條例 / tiaoli

   
25-1。Anyone denounced by a relative of the 4th or 5th degree of mourning is granted a three-degree reduction of his sentence. If the relative is not included in the 5 degrees of mourning, the sentence is reduced of one degree. For plots of rebellion and treason that has not materialized, if a relative surrenders the criminals or hands them over to the court, the principal will be treated as in cases of / [according to the statute on self-surrender? AB] self-surrender, and punishment will be spared. If the plot has come off the principal cannot be spared, but those punished under the bonds of collective responsibility will be spared under the statute on self-surrender.

25-2。  Persons confined to custody after the commission of a grave offense who escape because of some unforeseen event, and then return and submit themselves, shall be spared the penalty of death and punished with 100 blows of the stick, but cannot be allowed leniency under the statute on self-surrender for their original crime. Those who escape from prison on their own or through a bribe to the wardens are not included in this statute even if they return of their own volition.

25-3。 Those who are captured by bandits and forced to join them, but do not forget their homes, and take a chance to escape and return home, are forgiven punishment.

25-4。 When a robber is surrendered to authorities by relatives, if it is determined that the gang is fewer than 10 individuals, and they committed plunder on only one occasion, the exemption of punishment or the reduction of the sentence degree will be applied in accordance with the statute. If the gang is 10 or more individuals and they committed several acts of plunder, and the relative surrendering the criminal is of one of the three higher degrees of mourning, the criminal is sent to military exile in a nearby region. If a relative of the two lower degrees of mourning surrenders the criminal, then the latter is sent to military exile in a border garrison. If this is because they have been themselves robbed by the criminal that his relatives reports to authorities, then the crime is sentenced in accordance with the statute on “relatives robbing from one another”, and is not covered in this sub-statute.  
   
25-5。 The thief who surrenders but do not tell all of the truth, or as he is aware that another individual intends to report him and thereupon return the property to the victim, the statute dictates that his sentence be reduced and he be exempted of the branding.

25-06. For those who use force to commit robbery, aside from those who have killed people, raped their wife or daughters, set fire to their house and other such crimes not eligible for voluntary surrender because the offense is exceptionally grave, for all the others, even though they have injured people who have subsequently recovered, they are eligible for the “voluntary surrender” clause. In accordance with the sub-statute on “Violent thug using lethal weapons to injure others”, they are liable to military exile to a border region. Those who set fire on unoccupied houses, or on objects stocked in the fields, they are liable to exile by compliance with the statute. If the burned items are calculated to be greater than the original crime, then they are condemned to military exile in a distant region. If the owner of the items was seriously injured, even though he did not die by chance from the injuries, the criminal is still not eligible to the “voluntary surrender” clause.

25-07.  In cases where robbers have plundered several families but the criminals have only surrendered for one of these offenses, except if during the plunder of these families, the offender is the ringleader (盗首), or if people have been killed,  or their wives and daughters have been raped, or their house burned, which are all crimes ineligible for the "voluntary surrender" clause, so that their perpetrators are sentenced separately; all the others are eligible to the "voluntary surrender" clause, and the criminals, who are spared from the penalty of death and deported to Heilongjiang  are given as slaves to armoured soldiers in the new Manchu army, whereto they are dispatched in some of the regions listed in the statute stipulating "The Places of penal servitude, exile, and deportation".  
25-08.  Any ringleader (为首) or person hiding robbers or helping them as an informant, who, before having been submitted to officials, voluntarily surrenders himself may request a special edict from the emperor weighing the circumstances of the crime and assessing the reduction of sentence. If anyone involved in robbery as a follower, who has not injured anyone, surrenders voluntarily, he may obtain pardon for all crimes.

25-09. When a robber or a thief surrendering oneself is brought in by a constable (捕役), except when self-surrender does not result in a reduction of the penalty, the constable must be seriously investigated. If there was instruction and bribery to distort the facts and engage in malfeasance, the constable is punished in accordance with the statute on “Excessive leniency caused by receiving wealth.”

25-10.  When the fathers, elder brothers, uncles, or younger brothers residing together with a robber are aware of his being a bandit, or share the illicit gains, it is permitted for them to surrender him and tell the truth, so that all of them are granted exemption from punishment. The bandit also granted exemption or reduction of sentence in compliance with the statute.