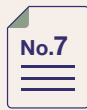


① 米国施政下にあった尖閣諸島



尖閣諸島が施政下に置かれていることがわかる米国民政府の布令

米国民政府布令第144号「刑法及び刑事訴訟法」

1955年(昭和30年)3月16日(公布)、1955年4月9日(施行)

資料概要

1948年6月28日付の米国軍政府布令第1号「刑法及び刑事訴訟法」とその改正に代わり、1955年(昭和30年)3月16日に公布、同年4月9日に施行された布令。この布令にも、「琉球政府章典」(→No.4)と同様の範囲にあるすべての土地、岩石、岩礁、砂洲及び海をいうとして、琉球列島の領域が示されている。

日本語訳

琉球列島米国民政府
民政副長官室
APO719

米国民政府布令第144号

1955年3月16日

刑法及び刑事訴訟法

(略)

2.1.9 本法にいう「全琉球列島領域」とは、左記境界内のすべての陸地、岩、礁、州及び領水をいう。

北緯28度、東経124度40分の点を起点として

北緯24度、東経122度

北緯24度、東経133度

北緯27度、東経131度50分

北緯27度、東経128度18分及び北緯28度・東経128度18分を経て起点に至る。

(略)

内容見本

UNITED STATES CIVIL ADMINISTRATION OF THE
RYUKYU ISLANDS
Office of The Deputy Governor
APO 719

CA ORDINANCE

NUMBER 144

16 March 1955

CODE OF PENAL LAW AND PROCEDURE

(略)

2.1.9 The "territorial jurisdiction of the whole of the Ryukyuan Islands" as used herein shall include all land, rocks, reefs, shoals and waters within the following bounds:

Beginning at 28 degrees North Latitude, 124 degrees 40 minutes East Longitude; thence to 24 degrees North Latitude, 122 degrees East Longitude; thence to 24 degrees North Latitude, 133 degrees East Longitude; thence to 27 degrees North Latitude, 131 degrees 50 minutes East Longitude; thence to 27 degrees North Latitude, 128 degrees 18 minutes East Longitude; thence to 28 degrees North Latitude, 128 degrees 18 minutes East Longitude; thence to the point of origin.

*1 日本語訳参考資料:南方同胞援護会『季刊沖繩』63号「特集 尖閣列島第二集」(1972)pp.158-161

作成年月日	1948年(昭和23年)4月22日
編著者	琉球列島米国民政府(USCAR)
発行者	琉球列島米国民政府(USCAR)
収録誌	米国民政府布令/Civil Administration Ordinance 1953年~1957年
言語	英語
媒体種別	紙
公開有無	有
所蔵機関	沖縄県公文書館
利用方法	沖縄県公文書館で利用手続きを行う (沖縄県公文書館ウェブサイトで見覧する)

本サイトに掲載する資料等は、政府の委託事業の下で有識者の助言を得て、調査・収集及び作成したものであり、本サイトの内容は政府の見解を表すものではありません。

UNITED STATES CIVIL ADMINISTRATION OF THE RYUKYU ISLANDS
Office of The Deputy Governor
APO 719

CA ORDINANCE
NUMBER 144

16 March 1955

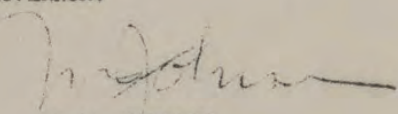
CODE OF PENAL LAW AND PROCEDURE

ARTICLE I. Military Government Ordinance Number 1, dated 28 June 1949, entitled "Codified Penal Law and Procedure" and all changes thereto are hereby rescinded and superseded by this Ordinance; provided, however, that all offenses committed and all penalties, forfeitures, fines, or liabilities incurred prior to the effective date of this Ordinance under any of the provisions of Military Government Ordinance Number 1, as amended, may, notwithstanding the rescission of the latter ordinance, be prosecuted, punished or enforced, as the case may be, as provided in such rescinded ordinance.

ARTICLE II. The Code of Penal Law and Procedure attached hereto and made a part hereof is hereby promulgated.

ARTICLE III. This Ordinance shall become effective at 2400 hours on 9 April 1955; provided, however, that where an offense has been committed at such hour as may make proper and lawful prosecution doubtful because of the rescission and supersession effected by the two prior articles of this Ordinance; or, where the offense has been initiated before but has not been completed until after said 2400 hours, the offense shall be conclusively presumed to have been committed on 9 April 1955 for the purpose of determining which ordinance shall apply.

BY DIRECTION OF THE DEPUTY GOVERNOR:


W. M. JOHNSON
Brig Gen USA
Civil Administrator

DISTRIBUTION:

A

Plus:
G&L Dept 15
Pub Safety Dept 17
MCAT 6
Rycom PM 50
Naval Air Facility 4
313th Air Div (PM) 15
526th CIC 14
American Consul 2
(Naha)

300

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d. Non-Ryukyuan employees of the American Red Cross lawfully present within the Ryukyu Islands in such capacity;

e. Dependents of any of the above lawfully present within the Ryukyu Islands;

f. Non-Ryukyuan entertainers present within the Ryukyu Islands under a contract with the United States Government or any agency, arm or instrumentality thereof;

For the purposes of this section, the word "non-Ryukyuan" does not include persons of Japanese nationality or citizenship.

- 2.1.3 "Person" shall be interpreted to mean any individual, partnership, corporation, unincorporated firm or association and responsible official or member thereof other than United States Forces personnel.
- 2.1.4 "Offenses" shall include any act or omission resulting in a breach of any provision set forth herein, except when such act or omission is by order of competent authority.
- 2.1.5 "Culpable negligence" shall include an unintentional act resulting in damage or injury to the person or property of others because of gross disregard of the safety of the person or property of others.
- 2.1.6 All offenses which may be punished by death or imprisonment for a term exceeding one year are "felonies"; all other offenses are "misdemeanors."
- 2.1.7 "Wrongful possession" shall be construed to mean the unlawful adverse possession of the personal property of another with knowledge or reason to believe that such property is withheld without the consent of the true owner and with the intent to deprive said owner indefinitely of the use and disposition of such property.
- 2.1.8 "Non-ferrous scrap metals" shall mean articles or fragments thereof of military and naval equipment, used by the armed forces of any nation and unfit for further use in its designed purpose and composed of any metal other than iron, an alloy of iron or aluminum.
- 2.1.9 The "territorial jurisdiction of the whole of the Ryukyu Islands" as used herein shall include all land, rocks, reefs, shoals and waters within the following bounds:

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CA ORDINANCE NO. 144

16 March 1955

Beginning at 28 degrees North Latitude, 124 degrees 40 minutes East Longitude; thence to 24 degrees North Latitude, 122 degrees East Longitude; thence to 24 degrees North Latitude, 133 degrees East Longitude; thence to 27 degrees North Latitude, 131 degrees 50 minutes East Longitude; thence to 27 degrees North Latitude, 128 degrees 18 minutes East Longitude; thence to 28 degrees North Latitude, 128 degrees 18 minutes East Longitude; thence to the point of origin.

Chapter 2. Offenses Against Safety

- 2.2.1 Any person who bears arms against the Armed Forces of the United States of America may be punished by death or such other punishment as a Civil Administration Court may order.
- 2.2.2 Any person who wilfully and unlawfully kills; or who, in the course of committing a felony, causes the death of any United States Forces personnel may be punished by death or such other punishment as a Civil Administration Court may order.
- 2.2.3 Any person who rapes, or assaults with intent to rape, any female United States Forces personnel may be punished by death or such other punishment as a Civil Administration Court may order.
- 2.2.4 Any person who engages in acts of espionage or subversive activities in the employ of, or in the interest of, a power or organization advocating the overthrow by force of the United States Government, its Civil Administration or the Government of The Ryukyu Islands, may be punished by death or such other punishment as a Civil Administration Court may order.
- 2.2.5 Any person who possesses or has in custody any firearm, ammunition, or explosive, unless duly licensed thereunto by the Government of the Ryukyu Islands, may, upon conviction, be punished by fine of not more than ¥50,000 or imprisonment for not more than five years, or both.
- 2.2.5.1 Any person who violates any of the terms, conditions, limitations or authority of his license respecting the possession, transfer or use of the firearm, ammunition, or explosive for which he is licensed, shall be subject to prosecution and punishment under Section 2.2.5 above, the same as if he were without license to possess such firearm, ammunition or explosive.
- 2.2.6 Any person who steals, embezzles, wrongfully possesses or intentionally destroys or damages property of the United States or United States Forces personnel, may, upon conviction, be fined not more than ¥50,000 or imprisoned not more than ten years, or both.