takes places. Instead, the defining factors that separates the two types of misconduct are (1) the perceived level of gravity, and (2) the motivation (with or without self-interest) behind the misconduct. For this reason, I think that translating « gongzui » as « faute de service » should be avoided. I think that a more accurate translation might be something like : public misconduct (not motivated by self-interest)

Gongzui 公罪: public misconduct. Gongzui are types of misconduct that (1) occur within the public sphere, (2) are relatively minor in their effects, and (3) are not motivated by personal gain or self-interest.

Sizui 私罪: private misconduct. Sizui are types of misconduct that (1) can occur within the public or private sphere, (2) are relatively major in their effects (including serious administrative misconduct and criminal acts), and (3) are motivated by personal gain or self-interest (including administrative misconduct that is motivated by self-interest and criminal acts, which are always considered to be motivated by self-interest).

zuiming 罪名: Gongzui and sizui encompass many types of wrongdoing, not all of which are criminal in nature ; therefore, I think that is incorrect to translate « zuiming » as « qualification pénale ». I think that a better translation is simply « private or public misconduct » or, if we want to emphasize the « ming » in « zuiming », we can use one of the following constructions « misconduct that is designated as public or private » or « misconduct that falls under the rubric of public or private »

suosi 所司: the appropriate office. This refers to the office or official that has the authority to submit an impeachment memorial. Depending on the status of the official and the nature of the misconduct, different offices had the authority to submit a memorial. For local and prefectural officials, the appropriate office most often refers to the governor or governor-general, but (in some situations and regions) can also refer to the financial commissioner (in some situations and provinces). Who submits the impeachment memorial depends on the nature of the misconduct and the Board that will be responsible for dealing with the case. For the impeachment of governors, the appropriate office refers to the governor-general and for the impeachment of governors-general, the appropriate office refers to the governor. The only other office that has the right to impeach is the Censorate, which tends to carry out impeachments for capital officials, but has the right to carry out impeachments for provincial officials.

kaiju shiyou開具事由: to expose the facts with all their details

shifeng zou 實封奏: a well-sealed memorial

shanzi 擅自: on one’s own authority; arbitrarily

zouwen qingzhi 奏聞請旨: to submit a memorial requesting an imperial rescript. The memorial referred to reports the results of a preliminary investigation into an official’s alleged misconduct and requests imperial guidance as to how to proceed. Typically it starts with a phrase such as “the purpose of this memorial is to report a rumor concerning Official X,” or “the purpose of this memorial is to pass on information received from so-and-so regarding Official Y.” This document is not a formal memorial of impeachment; rather it is an informal report (because officials technically could not be investigated until they were impeached). In this memorial, the appropriate office discusses the results of the preliminary investigation into an official’s alleged misconduct and requests imperial authorization to launch a formal investigation. Upon receipt of the memorial, the emperor will do one of two things: (1) authorize the investigation and request that the office (that presented the original memorial) start investigative proceedings, but submit a routine memorial of impeachment (the formal document of impeachment) that restates the results of the preliminary investigation and formally requests permission to impeach; (2) not authorize the investigation, either because the evidence of the preliminary investigation was not convincing enough or because the emperor, for reasons of his own, does not want the official to be investigated (this only occurred in high-level cases involving high-level officials, in which the emperor took a special interest).

gouwen 勾問: to seize and interrogate

 réf. ZGGDFXCD p. 109 : 勾問， 提审犯罪

chuanwen : convening a tribunal and carrying out an interrogation

buzai cixian 不在此限: do not fall under these restrictions

zouwen quchu奏聞區處: to submit a memorial requesting imperial guidance

pan4jue3 判決: to pronounce judgment; to judge

jingzi 徑自: directly; not through an intermediary

**條例/tiaoli 1**

各處大小土官，有犯徒流以上依律科斷，其杖罪以下交部議處。

Concerning tribal chieftains at all levels and in every region who are guilty of misconduct that is subject to penalties of penal servitude, exile, and above, determine sanctions in accordance with the appropriate statutes. As for those who are guilty of misconduct that is subject to penalties of beating with the heavy bamboo and below, they shall be referred to the appropriate Board for disciplinary sanctions.

**Glossary**

tuguan 土官: tribal chieftains

[kē(kēduàn)](http://lsc.chineselegalculture.org/Glossary/Terms?ID=125) / 科(科斷) : to sentence ; to determine (a criminal ?) sanction. Question : does « keduan » always mean to sentence someone to criminal sanctions or can it be used for sentencing someone to administrative sanctions as well. In other words, is it a generic term meaning « to sentence » or a specific term meaning to « sentence someone to a criminal penalty » ? I believe that it can be used in both ways. Before including the reference to « criminal » we should make sure that it is never used in the context of administrative discipline.

[yì chǔ](http://lsc.chineselegalculture.org/Glossary/Terms?ID=208) / 議處 : to determine a disciplinary sanction

**條例/tiaoli 2**

廕生，及恩、拔、歲、副貢，監生有應題參處分者，聽各衙門題參。其例監生有事故應黜革者，不必題參，咨報國子監，國子監察明黜革，知照禮部。

Concerning *yinsheng* (Students by Inheritance), as well as *en* (Tribute Students by Grace), *ba* (Graduates for Preeminence), *sui* (Tribute Students), *fugong* (Tribute Students, Second Class), and *jiansheng* (Students by Purchase, Fourth Class) who should be impeached by routine memorial and sentenced to disciplinary sanctions, let each yamen submit routine memorials of impeachment. Regarding students by purchase, if there are those who should have their status revoked as a result of their actions, there is no need to submit a routine memorial of impeachment, but instead transmit a report to the *Guozijian* (Directorate of Education). The *Guozijian* shall fully investigate and manage the disenrollment, and inform the Board of Rites.

**Glossary**

yìn shēng 廕生 : Students by Inheritance. Hucker §7990

enyin jiansheng 恩廕監生: Hucker 1823: Tribute Students by Grace

bá gòng(sheng) **拔貢**: Hucker 4372: Graduate for Preeminence

sui歲: Hucker 5869: Tribute Students

fu gongsheng 副貢生 : Hucker 2071: Tribute Student, Second Class

jiàn shēng 監生: Hucker 356: Students by Purchase, Fourth Class

tícān 題參： to submit a routine memorial of impeachment. This is the formal document of impeachment and could only be submitted a few designated officials, including members of the Censorate and governors-general and governors (who had brevet rank in the Censorate), as well as high-level officials of the various Boards and, occasionally, other officials such as financial commissioners (unclear about the exact rules and situations for this). All other officials could only submit reports to higher level officials with the right to submit a memorial of impeachment.

chù[gé](http://www.zdic.net/z/pyjs/?py=ge2) 黜革 : to have one’s status revoked; to be disenrolled

zi1bao4 咨報: a report transmitted between equals

Guózǐjiàn  **國子監** : Université de l’État. Hucker § 3541 : directorate of education ; université des fils de l’État.

li jiansheng 例監生: students by purchase Hucker § 3596

**條例/tiaoli 3**

給劄歸農之人，若恣肆虐民，占人廬舍，奪人田土，擾害地方者，該督撫掣回官，照民例治罪。其入伍給劄官員有犯，交部議處。

Concerning civil officials who are issued written instructions from a superior official to return to the countryside (and retire from public life), if there are those who unrestrainedly abuse the people, occupy their homes, seize their lands, or cause havoc in the region, the appropriate governors-general or governors shall revoke their privileges and subject them to punishment according to the laws governing commoners. As for retired officials who join five-family mutual responsibility associations and are guilty of misconduct, they shall be referred to the appropriate Board for disciplinary sanctions.

**Glossary**

geǐzhá給劄 ： to be issued written instructions from a superior official; geǐ=to give, to provide, to grant, to issue; 劄 = a document; a contract, instructions from a superior official

guī nóng 歸農 : to return to the countryside (and retire from public life) (referring to an official who has retired or taken a leave from office); to retire from public life

chèhuí 掣回 (**撤回) : to revoke (an authorization or a privilege**

zhá zi 札（劄）子： an internal document ordering the transfer or the retirement of an official

ruwu 入伍: five-family mutual responsibility associations; to enter group of five families having mutual responsibility Mutual responsibility associations are one of the oldest Chinese institutions made up of groups of five families who life in the same area. By extension, the term also refers to enlistment in the army. QUESTION: IS THIS CORRECT? Mathews 7187 盧井為伍: the houses and the wells, i.e., families, grouped in fives who were responsible for each other

jǐ (geǐ) zhá 給劄官: a retired official; an official who has retired from public life

Fan gongsi zuiming 犯公私罪名 : commettre crime qualifié de [faute de] service ou de [faute] personnelle

Tout fonctionnaire grand ou petit, à la capitale ou en province qui commet un crime qualifié de [faute de] service ou de [faute] personnelle, le service auquel il appartient ayant établi les raisons de l’affaire, envoyer un mémoire véridique sous pli scellé en sollicitant un rescrit. Il n’est pas permis de le saisir et interroger de sa propre autorité (arbitrairement) ceci concerne ceux qui ont commis des faits graves, si les faits sont mineurs, la comparution et l’interrogatoire ne tombent pas sous le coup de cet article. Lorsque la permission de procéder à l’interrogatoire est accordée, dresser une sentence conformément à un article du code, l’envoyer par mémoire circonstancié, et une fois l’autorisation à nouveau accordée, il est permis de procéder au jugement.

 Si le fonctionnaire a été maltraité (opprimé, tyrannisé) par les supérieurs hiérarchiques du service auquel il appartient, le laisser aussi établir les preuves véridiques de la maltraitance et les envoyer sous pli scellé dans un mémoire explicatif transmis directement sans intermédiaire. Quant à ceux qui sont déjà sous une mesure disciplinaire et qui dénoncent les supérieurs du service qui les ont sanctionnés, ils n’ont pas droit à cette mesure, et sont encore jugés.

[zuìmíng](http://lsc.chineselegalculture.org/Glossary/Terms?ID=332) / 罪名
[fr] qualification pénale ; crime qualifié ;chef d’accusation Gongzui and sizui encompass many types of wrongdoing, not all of which are criminal in nature ; therefore, I think that is incorrect to translate « zuiming » as « qualification pénale ». I think that a better translation is simply « private or public misconduct » or, if we want to emphasize the « ming » in « zuiming », we can use one of the following constructions « misconduct that is designated as public or private » or « misconduct that falls under the rubric of public or private »

[gōngzuì](http://lsc.chineselegalculture.org/Glossary/Terms?ID=43) / 公罪
[fr] faute de service I agree that « gongzui » is a « faute de service. » However, there are many minor « sizui » that also fall under the category of « faute de service. » In other words, all gongzui are « faute de service, » but not all « faute de service » are gongzui. Gongzui are types of misconduct that (1) occur within the public sphere, (2) are relatively minor in their effects, and (3) are not motivated by personal gain or self-interest. Sizui are types of misconduct that (1) can occur within the public or private sphere, (2) are relatively major in their effects (including serious administrative misconduct and criminal acts), and (3) are motivated by personal gain or self-interest (including administrative misconduct that is motivated by self-interest and criminal acts, which are always considered to be motivated by self-interest). In sum, the defining factor that separates « gongzui » from « sizui » is not the sphere (public or private) in which the misconduct takes places. Instead, the defining factors that separates the two types of misconduct are (1) the perceived level of gravity, and (2) the motivation (with or without self-interest) behind the misconduct. For this reason, I think that translating « gongzui » as « faute de service » should be avoided. I think that a more accurate translation might be something like : public misconduct (not motivated by self-interest)

**Antonym(s)**: sīzuì

**Comments**: Faute commise par un fonctionnaire dans l’exercice de sa mission, qui n’engage pas sa responsabilité pénale aussi gravement qu’une « faute personnelle »

[sīzuì](http://lsc.chineselegalculture.org/Glossary/Terms?ID=82) / 私罪
[fr] faute personnelle I disagree with this translation (see comments under “gongzui”). I prefer something like “private misconduct (motivated by self interest)

**Comments**:

Faute commise par un fonctionnaire de son propre chef, sans qu’elle résulte de l’exercice de sa mission.

suosi 所司: le service auquel on appartient. I’ve translated this as “the appropriate office,” or the “jurisdictional office,” because it refers to the office or official that has the authority to submit an impeachment memorial. Depending on the status of the official and the nature of the misconduct, different offices had the authority to submit a memorial. For local and prefectural officials, the appropriate office most often refers to the governor or governor-general, but (in some situations and regions) can also refer to the financial commissioner (in some situations and provinces). Who submits the impeachment memorial depends on the nature of the misconduct and the Board that will be responsible for dealing with the case. For the impeachment of governors, the appropriate office refers to the governor-general and for the impeachment of governors-general, the appropriate office refers to the governor. The only other office that has the right to impeach is the Censorate, which tends to carry out impeachments for capital officials, but has the right to carry out impeachments for provincial officials.

shanzi 擅自: se permettre de, de sa propre autorité, prendre la liberté de ; arbitrairement

shifeng 實封: sous pli scellé

zouwen qingzhi 奏聞請旨: envoyer un mémoire [pour informer l’empereur] en sollicitant un rescript See my comments in the English glossary, above.

gouwen 勾問: saisir et interroger ; détenir pour interrogatoire

 réf. ZGGDFXCD p. 109 : 勾問， 提审犯罪

chuanwen : faire comparaitre (convoquer) au tribunal pour interrogatoire

buzai cixian 不在此限: n’entre pas dans les limites (d’un article du code) ; n’est pas régi par cet article

jingzi 徑自: sans intermédiaire, directement

[條例/tiaoli 1](http://lsc.chineselegalculture.org/eC/DQLL_1740/5.1.1.6.1)

各處大小土官，有犯徒流以上依律科斷，其杖罪以下交部議處。

Les chefs tribaux petits ou grands de chaque lieu qui se sont rendus passibles d’une peine de servitude ou d’exil, qu’ils soient condamnés conformément à la loi ; quant à ceux qui n’ont commis qu’un crime passible de bastonnade, les déférer au ministère des Peines NO!!! The Board of Punishments has nothing to do with disciplinary sanctions. The appropriate Board is most likely the Lifanyuan (depending on which group of tribal chieftains we are discussing and the nature of the misconduct). Depending on the nature of misconduct, it might also be dealt with by the Board of Rites or the Board of Civil Office (unlikely). If definitely will not be dealt with by the Board of Punishments, however, because there would be no reference to “chufen.” pour qu’il y soit délibéré de la sanction à leur appliquer.

[kē(kēduàn)](http://lsc.chineselegalculture.org/Glossary/Terms?ID=125) / 科(科斷)
[en] sentencing (select the punishment fitting the offence) [fr] condamner (qualifier, déterminer la peine en fonction du crime) . Since « keduan » can be used for the sentencing of crimes (punishable by one of the five punishments) or for the sentencing of administrative misconduct (subject to disciplinary sanctions), I would change this translation

[yì chǔ](http://lsc.chineselegalculture.org/Glossary/Terms?ID=208) / 議處
[fr] délibérer afin de sanctionner

[條例/tiaoli 2](http://lsc.chineselegalculture.org/eC/DQLL_1740/5.1.1.6.2)

廕生，及恩、拔、歲、副貢，監生有應題參處分者，聽各衙門題參。其例監生有事故應黜革者，不必題參，咨報國子監，國子監察明黜革，知照禮部。

Les étudiants à titre héréditaire, ainsi que les étudiants par faveur impériale, les étudiants de première classe, les étudiants de seconde classe, les étudiants de 4e classe à titre vénal, qui doivent faire l’objet d’une enquête et de sanctions disciplinaires, peuvent l’être ( ?) chacun dans son service ( ?). Quant aux étudiants à titre vénal qui du fait d’une affaire doivent être renvoyés, il n’est pas besoin d’une enquête disciplinaire, faire un rapport à l’Université d’État, qui instruira la destitution sous couvert du (en en informant le) ministère des Rites.

yìn shēng 廕生 Les étudiants à titre héréditaire

 Hucker §7990 : statut nominal d’étudiant au guozi jian ; subdivisé endeux catégories : enyin jiansheng (par faveur), nanyin jiansheng (par héroïsme)

enyin jiansheng 恩廕監生: étudiant par faveur impériale (

bá gòng(sheng) **拔貢**: étudiants de première classe

 Hucker 4372 : étudiants qui étaient spécialement sélectionnés en plus de ceux couramment admis (gonsheng) à l’université d’État.

Fu gongsheng 副貢生 : étudiant de deuxième classe

 Hucker §2072

jiàn shēng 監生: étudiant de 4e classe, élève de l’université d’État à titre vénal sous les Qing

 Hucker § 856.

Guózǐjiàn  **國子監** : Université de l’État

 Hucker § 3541 : directorate of education ; université des fils de l’État.

chù[gé](http://www.zdic.net/z/pyjs/?py=ge2) 黜革 : révoquer, destituer

li jiansheng 例監生: étudiants par achat, à titre vénal

 Hucker § 3596

Zhīzhào**知照** : sous couvert  de ? en informant une instance supérieure

tícān 題參： demander une enquête disciplinaire par un mémoire de routine

[條例/tiaoli 3](http://lsc.chineselegalculture.org/eC/DQLL_1740/5.1.1.6.3)

給劄歸農之人，若恣肆虐民，占人廬舍，奪人田土，擾害地方者，該督撫掣回官劄，照民例治罪。其入伍給劄官員有犯，交部議處。

Ceux qui ont reçu le document les autorisant à se retirer dans leur campagne ( ?), et se mettent à opprimer le peuple sans limite, occupant résidences et demeures d’autrui, saisissant les terres, troublant et abimant les lieux, que le gouverneur ou le gouverneur général révoque leur autorisation, et que leurs crimes soient jugés conformément aux règles appliquées aux gens du peuple. Si le fonctionnaire en retraite est entré dans une escouade de Cinq (ou a été incorporé à l’armée ?;ou si c’est un soldat retraité ?), qu’il soit transféré au ministère [des Peines — ou des Fonctionnaires, des Armes ?] afin qu’il y soit délibèré de la sanction à prendre.

**Glossaire**

jǐ (geǐ) zhá給劄 ： recevoir un ordre écrit (un document, un diplôme, une autorisation)

guī nóng 歸農 : 辭退官職返家務農

chèhuí 掣回 (**撤回) : retirer, révoquer (une autorisation, un privilège,…)**

guānzhá官劄 **:**

jǐ (geǐ) zhá 給劄官 : fonctionnaire retraité

zhá zi 札（劄）子：

 document interne, ordonnant le transfert, la délégation, ou l’envoi à la retraite d’un fonctionnaire

rùwǔ ： 1. entrer dans une escouade de Cinq ; 2. être incorporé à l’armée

 Comm. les escouades de Cinq sont une des plus vieilles institutions chinoises, qui instaure une solidarité fiscale et pénale entre des groupes de cinq familles vivant dans un même lieu. Par extension, le terme a fini par désigner l’enrôlement à l’armée.

[Da Qing lüli- version du Duli cunyi 大清律例-讀例存疑 (1906)](http://lsc.chineselegalculture.org/eC/DQLL_DC_1905/) → [目錄 | Content](http://lsc.chineselegalculture.org/eC/DQLL_DC_1905/3) → [Mingli lü名例律](http://lsc.chineselegalculture.org/eC/DQLL_DC_1905/3.1) → [Mingli lü shang zhi yi名例律上之一 名者，五刑之罪名，例者，五刑之體例也。](http://lsc.chineselegalculture.org/eC/DQLL_DC_1905/3.1.1) → [Zhiguan youfan 職官有犯](http://lsc.chineselegalculture.org/eC/DQLL_DC_1905/3.1.1.6)

律/lü 6 | Zhiguan youfan 職官有犯

凡在京在外大小官員，有犯公私罪名，所司開具事由，實封奏聞請旨，不許擅自勾問。指所犯事重者言。若事輕傳問，不在此限。若許准推問，依律議擬奏聞區處。仍候覆准，方許判決。

若所屬官，被本管上司非禮陵虐，亦聽開具陵虐實跡，實封徑自奏陳。其被參後，將原參上司列款首告者，不准行，仍治罪。

條例/tiaoli 1

各處大小土官有犯徒流以上，依律科斷。其杖罪以下，交部議處。

條例/tiaoli 2

蔭生有犯應題參處分者，聽各衙門題參。其文武生員，犯該徒流以上等罪，地方官一面詳請斥革，一面即以到官之日扣限審訊。不必俟學政批回，始行究擬。其情節本輕，罪止戒飭者，審明移會該學教官照例發落，詳報學政查核。貢監生有犯同。

條例/tiaoli 3

文職道府以上、武職副將以上，有犯公私罪名應審訊者，仍照例題參，奉到諭旨，再行提訊。其餘文武各員，於題參之日，即將應質人犯拘齊審究，如督撫同駐省分，一面具題，一面行知應承審衙門，即行提訊。

條例/tiaoli 4

凡參革發審之案，查明被參之人，如係同知、遊擊以下等官，遴委知府審理。係道府，副將等官，遴委道員審理。統令就近提齊款證，秉公確訊。其案內牽連被害之人無關輕重者，該道府審明錄供之後，即分別保釋。止將重罪要犯，帶至省內，由司覆勘解院審擬完結。

條例/tiaoli 5

凡被參革職訊問之員，審係無辜，即以開復定擬。不得稱已經革職，無庸議題。覆其原參，重罪審虛，尚有輕罪應以降級罰俸歸結者，開復原職，再按所犯分別降罰。

條例/tiaoli 6

盛京居住滿洲、蒙古、漢軍文武官員，除因公詿誤獲罪者，仍准本地方居住外，若犯係侵盜虧欠錢糧及姦貪訛詐等事降革者，均連其家屬，撥發各省滿洲駐防，交該管官嚴加管束。