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#### Appendix 4: Examples of Regulations and Penalties for the Conduct of Governors and Governors-general

The enormously complex nature of the tasks of a governor-general, who on the one hand was the "eyes and ears" of the emperor, and on the other the official chiefly responsible for the overall enforcement of the empire's laws and policies in the provinces, makes it extremely difficult to define his powers and responsibilities. This difficulty is reflected in the paucity of information on this subject even in the collected statutes of the Ch'ing dynasty. However, the researcher can learn something of the governor-general's powers and responsibilities implicitly from the regulations which define penalties for transgressions. The best source for this purpose is the 1892 edition of the *Ch'in-ting ch'ung-hsiu liu-pu ch'u-fen tse-li* [Imperially endorsed revised regulations on administrative punishments for offences categorized according to the six boards].<sup>1</sup> This book of regulations is prohibitive, punitive, and preventative in tone and purpose. It served to warn officials of the legitimate boundaries of their actions and the consequences of failing to conform to bureaucratic norms. By sifting through statements on what these officials were not permitted to do, and the consequences of failing to take a specific action or improperly fulfilling a certain responsibility, much may be learned about what was actually expected of them. One may, for example, acquire some notion of the conduct expected of a governor-general in reading that a demotion of three ranks is the penalty for failing to dispatch a certain routine report to a named board in the central government within a specified time and by an identified means of transmission.

It is clear from this that the governor-general was expected to work within a rigid bureaucratic protocol with precisely defined rules to follow even in the execution of routine business. In the 1892 edition of the *Ch'in-ting ch'ung-hsiu liu-pu ch'u-fen tse-li* there are a total of 299 regulations with specific and direct sanctions on governors and governors-general. Some of these regulations also cover such high provincial officials as financial commissioners and provincial judges. As a rule, the sample of these regulations given below excludes those of a more general nature. The regulations are found in all sections of the *Ch'in-ting ch'ung-hsiu liu-pu ch'u-fen tse-li* and are divided according to the jurisdiction of the six boards.

We may divide these regulations into six categories, according to the responsibilities they address. The first three are related to the role of the governors-general and governors as the "eyes and ears" of the court, namely, (1) impeachment, (2) evaluation and the recommendation of subordinate officials, and (3) reporting to the throne and the boards. Two additional categories (supervision and governance, and "other") deal with the role of these officials as the chief administrators in the provinces, and the sixth consists of regulations concerning their moral integrity. These categories have been determined by the presence in the regulations of certain common features, as follows:

##### 1. Impeachment

- a. Failure to discover the misdemeanors of a subordinate and as a result failure to impeach him
- b. Intentional concealment of the misdemeanor of a subordinate and failure to lodge an impeachment
- c. Delay in processing an impeachment
- d. Failure to follow proper procedures for impeachment
- e. Impeachment of a subordinate with insufficient evidence
- f. Intentional or unintentional provision of incorrect information in an impeachment memorial.

##### 2. Evaluation and Recommendation

- a. Bad judgement in the evaluation of subordinates
- b. Failure to recommend a meritorious subordinate

- c. Recommendation of a subordinate before carefully checking his performance and ability
- d. Willful distortion of the facts about a subordinate when recommending him
- e. Recommendation of a subordinate for a position for which he is not qualified or suitable.

### 3. Reports to the Throne and the Six Boards

- a. Failure to report important events or failure to make routine reports
- b. Submission of a report without first having carefully investigated the facts
- c. Failure to include important information in reports
- d. Submission of a false report in order to conceal one's own mistakes or the mistakes of one's subordinates
- e. Delay in the submission of reports
- f. Taking action without first reporting to the throne.

### 4. Supervision and Governance

- a. Failure to direct subordinates to carry out general policies or specific tasks
- b. Failure to complete a task within a stipulated time
- c. Failure to discover false information provided by subordinates
- d. Failure to take appropriate action after receiving reports from subordinates
- e. Negligence in taking preventive measures
- f. Failure to investigate a situation before taking action
- g. Failure to respond to the request of a subordinate
- h. Overall administrative ineptness<sup>2</sup>

### 5. Others

This category includes assorted regulations that deal primarily with transgressions of established rules.<sup>3</sup>

### 6. Lack of Personal Integrity

This category includes acceptance of bribes, extortion for personal gain, solicitation of bribes or gifts, working for private gain under the pretense of public business, and forcing subordinates to cooperate in illicit activities.

The regulations translated below have been selected, not for their intrinsic importance, but because they are representative of our six categories and illustrate to a certain degree, the complexity of the responsibilities of a governor-general and the constraints placed upon him.

Although this study is not particularly concerned with the differentiation between "private" and "public" offenses, we have included this distinction in each case for the reference of others. Essentially, "private offenses" are of three general types: those related to the advancement of one's personal interest, major administrative errors, and intentional misdemeanors. "Public offenses" are administrative mistakes that demonstrate no intentional motive of self-interest, and are generally of less consequence.

In the following charts, the 299 regulations are statistically divided into "private" and "public" offenses. These are correlated with government jurisdiction (that is, the board under which they fall), with the form of penalty, and with our six categories.

These statistical breakdowns reveal a particularly interesting feature: they demonstrate that the most severe penalties were for "private offenses." Of the thirty-eight offenses punishable by dismissal, thirty-five are classified as "private." This percentage gradually decreases as the severity of the punishment is reduced. For example, none of the offenses punishable by forfeit of salary are classified as "private." A quarter of the 286 regulations that deal with administration involve failures in the category of impeachment. Furthermore, a surprisingly large percentage of these are "private offenses" as well. The opposite is true of the category of supervision and governance, in which less than 6% of the regulations involve "private offenses." As expected, all offenses related to a lack of personal integrity are considered "private."

Number of Private and Public Offenses and Type of Punishment Under Boards  
By Government Jurisdiction

<i>Boards</i>	<i>Dismissal</i>	<i>Demotion and Transfer</i>	<i>Demotion with Retention of Post</i>	<i>Forfeit of Salary</i>	<i>Total</i>
Civil Appointments	20 (18- 2+)	46 (34- 12+)	17 (4- 13+)	22 ( 22+)	105 ( 56- 49+)
Revenue	5 ( 5- )	21 (18- 3+)	8 ( 8+)	20 ( 20+)	54 ( 23- 31+)
Rites	0	3 (2- 1+)	0	3 ( 3+)	6 ( 2- 4+)
War	9 ( 9- )	18 (10- 8+)	15 ( 15+)	18 ( 18+)	60 ( 19- 41+)
Punishments	2 ( 1- 1+)	12 (8- 4+)	10 (1- 9+)	39 ( 39+)	63 ( 10- 53+)
Works	2 ( 2- )	1 (1- )	4 ( 4+)	4 ( 4+)	11 ( 3- 8+)
<b>TOTAL</b>	<b>38 (35- 3+)</b>	<b>101 (73- 28+)</b>	<b>54 (5- 49+)</b>	<b>106 ( 106+)</b>	<b>299 ( 113- 186+)</b>

Number of Private and Public Offenses and Punishments Related to Duties and Conduct  
By Types of Failures

<i>Areas of Responsibility Where Failures Occur</i>	<i>Dismissal</i>	<i>Demotion and Transfer</i>	<i>Demotion with Retention of Post</i>	<i>Forfeit of Salary</i>	<i>Total</i>
<b>Administrative failure</b>					
Impeachment	15 (14- 1+)	51 (49- 2+)	7 (3- 4+)	5 ( 5+)	78 ( 66- 12+)
Evaluation and recommendation	3 ( 2- 1+)	13 (6- 7+)	3 (2- 1+)	7 ( 7+)	26 ( 10- 16+)
Reporting to throne and six boards	5 ( 5- )	7 (4- 3+)	5 ( 5+)	4 ( 4+)	21 ( 9- 12+)
Supervision and governance	2 ( 1- 1+)	20 (7- 13+)	38 ( 38+)	85 ( 85+)	145 ( 8- 137+)
Other	1 ( 1- )	9 (6- 3+)	1 ( 1+)	5 ( 5+)	16 ( 7- 9+)
<b>TOTAL</b>	<b>26 (23- 3+)</b>	<b>100 (72- 28+)</b>	<b>54 (5- 49+)</b>	<b>106 ( 106+)</b>	<b>286 ( 100- 186+)</b>
<b>Moral failure</b>	<b>12 (12- )</b>	<b>1 (1- )</b>	<b>0</b>	<b>0</b>	<b>13 ( 13- )</b>
<b>TOTAL</b>	<b>38 (35- 3+)</b>	<b>101 (73- 28+)</b>	<b>54 (5- 49+)</b>	<b>106 ( 106+)</b>	<b>299 ( 113- 186+)</b>

Key: - private offense; + public offense

*Examples of Regulations and Penalties for Governors-general and Governors*

If a governor-general or governor willfully distorts the facts about a subordinate when recommending him in a secret memorial, the governor-general or governor shall be demoted two classes and transferred, according to the regulation which applies to officials who wantonly recommend wicked persons to the throne. Private offense. The governor-general or governor should be exonerated from any responsibility if he is the one who later discovered the wrongdoings of that subordinate and initiated the impeachment proceedings.<sup>4</sup>

LPCFTL, chüan 4, p. 3b.

When an official is promoted and transferred as the result of a recommendation by a governor or a governor-general [under one of the two following circumstances], the name of the official and the name of the governor or governor-general who recommends him should be recorded by the Board of Civil Appointments so that in the future, when this official commits an offense, the governor or governor-general will also be held responsible:

1. [A circumstance in which] a governor or a governor-general memorializes the throne, pleading for approval of the promotion of a subordinate to a position for which he is not duly qualified in normal circumstances, and the emperor acts against the advice of the Board of Civil Appointments and on the basis of this special recommendation approves the promotion by issuing a special rescript.
2. [A circumstance in which] a recommendation was rejected by the emperor on the advice of the Board of Civil Appointments, but the governor or governor-general submits a specially prepared memorial pleading with the emperor to reconsider his decision because the official is urgently needed and uniquely qualified, and on the strength of this plea the emperor gives his approval, issued in a special rescript. . . . If in the future that official commits a private offense, one that is discovered by investigation, and if he is impeached by the superior official [the governor-general or the governor] who first recommended him, regardless of whether they were in the same province or in different provinces [at the time the offense was committed], the superior official shall not be punished. If a private offense is discovered and [results in] impeachment by other officials, the superior official [governor-general or governor] shall be punished. If it is an avaricious offense such as bribery, calling for a death penalty by decapitation or strangulation, the governor or governor-general who made the earlier recommendation shall be dismissed. . . . If the offense calls for a penalty of military service in a remote frontier garrison, the governor or governor-general shall be demoted three classes and transferred. . . . If the offense calls for a penalty of temporary banishment and flogging, the governor or governor-general shall be demoted two classes and transferred. . . . If the offense calls for dismissal, the governor or governor-general shall be demoted one class and transferred. . . . Public offense.

LPCFTL, chüan 4, p. 5a,b.

When an official holding a *fan-ch'üeh* [a troublesome and busy post] is transferred by the incumbent governor-general or governor back to a *chien-ch'üeh* [a simple and less burdensome position] because he is incapable of handling heavy responsibilities, the governor-general or governor who initially recommended the transfer of that official from a *chien-ch'üeh* to a *fan-ch'üeh* is to be demoted one class with retention of the post. Private offense. If an incumbent governor-general or governor, because he holds a grudge against his predecessor, intentionally acts overcritically toward an official his predecessor recommended, and unjustifiably transfers that official to a *chien-ch'üeh* . . . he shall be demoted three classes and transferred, according to the punishment for officials who harshly repress their subordinates. Private offense. If that man is indeed found to be incapable of handling the work of a *fan-ch'üeh* by officials other than the two governors-general or governors, the incumbent governor-general or governor, because of his tolerance of the mistakes of his predecessor, his procrastination, and his failure to impeach [his predecessor], shall be demoted two classes and transferred, according to the punishment for officials who practice favoritism. Private offense.

LPCFTL, chüan 4, p. 6a.

If a governor-general or governor, because of favoritism, engages in one of the following irregular appointment practices, he is to be demoted three classes and transferred. Private

offense. If the official so recommended is indeed an appropriate candidate [promoted without selfish motivation], he shall forfeit nine months of his regular salary. Public offense.

1. [A situation in which] a [provincial] *pu-hsian* position<sup>5</sup> is opened and the governor-general or the governor omits mentioning in his memorial the particular status of that position, proposing to fill it with someone he recommends; or simply filling it with someone he recommends, or simply filling it [without asking permission] by transferring one of his subordinates.
2. [A situation in which] the governor-general or governor, when requesting [permission] to fill a *liu-ch'ieh* position,<sup>6</sup> recommends someone whose status does not fit the requirements of that kind of position.
3. [A situation in which] when a *tiao-pu* position<sup>7</sup> is opened, the governor-general or governor fraudulently reports that there is no suitable candidate of appropriate rank, so that he can request the emperor's permission to fill that position by promoting an official of a lower rank.
4. [A situation in which] when a *t'i-pu* position<sup>8</sup> becomes available and the governor-general or governor recommends that the emperor fill it by promoting an official whose rank is much lower than that of the position, or fill it by promoting someone low on the promotion order list.

LPCFTL, chüan 4, p. 4a.

When a governor or governor-general memorializes [the throne] to impeach an avaricious and immoral or fatuous subordinate, he should clearly state [the following]: the name of the superior official who in a memorial originally recommended the guilty official; whether this superior official has previously exposed the misdeed of the guilty official and impeached him; and whether the superior official is currently in the same province (if he is not, the province to which he has moved should also be provided). If any of this information is missing, the Board of Civil Appointments should immediately investigate the matter. The governor or governor-general who fails to provide complete information should be demoted one class, with retention of duties, if the official is impeached for avariciousness and immorality. He should be fined one year's regular salary if the official is impeached for fatuousness. Public offense. The governor or governor-general should be dismissed if he is found to have unjustly sheltered and connived with the superior official who made the original recommendation. He should also be dismissed if it was he who made that original recommendation, and, in order to hide his former mistake, failed to [immediately] expose and impeach his subordinate. Private offense.

LPCFTL, chüan 4, p. 6a.

When an upright, honest, and benevolent official is demoted or dismissed due to some mistake made while carrying out his public duties, the governor-general or governor is permitted to memorialize [the throne] requesting permission to retain him in his post. However, if it is later demonstrated that the official thus retained has in fact always been a wicked and devious person, the governor-general or governor [who recommended him] shall be demoted two classes and transferred. Private offense.

LPCFTL, chüan 4, p. 8b.

When it is proven in a trial that a governor has been corrupt, the governor-general who failed to impeach him, shall be demoted three classes and transferred, regardless of whether the two have their yamen in the same city. The same applies to a governor who fails to impeach an avaricious governor-general. Private offense.

LPCFTL, chuan 4, p. 11b.

If a governor or governor-general, in an impeachment [memorial] to the throne, unjustly accuses an honest and upright official of being avaricious and morally inferior, the governor or governor-general should be dismissed. If the accusation is fabricated by a provincial commissioner, a taotai, a prefect, or a grain or salt intendant, this individual shall be dismissed. The governor or governor-general should be demoted three classes and transferred. All private offenses.

LPCFTL, chüan 4, p. 12b.

When a governor-general or a governor wrongly impeaches a subordinate because he has a grudge against that official, and when the more serious accusations in the impeachment have been proved in a trial to be totally unfounded, the governor-general or governor shall be dismissed. Private offense.

LPCFTL, chüan 4, p. 13a.

In accordance with the established regulations, when the magistrate of a district or a department is evaluated [in the triennial evaluation] as outstanding and distinctive, and consequently recommended [for promotion] by the prefect and taotai, the recommendation and its claims should be carefully scrutinized by the provincial financial commissioner and the provincial judge, under the direction of the governor-general and the governor. The result should then be reported to the throne in a memorial . . . In cases in which the governor-general and others used their power to coerce the taotai and prefect into making the recommendation, the taotai and the prefect may expose this directly to the Board of Civil Appointments or the Censorate: the governor-general, the governor, and the two provincial commissioners shall all be dismissed. Private offense.

LPCFTL, chüan 6, p. 3b.

If a governor-general or governor wishes to leave office for the purpose of mourning a parent, he must not simply leave the seal of his office with the acting official and depart. He should select a temporary provincial commissioner to look after his official correspondence and should wait with reverence for the arrival of the edict [permitting him to depart]. If the said official does not abide by this established regulation, he shall be punished with dismissal for violating the imperial order. Private offense.

LPCFTL, chüan 8, p. 1a.

The dates for the reporting of provincial financial accounts to the throne shall be recorded and checked by the Board of Revenue and the Board of Works. If a report [by the provincial authorities to the emperor] is three years or less overdue, the governor-general and the governor shall be spared the responsibility. If it is between three and four years overdue, the governor-general and the governor shall be fined one year's salary . . . If it is between six and seven years overdue, the governor-general and the governor shall be demoted one class and transferred . . . if it is nine years or more overdue, the governor-general and the governor shall be dismissed. Public offense.

LPCFTL, chüan 10, p. 8b.

The governor-general and governor are the highest provincial officials. If it is discovered that people in their provinces are forced to leave their homes to wander about in other places, leading miserable lives, neglecting their land, and failing to perform their labor service and pay their land taxes, or if there is generally no governance at all, the said governor-general and governor shall be dismissed. Private offense.

LPCFTL, chüan 14, p. 6b.

The governor-general and governor will be demoted by two classes and transferred if they fail to impeach a provincial judicial commissioner or taotai who in the trying of cases does not make his own decision, leaving such judgments completely in the hands of clerks who may then do evil things and easily conceal them from their superior. Public offense.

LPCFTL, chüan 14, p. 7a.

When a governor-general or governor from another province, any superior official of the same province, or an imperial commissioner travels through the territory of a local official, that official is permitted to greet or see off the travelling official within a distance of not more than two from the seat of his jurisdiction . . . The governor-general, governor, or other great official [mentioned above] shall be demoted by one class if he knows that a local official has violated this regulation and does not report it. He shall be dismissed, arrested, and tried criminally if he orders a local official to greet or see him off [when he travels through the territory of that official]. Private offense.

LPCFTL, chüan 15, p. 4b.

If a governor-general or governor uses his private servant as the gate porter of his yamen, he shall be dismissed. Private offense.

LPCFTL, chüan 15, p. 5a.

If a governor-general, governor, financial commissioner, or provincial judge orders his subordinate officials, clerks, or runners to enter or leave his yamen by the side gates, he shall be dismissed. Private offense.

LPCFTL chüan 15, p. 5b.

If a governor-general, governor, financial commissioner, or provincial judge dispatches his domestic staff to travel extensively in various *chou* and *hsien* [departments and districts] under the pretense of conducting an inquiry or investigation, he shall be dismissed. Private offense.

LPCFTL, chuan 15, p. 5b.

When the purchasing clerk in the office of a magistrate of a district in which a provincial capital is situated is asked to purchase materials needed in the yamen of a governor-general, a governor, a financial commissioner, or a provincial judge, the official [who orders this] shall be dismissed. Private offense.

LPCFTL, chüan 15, p. 5b.

Any governor-general, governor, financial commissioner, provincial judge, or taotai who uses various excuses to solicit irregular contributions from his subordinates during the year of "great reckoning" shall be dismissed, arrested, and brought to trial. Private offense.

LPCFTL, chüan 15, p. 5b.

A governor-general or governor is to be dismissed if he fails to impeach a high minister or a censor whose male children have presumed upon the position and influence of their elders and forced local officials to connive in their illicit activities. [Type of offense not given.]

LPCFTL, chüan 15, p. 9a.

A governor-general, governor, financial commissioner, or provincial judge shall be dismissed if, without a good and legitimate reason, he hires a *mu-fu* [private secretary] who worked for his predecessor in the same capacity and as a result makes it possible for this person to occupy continuously the same position in the same yamen. Private offense.

LPCFTL, chüan 15, p. 9b.

If a department or district magistrate, when collecting taxes, arbitrarily increases the amount of the *huo-hao* [meltage fee] or levies extra taxes [beyond the quota] without proper authorization, he is to be dismissed . . . After this [misconduct] is exposed and reported, the governor-general or governor shall be dismissed if he fails to impeach the offending official in a memorial. Private offense.

LPCFTL, chüan 25, p. 13b.

When the incumbent financial commissioner is leaving his post or preparing annual financial reports for the throne, the governor and the governor-general, if stationed in the same city, should go personally to the provincial treasury to check its contents against the account book. They then should sign a statement and report the result to the emperor. Also, on arrival at a new post and at the end of every year, the governor-general and the governor should go personally to the provincial treasury to carry out the same inspection. If, evidence is found of embezzlement, such as shifting funds without authorization or other malpractices, the governor-general or governor should immediately impeach the guilty official in a memorial. If the governor-general or governor is found guilty of collaborating with his subordinate by sheltering and concealing the misdeeds, he shall be dismissed also. Private offense.

LPCFTL, chüan 7, p. 1a.

When a governor-general or governor receives a report from a subordinate about the results of a natural disaster [in an area under his jurisdiction], and does not immediately report it in a memorial transmitted to the court by a most urgent courier service, he shall be dismissed. Private offense.

LPCFTL, chüan 24, p. 1a.

When a governor-general or governor coerces the financial commissioner into illegally shifting funds from one expenditure account to another, or into misappropriating funds, the financial commissioner is permitted to report this in a memorial to the throne. The governor-general or governor shall be dismissed and arrested for questioning. Private offense.

LPCFTL, chüan 27, p. 1a.



A governor-general or governor who allows a foreign tributary ship to leave without first memorializing the throne and asking for imperial instructions shall be dismissed. Private offense.

LPCFTL, chüan 35, p. 9a.

Provincial officials ordered to transmit funds to another province for military provisions should divide the funds into five parts. Half should be dispatched every year in April and the balance delivered in September. If the governor-general or governor falsely reports to the throne that the delivery has been completed, when in fact it has not, he shall be dismissed. Private offense.

LPCFTL, chüan 37, p. 3a.

If, after learning from the officials responsible for supervision and execution of a repair project on a warship that the project cannot be completed by the deadline, a governor-general or governor fraudently reports to the throne that the project was completed on time, he shall be dismissed. Private offense.

LPCFTL, chüan 38, p. 2b.

If a governor-general or governor conceals the misdeeds of a high-ranking military officer and does not impeach him when that officer allows his troops to burn the houses of law-abiding people, pillage their properties, and take their children captive, that governor-general or governor shall be dismissed. Private offense.

LPCFTL, chüan 37, p. 6a.

The financial commissioner or the salt or grain intendant is to be dismissed, if without first reporting to the governor-general and the governor he proceeds on his own authority to spend tax funds originally budgeted for military expenditures (such as building military camps or ships, and making helmets, armor, weapons, and equipment) for other purposes, and, furthermore, presumptuously enters these [unauthorized] expenditures into the annual financial reports presented by the governor-general and governor to the throne. Private offense. The governor-general or governor who presented this report shall be demoted four classes and transferred. Public offense. If a governor-general or governor is told [by the financial commissioner or the intendant] about the proposal to shift funds, and instead of memorializing the throne [asking for approval], the governor-general or governor gives permission without proper authorization, he shall be dismissed and ordered to pay restitution. Private offense. The financial commissioner or the intendant is not to be punished.

LPCFTL, chüan 38, p. 1a.

The trial of a case ordered by the emperor in a special rescript should be concluded within two months, and the trial of a case referred by a board or other capital offices should be concluded in four months, all dating from the arrival of the culprit at the court. These trials should be conducted personally by the governor-general or governor within the prescribed time. If he is unable to conclude the trial within the scheduled period because the necessary witnesses cannot be procured, or because he must absent himself to attend to important official business, he may be permitted to have an extension. The length of this extension is determined by the established regulations. For a trial ordered by the emperor, the request for an extension should be sent to the Grand Council. In other cases it should be sent to the office that originally referred the case. On the day of the conclusion of the trial, the governor-general or the governor should state very clearly in the palace memorial or dispatch the dates of the original prescribed period and the duration of the extension. A copy [should be sent] to the Board of Civil Appointments for further verification. If the governor-general or governor delays the trial or exceeds the prescribed time limit without a proper reason for a period of one month or less, he shall be fined three months' salary. If the delay is between one and three months, he shall be fined one year's salary. For a delay between three and six months, the punishment shall be a demotion of one class and transfer. If it is over six months, he shall be dismissed. Public offense.

LPCFTL, chüan 48, p. 12a.

When a governor-general or governor impeaches a subordinate, he must provide a detailed and factual account of the misdeeds of that subordinate in the impeachment memorial and also

give reasons for the impeachment. If he does not do so and only gives an equivocal explanation, he is to be demoted one class with retention of duties. Private offense.

LPCFTL, chüan 4, p. 12b.

When a governor-general or governor recommends a subordinate as being outstanding and distinctive, he should state in his dispatch to the Board of Civil Appointments that the recommended official is not in arrears in the collection of principal taxes for his current term of office. If it is found that an official, after leaving his post as the result of a promotion or transfer, did not collect the full budgeted amount of principal taxes in his last office, the governor-general or governor [who earlier recommended him as outstanding], is to be demoted three classes and transferred. Public offense. However, if this [problem of arrears in collecting principal taxes] is discovered and reported in an impeachment memorial by the same governor-general or governor, that governor-general or governor is exonerated from any responsibility.

LPCFTL, chüan 6, p. 3a.

A governor-general or governor is not permitted, under any pretext except that of meeting an urgent local need, to transfer an intendant, prefect, subprefect, or magistrate of an independent department, department, or district, to another post in an acting capacity. Should he find it necessary to arrange for such a transfer, he should give the reasons. [Furthermore], he should send a seasonal report to the Board of Civil Appointments within the prescribed time, giving the total number of such transfers made during that period. If there is a delay [in submitting the report], he shall receive a more severe punishment. When a department or district magistrate's position is vacant, and the governor-general or governor wishes to propose the appointment of an assistant magistrate as the acting official in that position, he should immediately send the request in the form of a dispatch to the Board of Civil Appointments with a detailed explanation. If, after checking the request, the Board of Civil Appointments find violations of the established regulations, not only will the request be rejected, but the governor-general or governor will forfeit nine month's regular salary. Public offense.

LPCFTL, chüan 7, p. 10b.

If the annual provincial total of appointments of assistant magistrates appointed as acting department or district magistrates exceeds 20% of that province's total number of officials holding substantive positions as assistant magistrates, [i.e., excluding those holding honorary positions], the Board of Civil Appointments should immediately impeach the governor-general, the governor, and the two commissioners, all of whom are to be demoted two classes and transferred. Public offense.

LPCFTL, chüan 7, p. 10b.

The director of grain transport is responsible for the administration of all aspects of work dealing with tribute grain in all provinces. If, in any year, 5% or more of the total tribute grain is not delivered, the director of the grain transport will forfeit one year's regular salary. Public offense. If this continues for three consecutive years, the director is to be demoted one class and retained to supervise the collection of tribute grain while bearing the record of [this] misdeed. When the arrears are fully collected and delivered, he shall be reinstated. [Type of offense not given.]

LPCFTL, chüan 18, p. 7b.

When a department or district magistrate intentionally does not report or otherwise conceals the truth about the outbreak of a locust plague in his territory, he is to be dismissed and arrested for questioning. Private offense. If the prefect or the magistrate of an independent department, with jurisdiction over that locality, fails to investigate and report [the misdeeds of the magistrate of that department or district indicated above], he is to be dismissed. If the governor-general, governor, either of the two commissioners, or the salt and grain intendant fails to investigate the truth and impeach those responsible, he is to be demoted three classes and transferred. Private offense.

LPCFTL, chüan 24, p. 4b.

When a deficit in tax funds in a department or district treasury office is discovered and reported by the prefect or the magistrate of an independent department, the commissioner or the intendant who receives this report should in turn submit the information to his superior, the

governor or the governor-general. If the commissioner or the intendant refuses to report this to his superior, or the governor or governor-general, after receiving the report fails to lodge an impeachment, the prefect or the magistrate of the independent department is permitted to report this directly to the Board of Revenue or the Censorate. The official [the commissioner or the intendant] who refuses to transmit the report or the official [the governor or governor-general] who does not lodge an impeachment is to be demoted three classes and transferred. Private offense. A restitution payment [to cover the deficit] is to be paid by all who have committed the offense.

LPCFTL, chüan 27, p. 2a.

When a governor-general or governor impeaches a department or district magistrate who is responsible for a deficit in tax funds, he should first carry out an investigation and then state in his impeachment memorial whether or not the immediate superior [of that department or district magistrate] ought to share in the restitution payment. If he fails to specify this in the memorial, he is to be demoted three classes and transferred. Public offense.

LPCFTL, chüan 27, p. 9a.

After *kung-sheng* [tribute students] are selected, by examinations held in the provinces, they are sent to the Board of Rites to be examined further by imperially appointed great officials and are ranked accordingly. If the provincial director of education, the governor, and the governor-general cannot carry out the selection in a fair manner, but show favoritism which results in the selection of students extremely inferior in writing, low in moral conduct, or mediocre in ability, they are to be demoted three classes and transferred. Private offense. If the writing of a *kung-sheng* contains serious errors, the sort that should not have been made by a person of that status, the officials [who first selected him] are to be demoted one class and transferred. Public offense.

LPCFTL, chüan 30, p. 3a.

If a superior official uses his position to force a department or district postal officer to buy horses from him [for courier service] at an abnormally high price, he is to be demoted two classes and transferred. Private offense. The governor-general or the governor who fails to investigate and lodge an impeachment is to forfeit one year's salary. Public offense.

LPCFTL, chüan 35, 1a.

A governor-general or governor should immediately report the arrival of a tributary envoy in a memorial via military postal service. He then should assign high-ranking civil and military officials to look after the envoy, escorting him to the capital and confining his activities to the normal realm of propriety. At the same time he should notify other governors-general and governors so that they can assign high-ranking officials to receive the envoy's delegation when it arrives in their areas of jurisdiction and give it protection . . . The governor-general or governor who fails to assign high-ranking officials to escort, receive, or protect the envoy, shall be demoted two classes with retention of duties. Public offense.

LPCFTL, chüan 35, 9a.

If provincial officials repeatedly ignore instructions from the Board of Revenue to transfer an earmarked contingency fund [held in the treasury] for the purpose of acquiring certain military provisions [for troops in another province], the financial commissioner, if found by the governor-general or governor deliberately to have hindered the transfer of the fund, is to be dismissed according to the regulation for officials who blemish their post. If the governor-general or governor deliberately conceals the misdeed and does not lodge an impeachment, he shall be demoted three classes and transferred. Private offense.

LPCFTL, chüan 37, 3b.

When a department or district magistrate on some pretext or other and with the intention of soliciting bribes refuses to accept a shipment of rice, beans, or hay purchased from and delivered by the people [for the use of troops], or when the same knavish obstruction is carried out between the superior official and his subordinates, he [the official] shall be dismissed, arrested, and criminally tried. Private offense. If the victim goes to the governor-general or governor to bring an accusation [against that corrupt official] and the governor-general or governor refuses to receive it and lodge an impeachment, the governor-general or governor shall also be dismissed. Private offense. If the governor-general or governor was unaware of this

extortion prior to its exposure by a censor in an impeachment or by others, the governor-general or governor shall be demoted four classes and transferred. Public offense.

LPCFTL, chüan 37, 5a.

When a provincial commander-in-chief or a brigadier general is found negligent in training the troops under his direct command, the Board of War shall deliberate on the proper punishment. If the troops under the direct command of the governor-general or the governor are found to be lax in training, the said governor-general or governor is to be demoted one class with retention of duties. Public offense.

LPCFTL, chüan 37, 1a.

When the position of a sergeant [rank 9B], ensign [rank 8A], or color-sergeant [rank 9A] is vacant, it should be filled by someone selected and promoted from the rank and file. If the governor-general or governor fills that position with a nonmilitary person, he is to be demoted three classes and transferred. Private offense.

LPCFTL, chüan 37, 2a.

A department or district magistrate is to be dismissed if he fails to report a case of robbery, or if he fraudulently describes a case of armed robbery as theft. Private offense. A governor-general, governor, or other official who collaborates in concealing the truth shall be demoted three classes and transferred. Private offense. If it is [merely] the failure to investigate and uncover the truth . . . the governor-general or governor shall forfeit one year's salary if the robbery occurred in the same city as his office. He shall forfeit six months' salary if the robbery occurred in a city within one hundred *li* of his office. If it occurred in a city more than one hundred *li* from his office, he shall forfeit three months' salary. Public offense.

LPCFTL, chüan 41, 13a.

The governor-general of Chihli has control over the entire province and is responsible for ensuring the security of the military district. When trees in the imperial mausoleum area are stolen, the penalty for the governor-general's negligence shall be proportionately less than the punishment of the provincial commander-in-chief. If the provincial commander-in-chief is to be dismissed, the governor-general shall be demoted one class and transferred. If the former is to be demoted and transferred, the latter shall be demoted one class with retention of duties. If the former is to be demoted with retention of duties, the latter is to forfeit one year's salary. If the former is to forfeit one year's salary, the latter shall forfeit six months' salary. Public offense.

LPCFTL, chüan 42, 1a.

When a governor-general or governor lodges an impeachment against a subordinate in which he requests that the subordinate be dismissed and tried criminally, he should, in the case of an official above the position of a prefect or an intendant, [and immediately after submitting the impeachment memorial] summon the witness to the provincial capital and conclude the trial within two months of the day he receives the dispatch from the Board of Punishment [giving him permission to carry out the trial]. In trying an official below the position of a first class subprefect, he should conclude the trial within two months of the day he gathered all the witnesses [in the provincial capital. This process] should be started immediately after the submission of his impeachment memorial. If there is a delay in concluding the trial, he shall be punished according to the regulation concerning delays in trials by a provincial judicial commissioner.\* Public offense.

LPCFTL, chüan 47, 2b.

\*If the trial extends beyond the prescribed time limit by one month or less, the provincial judicial commissioner shall forfeit three months' salary. If the delay is more than one month and less than six months, he shall forfeit one year's salary. If the delay is between six months and one year, the fine is two years' salary. If the delay is longer than one year, he is to be demoted one class with retention of duties. Public offense.

LPCFTL, chüan 47, 2a.

If after the [provincial] autumn assizes are held, there are fewer than five instances in which the Board of Punishments has reclassified cases from deferred execution [*huan-chüeh*] to capital punishment [*ch'ing-shü*], the provincial officials are exonerated from responsibility. If there are more than five cases of incorrect classification, the governor, the judicial

commissioner, and those governors-general who are also concurrently governor of a province [this refers to the governors-general of Chihli, Kansu, and Szechwan] shall be demoted one class and transferred. If more than ten cases are involved, these officials shall be demoted one class and transferred. The demotion of one class is to be added for every five cases of incorrect classification. [Type of offense not given.]

LPCFTL, chuan 48, 1b.

If a sentence proposed by the provincial authorities [mistakenly] places a case in the category of "deserving capital punishment," [and this sentence] is later changed by the Board of Punishments to the category of "deferred execution," [the three provincial officials mentioned above] shall be demoted one class for each case of incorrect classification, and transferred.<sup>9</sup> [Type of offense not given.]

LPCFTL, chüan 48, 1b.

If it is found in the autumn assizes, that the sentence in a case is lighter than it should have been, the governor-general (if he has jurisdiction over two or three provinces), the provincial financial commissioner, and the intendant (the cosignatories of the sentencing document) are to be demoted one class with retention of duties. This demotion is to be applied regardless of the number of cases involved . . . If a sentence is found to be heavier than it should have been, the above officials shall be demoted one class with retention of duties. This demotion is to be applied in every case of a wrongful sentence. [Type of offense not given.]

LPCFTL, chüan 48 1b.

If a major criminal escapes from a jail administered by the provincial judicial commissioner and the [subsequent] investigation shows that the criminal bribed [a jail officer to set him free], the governor-general and governor shall be demoted one class and transferred. Public offense. If the escape resulted from accidental negligence [by jail officers], the governor-general and the governor are to be demoted one class with retention of duties. Public offense.

LPCFTL, chüan 49, 5a.

River works officials should give a one-year guarantee on the dykes they build along the Yellow River, and a three-year guarantee on dykes along the Canal. If a dyke on the Yellow River or the Canal is breached by a flood within half a year and a year, respectively [of the completion of construction], those first- and second-class subprefects, department magistrates, and district magistrates who are directly responsible for construction and maintenance of the dyke shall be dismissed. The intendant is to be demoted four classes and transferred. The governor-general of water conservancy is to be demoted three classes with retention of duties. Public offense. If a dyke along the Yellow River or the Canal breaks within half a year or a year, respectively, of the completion of construction [before the guarantee period expires], the subprefects and magistrates shall be dismissed. The intendant is to be demoted three classes and transferred. The Governor-general of water conservancy is to be demoted two classes with retention of duties. Public offense. If a dyke is broken by a flood after the guarantee period expires, the officials responsible for the construction of the dyke are to be exonerated from any responsibility. The two river subprefects [*kuan-ho* and *fang-shou*] shall be dismissed, but retained to make repairs while bearing the record of a misdeed. The intendant is to be demoted two classes and transferred, but retained to supervise the repairs. When the work is completed, he shall be reinstated. The Governor-general of water conservancy is to be demoted one class with retention of duties. Public offense.

LPCFTL, chüan 51, 1a.