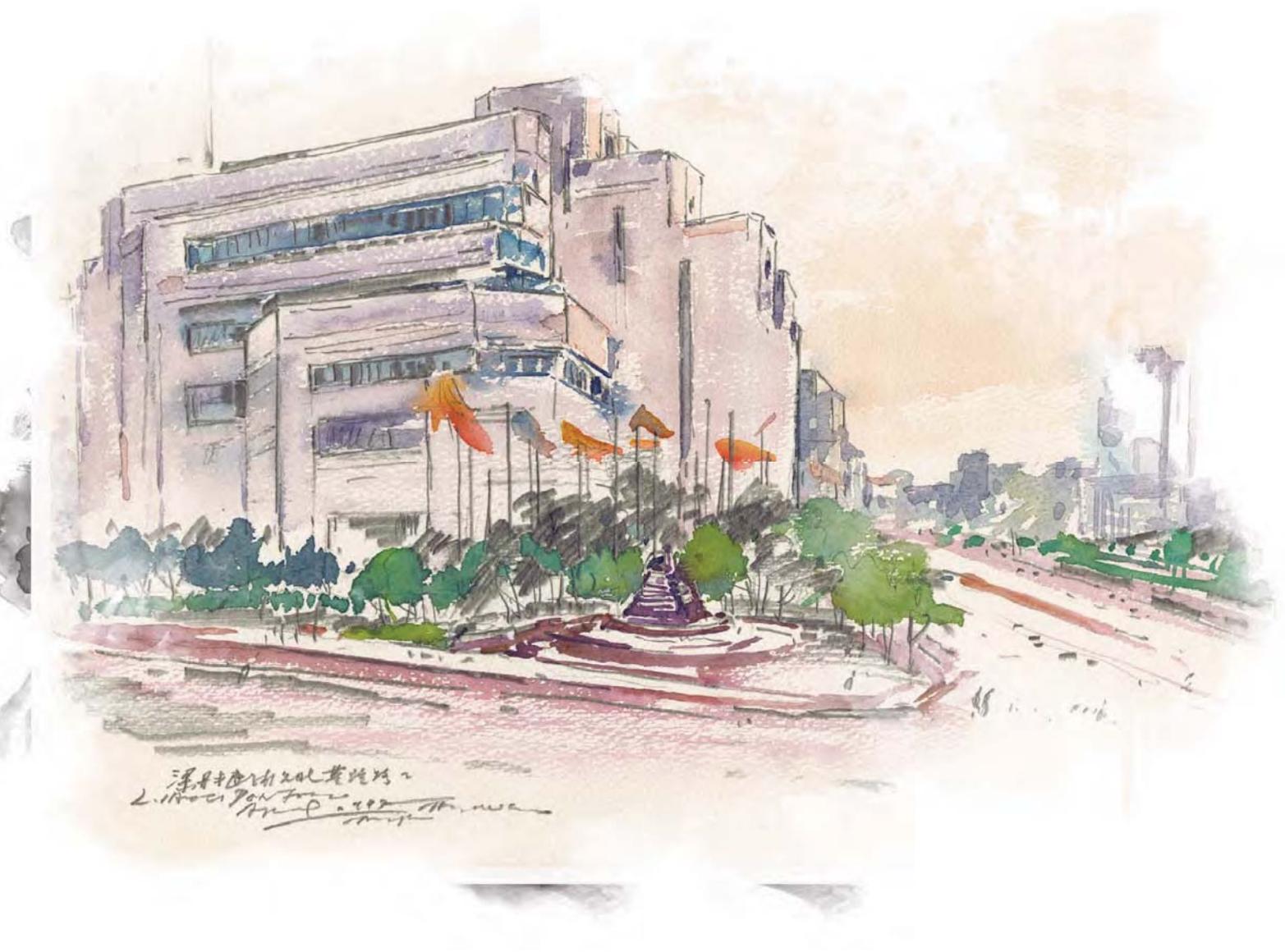


Japanese Rule (1895~1945)

Meng Ling-Shi



This article was written by Meng Ling-shi, Prosecutor; the painting: Corner of Keelung Road, Liang Dan-Feng, National Library



I

Military Period and Early Civilian Period

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IV

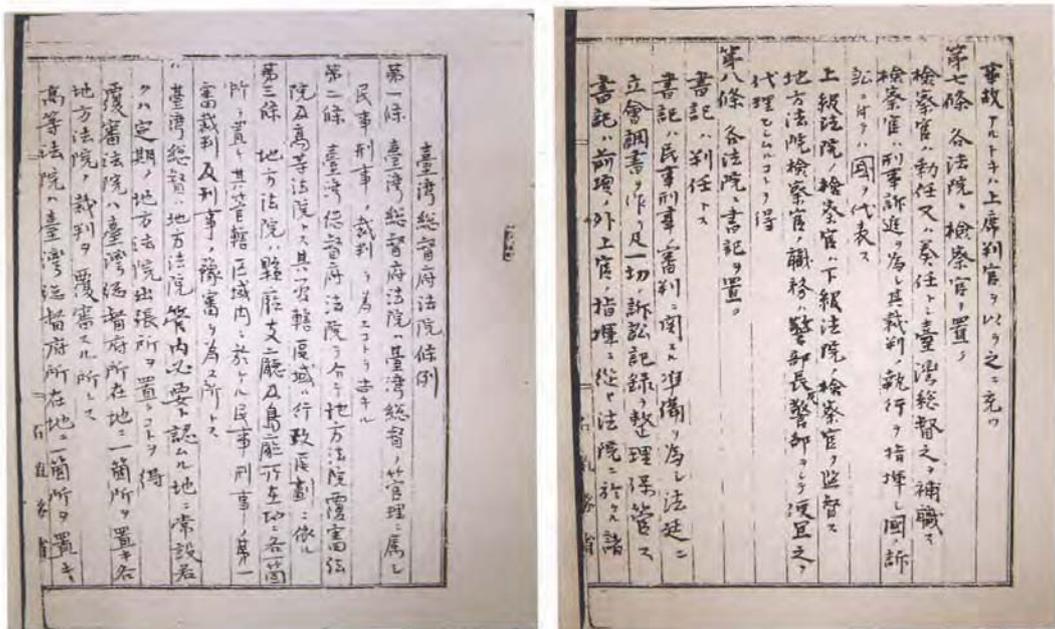
Summary

I. Military Period and Early Civilian Period

A. Military period (May 8, 1895 - March 31, 1896)

In April 17, 1895 (the 28th year of Meiji) the Qing dynasty signed the Treaty of Shimonoseki which ceded Taiwan and Penghu Islands to Japan. The treaty was effective on May 8 and the sovereignty of Taiwan was transferred to Japan. The majority of Taiwanese was unable to accept the abandon by Qing dynasty and the rule by Japan so the Taiwan governor Tang Jingsong proclaimed the “independent declaration of the Republic of Formosa” in Taipei on May 25, declared the establishment of the “Republic of Formosa” and appointed himself as the president to resist the take-over by Japan. Though Japan obtained Taiwan by the First Sino-Japanese War, Japan was unable to receive Taiwan peacefully and faced fierce armed resistance of Taiwanese. As such, the early rule of Taiwan by Japan was by military means.

On May 10, 1895 (the 28th year of Meiji) the Japanese government appointed Kabayama Sukenori as the first Governor-General of Taiwan and the Office of the Governor-General of Taiwan was established on June 27. It was not only the administrative authority under the Taiwan Affairs Bureau of the Japanese cabinet, but was also the military headquarter. All ruling affairs in Taiwan, whether related to military were to be decided by the Governor-General. All duties of military, administration and judiciary was in one hand, which was much more powerful than the administration office of Qing in Taiwan. This was the “military governing period”. The military order issued by the Governor-General was known as the “Daily Order”. The “local official holidays and official organization” was proclaimed on June 28, 1895 (the 28th year of Meiji), in which Taiwan and Penghu were divided into four regions of Taipei, Taichung,



The article of Taiwan Governor's Court Was issued by Law No. 1 on 1 May,1896.
Resources from: the display description of Prosecutorial Exhibition of Centurial Articles

Tainan and Penghu. In judiciary, trial of civil affairs was handled by the provincial interior department, and trial of criminal affairs was handled by provincial police department.

The Office of the Governor-General of Taiwan on September 22, 1895 selected officials from the judge department of the army bureau, criminal section of the civil

affairs bureau and Taipei Prefecture to establish the law investigation committee for drafting important laws. By Daily Order no. 11 proclaimed on October 7 of the same year the "Governor-General of Taiwan Court System", "Taiwan Residents Criminal Penalty Order", "Taiwan Residents Crime Punishment Order", and "Taiwan Resident Civil Litigation Order" were ordered. Trial authority at that time was "court martial

meeting" (military court), Japan authority considered that after termination of resistance in Taiwan, it should not be changed to the courts in Japanese law immediately, but also would discontinue to use the name of military court. On November 20 of the same year established was the "Governor-General of Taiwan Court" according to the "Governor-General of Taiwan Court System", the "Main Court" had jurisdiction over Taipei, Tamsui and Keelung while there were other 11 branches around Taiwan. As such, the "Main Court of the Governor-General of Taiwan Court" was the predecessor of the Taipei District Court.

After the "Governor-General of Taiwan Court Act" was proclaimed in February 1896, "Court" was used to name the judicial trial authority. Courts and prosecutors bureau were established under the Office of the Governor-General of Taiwan. Courts were classified into three levels, district, review and high, forming a three-level and three-trial system. District courts were set up in each prefecture and subprefecture while high and review courts were set up

in the place of the Office of the Governor-General. The duty of the Review court was to review the decision of district courts and the duty of the high court was to rectify the non-lawful decisions of review court. The judges and prosecutors of court were appointed by the Governor-General. Judges should have the judge qualification while there is no qualification for appointment of prosecutors. Prosecutors were attached to court and there were no appointment of other prosecution officers. Upon the formal operation of the Governor-General of Taiwan Court, in response to the statutory duty and work of prosecution in criminal procedure, it was prescribed that specific persons maybe appointed to handle prosecution, resulting in the formal birth of the title and duty of "Prosecutor" in Taiwan criminal prosecution system.

In February of the same year Taipei Prison was established, and prison warden and clerk were set up in accordance with the "Local Authority Organization Rules". Prison departments or their branches were set up in prefecture or subprefecture, with



warden as the chief. Office order no. 9, in June of the same year, set up the names and locations of prison. Taipei, Hsinchu, Yilan, Miaoli of Taipei Prefecture, Taichung, Lukang (later moved to Changhua), Puli, Yunlin of Taichung Prefecture, and Tainan, Fengshan, Chiayi and Hengchun of Tainan Prefecture all had one prison. During the military period of Japanese rule the predecessor of Taipei District Court Prosecutors Office was the Prosecutors Bureau under the Governor-General of Taiwan. Its jurisdiction was the same as the Governor-General of Taiwan Court. The predecessor of Taipei District Court was the Governor-General of Taiwan Court. Jurisdiction of the Governor-General of Taiwan Court and Prosecutors Bureau was the "Main Court" over Taipei, Tamsui and Keelung, while there were other 11 branches over other places of Taiwan. After the formal operation of the Governor-General of Taiwan Court, in response to the statutory duty and work of prosecution in criminal procedure, it was prescribed that specific persons maybe appointed to handle prosecution, this was the formal birth of the title and duty of "Prosecutor" in Taiwan criminal prosecution system.

B. Early civilian period (April 1, 1896 - 1919)

After the end of the military period, there came the civilian period (April 1, 1896 to October 24, 1945), in which the judicial trail was no longer in the hands of military authority. But the Japan "Court Composition Act" was not implemented in Taiwan so in 1895 (the 28th year of Meiji) the Office of the Governor-General of Taiwan used a Daily Order to proclaim the "Governor-General of Taiwan Court Organization", in which a "Court" was used to name the judicial trial authority there were no specific appointment of prosecution officers. Upon the formal operation of the Governor-General of Taiwan Court, in response to the statutory duty and work of prosecution in criminal procedure, it was prescribed that specific persons maybe appointed to handle prosecution, resulting in the formal birth of the title and duty of "Prosecutor" in Taiwan criminal prosecution system, as mentioned above.

On March 31, 1896 (the 29th year of Meiji), Japan, by law no. 63, proclaimed the "Law On The Laws And Regulations To Be Enforced In Taiwan", the so called "63 Act", and proclaimed the "Office of the Governor-General of Taiwan Act" by decree, which let the Office of the Governor-General of Taiwan get rid of the identity of military order. From April 1, 1896 the military authority no longer ruled over Taiwan, the execution of legislation, administration or judicial power was separated from military authority legally. The rule of Japan entered the "civilian" period. The civilian period of Japanese rule lasted from April 1, 1896 to October 24, 1945. Nominally the military period ended on April 1, 1896, but in the early civilian period the Governor-General of Taiwan was actually appointed from among military leaders and the military authoritarian rule still applied to Taiwan for high pressure rule. There was no equivalent human right standard of western or Japan, so this was known as the early civilian period.

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The file of the police chief reported the case to the prosecutor by phone in Japanese occupation. Resources from: the display description of Prosecutorial Exhibition of Centurial Articles

In 1896 (the 29th year of Meiji) the "Yunlin Massacre" Incident lead to resentment and international public opinion. The Office of the Governor-General of Taiwan, for the purpose of immediately suppressing dissidents and avoiding indiscriminate killing by army,



introduced to Taiwan the "Temporary Court" system which was enforced in early Meiji but was later repealed in 1890. By law order no. 2 of July 11, 1896 the Governor-General of Taiwan Court may, at the place of incident, immediately set up a "Governor-General of Taiwan Temporary Court" with judge on bench and jurisdiction over political cases and end with one trial, which was for speedy trial of the resisting Taiwanese against Japanese rule.

The above Daily Orders issued during the military period became void upon entering the civilian period. Apart from the Russo-Japanese War in 1905 (the 38th year of Meiji) which declared martial law for two months, Taiwan was never again subject to military rule. A general or admiral was still regularly appointed as Governor-General which possessed military power. Except in the early period of rule for a few months, military authority in principle could not interfere with general administration or judicial affairs. As such, after the birth of the prosecutor in the prosecution system

of Taiwan, prosecutors gradually growth under the civilian period of Japanese rule.

In 1898 (the 31st year of Meiji) the high court was repealed and ordinary court was changed to a two-level and two-trial system. The court act stipulated the establishment of prosecutors bureau in each court. In the past there was the prosecutor system but without the prosecutors bureau while in 1898 the court act stipulated the establishment of prosecutors bureau in each court. Prosecutors were independent of court when they carried out duties. A chief prosecutor was appointed from among prosecutors for each prosecutors bureau by the Governor-General, and was responsible for directing and supervising the affairs of prosecutors bureau. The Governor-General also appointed prosecutors who directed and supervised judicial police.

The civilian period of Japanese rule lasted from April 1, 1896 to October 24, 1945. Nominally the military period ended

on April 1, 1896, but in the early civilian period the Governor-Generals of Taiwan were actually appointed from military leaders and the military authoritarian rule still apply to Taiwan for high pressure rule. It could be seen from the "Criminal Punishment Order" proclaimed during this period that the statutory sentences for most offenses were death penalty as the only penalty. It was also revealed by the conflict between Nogi Maresuke, the Governor-General of Taiwan, and Takano Takeshi Nori, president of the high court. Because Takano refused to follow the order of transfer, Nogi sent police to escort Takano out of the court. Among the 16 judges in Taiwan, 14 was resigned or dismissed within one year. However, the exposure of torture of offenders resulting in death was a major event affecting the reputation of the Japanese government in Taiwan, so there was review to unlawful rule and policy.

II. Later Civilian Period (1919 - 1945)

In Japan under the democratic social atmosphere of Taisho, attention was paid to the rule of law and human rights issues in Taiwan. In 1919 (the 8th year of Taisho) Den Kenjirō was appointed as the first civilian and the eighth Governor-General of Taiwan and the new building of the Office of the Governor-General of Taiwan was also completed (today Presidential Office). This was a refreshing in the political atmosphere of Taiwan. The new Governor-General proclaimed education order to introduce the idea of western compulsory education to build the education system of Taiwan. The new Governor-General no longer had the right to dismiss judges. The Review Court was repealed but the High Court was reinstated. "Appeal Division" and "Reveal Division" were set up in High Court, resulting in an actual three trial system. The Temporary Court that dealt with political prisoners was also repealed, with political prisoners tried by the Appeal Division of High Court.



Ye Qingyao, the first Taiwanese attorney began practice at that time. In 1923 (the 12th year of Taisho) the Office of the Governor-General applied the "Security Police Act" to suppress the petitioners campaign for the promotion to establish Taiwan Council. This was "Security Police Incident". Jiang Weishui was prosecuted by prosecutor of the Taipei Prosecutors Bureau. The first trial was not guilty but the second trial was guilty. The Taiwanese trying to struggle for democracy and human rights through democracy and rule of law was finally suppressed by the authoritarian Office of the Governor-General of Taiwan.

In 1924 (the 14th year of Taisho) Japan proclaimed and enforced the new Criminal Procedure Act (enacted with reference to German law). Taiwan was simultaneously executed. Prosecutors possessed the right of compulsory execution under the Criminal Procedure Act, which may detained offenders for 10 days. In 1927 (the 2nd year of Showa) the District Court established Single Judge Trial Division and



The file cover of Taiwan Governor's Taipei district Prosecutors Office (the sample).
Resources from: the display description of Prosecutorial Exhibition of Centurial Articles

Collegiate Trial Division, resulting in a four-level and three-trial system. The Office of the Governor-General of Taiwan organized the first Taiwan Fine Art Exhibition. Jiang Weishui established the Taiwan People's Party. and promoted social reformation

campaign to fight against opium. In 1928 (the 3rd year of Showa) the first university of Taiwan was established, the Taihoku Imperial University in Taipei. Taiwanese may study law in the art and political faculty of the new university. Japan signed the international opium treaty which began banning of opium. The "Taiwan new opium order" was proclaimed, which had compulsory treatment. In 1929 (the 4th year of Showa) crimes in Taiwan increased and became complicated so "Criminal Investigation Section" was formally established in the Office of the Governor-General of Taiwan and the police departments of Taipei Prefecture, Taichung Prefecture and Tainan Prefecture, to cope with ever increasing and complicated crime investigation.

The "Opium Addiction Rehabilitation Rules" was proclaimed in 1930 (the 5th year of Showa) Taipei Rehabilitation House was established to provide treatment for opium addicts. When the Musha Incident occurred, Japan army and police used poison gas to

attack aboriginals and violated international treaty so Ishizuka Eizō, the Governor-General of Taiwan, was dismissed from his position. In 1931 Huang Yansheng became the first Taiwanese judge. In 1934 the Police Bureau of the the Office of the Governor-General recruited a forensic scholar as technician and two assistant technicians with pharmacy profession. They conducted blood investigation and directed police to collect evidence at crime scene. Thus the idea of scientific investigation entered Taiwan. In 1935 the Taiwan Exposition was organized by joint effort of government officials and private sector. The Office of the Governor-General of Taiwan opened limited local autonomy elections, with half the members of local assemblies appointed by government and half by election. In September 1936 Japan appointed Seizo Kobayashi as the new Governor-General. He dissolved the Taipei local autonomous coalition and stopped publication of Chinese edition of Taiwan newspapers.



In 1937 (the 12th year of Showa) the criminal inspection office of the police department of Taipei Prefecture was renewed as the forensic physics and chemistry office, headed by expert of forensic science of the Faculty of Medicine of the Taihoku Imperial University. The office is the center of scientific investigation of Taiwan to handle examination of blood, hair, bone and saliva of offenders. The establishment of scientific investigation in Taiwan allowed prosecutors to support their investigation with scientific evidence, which was a strong and powerful backing of crime investigation of prosecutors, to avoid the results of crime investigation being challenged and questioning.

In 1938 (the 13th year of Showa) Japan National Mobilization Act was enforced in Taiwan, Taiwan entered long term war time economic control. In 1943 (the 18th year of Showa) the courts changed to two trial. In 1944 Wang Yulin (graduated of Faculty of Law, Tokyo Imperial University) became prosecutor of Kyoto District Court in Japan.

He was the first Taiwanese to be appointed as Japanese prosecutor.

In May 31, 1945 US Army Air Forces used aerial photographs to mark the government authorities and military institutions of Taipei and then bombed Taipei, causing over 3,000 people died, ten thousand people injury and homeless. The "Taiwan opium order" was repealed on June 17. In August 15, the Japanese emperor declared unconditional surrender and then World War II came to the end. In October 25, surrender ceremony of the Japanese government in Taiwan was held in the Taipei City Hall. From that date on, the "Taiwan Provincial Chief Executive Office" of the nationalist government began ruling of Taiwan.



III. Change of Jurisdiction and Buildings

The predecessor of the Taipei District Prosecutors Office was the Prosecutors Bureau set up under the Office of the Governor-General of Taiwan and its jurisdiction was the same as the "Governor-General of Taiwan Court". The "Governor-General of Taiwan Court" was the predecessor of the Taipei District Court". The Court and Prosecutors Bureau of the Governor-General of Taiwan were divided into the "Main Court" with jurisdiction of Taipei, Tamsui and Keelung", and 11 other branches around the island. Upon formal operation of the Governor-General of Taiwan Court, in response to the scope of jurisdiction of criminal procedure and buildings, they were the same as courts in principle.

A. Three-level and three-trial period

At that time, the court system of the Office of the Governor-General adopted a three-level and three-trial system, with high court, review court and district court respectively. There were 13 district courts around Taiwan, with the first use of the name of the "Taipei District Court". On May 13, 1896 Kato Reijiro was the first president of the Taipei District Court and borrowed an office building from Taipei Prefecture. Operation began on July 15 of the same year and the jurisdiction included Taipei, Tamsui and Keelung.¹

B. Two-level and two-trial period

The Office of the Governor-General of Taiwan revised the "Governor-General of Taiwan Court Act" by law order no. 16 on July 19, 1898 (the 31st year of Meiji) so the high court was repealed and change to two-level and two-trial. District court only remained in Taipei, Taichung and Tainan. On July 20, 1898 the original Yilan District Court and Hsinchu District Court were merged with the Taipei District Court as branch

1. < Collection of Taiwan Taipei District Court> Taiwan Taipei District Court 120 anniversary book p33-34.

2. < Collection of Taiwan Taipei District Court> Taiwan Taipei District Court 120 anniversary book p34-35.



office so the jurisdiction of the Taipei District Court was expanded to Yilan and Hsinchu. On April 21, 1901 (the 34th year of Meiji) the office of the Taipei District Court was moved to 3-chome, Benbunmachi, Taipei Prefecture.²

In March 1904 (the 37th year of Meiji) after seven years of preparation of judicial authorities and tightening of funds, and the improvement of traffic, district courts were abolished, Taichung District Court was re-classified as branch office of the Taipei District Court. So only the Taipei District Court and the Tainan District Court were completely independent exist from among the district courts of Taiwan since the Japanese rule to today.³

On October 25, 1909 (the 42nd year of Meiji), by office order no. 77 The Office of the Governor-General of Taiwan once again changed the jurisdiction of district courts and branch offices. The local administration was reduced from 20 prefectures to 12 prefectures. The

longitudinal railway was completed in November 1907 so the traffic became more convenient. Also, the degree of human development was raised. Thus the Taichung branch office of the Taipei District Court was promoted to independent district court while Hsinchu branch office was abolished. Only Yilan branch office remained islandwide. The Hualien Port Prefecture and Taitung Prefecture under the Tainan District Court were changed to be under the jurisdiction of the Taipei District Court. From 1904 to 1909 the Taipei District Court had the most number of prefecture under its jurisdiction. Today, except Yulin, Chiayi, Nantou, Kaohsiung, Pingtung, Hualien, Taitung and Penghu, all others were ever under the jurisdiction of the Taipei District Court and Prosecutors Office. After 1909, although Taichung, Changhua and Nantou were excluded, Hualien and Taitung were added. It was the period that the Taipei District Court and Prosecutors Office had the largest areas under their jurisdiction respectively.⁴

3.< Collection of Taiwan Taipei District Court> Taiwan Taipei District Court 120 anniversary book p35.

4.< Collection of Taiwan Taipei District Court> Taiwan Taipei District Court 120 anniversary book p35.

C. Two-level and three-trial period⁵

On August 8, 1919 (the 8th year of Taisho), law order no. 4 revised the "Governor-General of Taiwan Court Act" to change to three trial. High court was reinstated while review court was repealed. In the second level "High Court", "Appeal Division" and "Review Division" (article 2 paragraph 4 of said act) were set up to take the position of "Appeal Trial" and "Prosecution Trial", which was the third and second trial, and formed two-level and three-trial system(article 4). "District Court Branch Office" was renamed as "District Court Branch" (article 2 of said act), with Taipei District Court, Taichung District Court and Tainan District Court, and three branch offices of Yilan, Hsinchu and Chiayi. In 1933 and 1936 established were Kaohsiung Branch of Tainan District Court and Hualien Port Branch of Taipei District Court respectively.

On March 29, 1921 (the 10th year of Taisho) Japanese emperor proclaim law no. 25 the provision of south China extraterritorial jurisdiction, in article 2 south China, i.e. Fujian province, Canton province and Yunnan province where Japanese consular officers performed pre-trial public prosecution procedure, the jurisdiction was under the Taipei District Court. Article 3 stipulated that trial performed by Japanese consular officers, the appeal of which was under the jurisdiction of the Review Division of Taiwan High Court. It was the first time that the Taipei District Court enjoyed jurisdiction over China territory for public prosecution of cases of extraterritorial jurisdiction.

D. Two-level, three-trial and four-division period

On July 3, 1927 (the 2nd year of Showa) by law order no. 4 of Showa second year, the "Governor-General of Taiwan Court Act" was revised to set up "Collegial Court Division" and "Single Judge Division" in District Court. If the first trial began in "Single Judge Division", it may be appealed to the "Collegial Court Division" (second trial appeal) and furthermore to be appealed to the High Court (third trial appeal). If

5. < Collection of Taiwan Taipei District Court> Taiwan Taipei District Court 120 anniversary book p36-39.



the first trial began in the “Collegial Court Division”, it may be appealed to the Review Division and Appeal Division of High Court for second and third trials. As such, the pragmatic content of Taiwan judiciary system was closer to the judiciary system in Japan home land (four level three trial).

On July 15, 1934 (the 9th year of Showa) the Taipei District Court and High Court moved to the new office building (today Judiciary Building) at 6-chome 1-banchi, Benbu-machi, Taipei. On March 13, 1936 (the 11th year of Showa) no. 14 order established the Hualien Port Branch of the Taipei District Court. Besides the original Taipei, Taichung and Tainan District Courts, on May 4, 1938 (the 9th year of Showa) no. 52 office order upgraded the Hsinchu Branch to Hsinchu District Court. A part of the Hsinchu Prefecture then (today Taoyuan City, Hsinchu County, Hsinchu City and Miaoli County) was changed to be under the jurisdiction of the Hsinchu District Court. The Kaohsiung Branch, established on March 15, 1933 (the 8th year of Showa) by office order no. 28, was upgraded to the Kaohsiung District Court by office order

no. 184 on December 19, 1940 (the 15th year of Showa). Counting into the Yilan Branch and Hualien Port Branch of the Taipei District Court, and the Chiayi Branch of the Tainan District Court, the number of district court and the framework remained the same until Japan surrender.

E. Late war period

On February 24, 1943 (the 18th year of Showa) Japan proclaimed law no. 62 of Showa 17, the “Court Composition Law Wartime Special Act”, to be applied in Taiwan, which mainly restricted the second appeal trial (prosecution) of specific civil and criminal cases. Those who were not satisfied with the decision of the Single Judge Division of District Court may “appeal” to the Review Division of the High Court. Those who were not satisfied with the decision of the Collegial Court of District Court may “appeal” to the Appeal Division of High Court. The same act was revised on October 31 of the same year. On November 5 of the same year all civil and criminal cases in Taiwan were changed to two trial system.

IV. Summary

A. The status of Taipei, as a political and economic center of Taiwan, become more established during the Japanese rule

In 1899 (the 32nd year of Meiji) Japan government established the Bank of Taiwan in Dadaocheng area of Taipei to print banknotes issued by the Office of the Governor-General of Taiwan as the legal currency of Taiwan. The Office of the Governor-General of Taiwan began modernization construction of Keelung Port and build Keelung as the door for transportation with Japan home land. In 1938 the Bank of Taiwan increased its seven branches to several dozen branches.

Besides the increase in business volume, the original building was eroded by termite, which necessitated the finding of a new location. The new building was completed on 2-chome 1-banchi, Sakae-machi, Taipei. The Office of the Governor-General of Taiwan (today Presidential Office) and the Residence of the Governor-General of Taiwan (today Taipei Guest House) were also built in Taipei. These factors made the status of Taipei, the political, economic and financial center of Taiwan, to become more and more unbreakable.

B. The importance and influence of the Taipei District Court and Prosecutors Bureau was already shown during Japanese rule

Before Japan's surrender, according to the last statistics of 1942 (the 17th year of Showa), the statutory staff of the Taipei District Court of that year included one president, 16 judges, 1 chief clerk, 37 clerks and 11 interpreters. The area under jurisdiction measured 23,016 square meters, which was 64% of 35,956 square meters, the total areas of Taiwan. The population under jurisdiction was 1,988,546, which was 30.9% of 6,427,932, the total



population of Taiwan then. New cases of that year were 3,178, with 1,753 civil cases and 1,425 criminal cases, which was the top number of Taiwan.⁶ As such, the Taipei District Court, in regard to the areas and population under its jurisdiction and the number of case handled, since the Japanese rule as of today, was the most important court in Taiwan with great influence. The prosecutors office that attached to the Taipei District Court, with the important and complication of cases handled, was naturally also the most important prosecutors office of Taiwan.

C. Democracy, human rights and independent of judiciary of Taiwan under Japanese rule were not well respected and the role of prosecutors was also in doubt

The civilian period of Japanese rule was from April 1, 1896 to October 24, 1945. The military period was nominally ended on April 1, 1896 but in fact, in early civilian period, military leaders were appointed as the Governor-General of Taiwan. They took military authoritarian attitude to enforce harsh management of Taiwan. Japan's official attitude about independent of judiciary and human rights of Taiwan could be seen from the "Criminal Punishment Order" proclaimed during this period, in which the statutory sentence for most offense were death sentence as the only penalty. It was also revealed by the conflict between Nogi Maresuke, the Governor-General of Taiwan, and Takano Takeshi Nori, president of the high court. Because Takano refused to follow the order of transfer, Nogi sent police to escort Takano out of the court. Among the 16 judges in Taiwan, 14 was resigned or dismissed within one year.

The Japanese government proclaimed the "Taiwan opium order" for government monopoly on opium trade. This cast doubt in fight against drug crime and the role

6. < Collection of Taiwan Taipei District Court > Taiwan Taipei District Court 120 anniversary book p39.

of Japanese government on drug crime. In 1923 (the 12th year of Taisho) the Office of the Governor-General adopted the "Security Police Act" to suppress the petitioners campaign for the promotion to establish Taiwan Council. In this "Security Police Incident", Jiang Weishui was prosecuted by prosecutor of the Taipei Prosecutors Bureau. In the first trial was not guilty but the second trial was guilty. The Taiwanese trying to struggle for democracy and human rights through democracy and rule of law was finally suppressed by the authoritarian Office of the Governor-General of Taiwan. At the Musha Incident, Japan army and police used poison gas to attack aboriginals and violated international treaty, Ishizuka Eizō, the Governor-General of Taiwan, was dismissed from his position under international pressure.

機關名稱	日據時代管轄區域	接收後管轄區域
臺灣高等法院檢察處	臺灣各州、廳、郡	臺灣省各縣市
臺灣臺北地方法院檢察處	臺北州 臺北廳 花蓮港廳	臺北市 基隆市 臺北縣
臺灣臺北地方法院宜蘭分院檢察處	宜蘭州 宜蘭郡 羅東郡 蘇澳郡	宜蘭市 宜蘭鎮 蘇澳鎮 羅東鎮
臺灣花蓮港地方法院檢察處	花蓮港廳 臺東廳	花蓮縣 臺東縣
臺灣新竹地方法院檢察處	新竹州	新竹縣(市)
臺灣臺中地方法院檢察處	臺中州	臺中縣(市)、彰化市
臺灣臺南地方法院檢察處	臺南州	臺南縣(市)、嘉義市
臺灣臺南地方法院嘉義分院檢察處	嘉義州 嘉義郡 斗六郡 虎尾郡 北港郡 東石郡	嘉義市 嘉義縣 斗六區 虎尾區 北港區 東石區
臺灣高雄地方法院檢察處	高雄州 澎湖廳	高雄市 屏東市 澎湖縣

Taiwan High Court Procurators Office took over all district prosecutors office After World War II surrendered in Japan. The photo is the jurisdiction of all district prosecutors office.

Resources from: the display description of Prosecutorial Exhibition of Centurial Articles

D. The period of Japanese rule had indeed contribution to the construction of Taiwan’s criminal procedure and the identity and system of prosecutors

After proclamation of the "Governor-General of Taiwan Court Act", "Court" was used to name the judicial authority. Meanwhile courts and prosecutors bureau were established under the Office of the Governor-General of Taiwan. Judges and prosecutors of courts were appointed by the Governor-General of Taiwan. Judges



required the qualification of judge but there were no qualification limit for appointment of prosecutors. Prosecutors were attached to court, not to prosecution officers. Upon formal operation of the courts of the Governor-General of Taiwan, in response to the statutory duty and work of prosecution in criminal procedure, it was prescribed that specific persons may be appointed to handle prosecution. This was the formal birth of the title and duty of "Prosecutor" in Taiwan prosecution system.

E. The establishment of scientific investigation system

The investigation of prosecutor without support of scientific evidences will face challenge and questioning. There was death of offender caused by force interrogation of police in Shuifanjiao (Xishi), Taipei Prefecture in 1915 so criminal investigation procedure and human rights of offenders in Taiwan began to receive attention. In 1929 (the 4th year of Showa), crimes in Taiwan increased and became complicated, "Criminal Investigation Section" was formally established in the Office of the Governor-General of Taiwan and the police departments of Taipei, Taichung and Tainan Prefectures to cope with ever increasing and complicated crime investigation. In 1934 the police department of the Office of the Governor-General of Taiwan recruited a forensic

scholar as technician and two assistant technicians with pharmacy profession to conduct investigation of blood and direct police to collect evidence in crime scene. Thus the idea of scientific investigation entered Taiwan. In 1937 (the 12th year of Showa) the criminal inspection office of the police department of Taipei Prefecture was renewed as the forensic physics and chemistry office, headed by forensic science expert of the Faculty of Medicine of the Taihoku Imperial University. The forensic physics and chemistry office was the center of scientific investigation of Taiwan, which handled examination of blood, hair, bone, and saliva of offenders. This provided scientific and modern collection of evidence and investigation, and also provided strong scientific support to crime investigation of prosecutors.