

It is stated that Chinese labor degrades labor as slave labor did. This is not so. It is a well-known fact that there is a scarcity of labor in the agricultural districts. Owing to the exclusion law, fields lie uncultivated for lack of labor. It is to the interest of farmers to be able to obtain any other kind of labor when white labor cannot be had....

The old story about the Chinese, in their habits and customs, violating every principle and rule of hygiene is here repeated, but the Chinese in this regard, are no worse than the Italians or the Hungarians, in cities or places where there are no Chinese. Sanitary laws have to be enacted and enforced to meet such a situation. In every country there are some people who are filthy in their habits....

It is not necessary to say much in reply to what is said there in regard to the moral standard of the Chinese. Suffice it to say that any one who takes up a copy of the *New York Journal* can find a state of things equally bad among the people of other nationalities....

Opium is imported into this country by Americans. Chinese are prohibited from bringing opium into this country, by treaty between China and the United States. If there are opium dens in San Francisco and other American cities, the Americans have only themselves to blame, for China has done her utmost to put a stop to that traffic....

Page 33 [of the labor pamphlet]. Reply to Memorial to Congress.

"When Chinese flocked in." The Chinese have contributed largely to the opening up and development of California and the Western States. They worked mines, they reclaimed waste lands, they constructed the transcontinental railroads connecting the Pacific coast with the Atlantic seaboard.

"Effects of the Geary Act." Its effects are disastrous to California. According to the fifteenth report of the Commissioner of Labor, the average rate of wages in California fell to \$1.73 per day in 1893, the year when the Geary Act went into effect, while the average rate of wages was \$2.00 per day before the exclusion of the Chinese.

"Chinese are not assimilative." Americans do not give them a chance. They are not allowed by law to become citizens; it is hardly fair to deny them the right to become naturalized and, in the same breath, find fault with them for not being assimilative....

"Exclusion an aid to industrial peace." From what has been said, it is not the real laborers who do not want the Chinese, but the walking delegates,

and others of that class. They are the real disturbers of the peace, not the Chinese....

"Experience with slave labor." Chinese labor is voluntary, and not slave labor.

"Our civilization is involved." The historical allusions are rather far-fetched. They have no bearing whatever on the question at hand.

The Americans have often boasted of their fair dealing and consideration for the oppressed of mankind. The exclusion laws against the Chinese give a lie to their professions. They do not dare to do the same thing to a stronger power. They simply take advantage of the weakness of China and do as they please about this matter. This is like kicking a man when he is down. Nothing is more cowardly than this.

The Chinese do not come here to commit any criminal offence. They come to trade and to work. But it is the practice for custom officials to look upon their attempt to enter the country as criminal offences, and treat them worse than thieves or robbers. Is this fair? Should it be done by a civilized people?

*Truth versus Fiction: Justice versus Prejudice - Meat for All, Not for a Few. A Plain and Unvarnished Statement: Why Exclusion Laws Against the Chinese Should Not be Re-enacted - Respect Treaties and Make General, Not Special Laws, 1902, pp. 3-4, 6-7, 8, 10, 11, 12*

## ALIEN LAND LAW 11

*Laws limiting the right of Japanese immigrants in the United States to own land were passed in several Far Western states during the early twentieth century. The laws compounded the pressures upon people who already had been denied citizenship.<sup>7</sup>*

(a)

Section 1. All aliens eligible to citizenship under the laws of the United States may acquire, possess, enjoy, transmit and inherit real property, or any interest therein, in this state, in the same manner and to the same extent as citizens of the United States, except as otherwise provided by the laws of this state. Section 2. All aliens other than those mentioned in section one of this act may acquire, possess, enjoy and transfer real property, or any interest therein,

in this state, in the manner and to the extent and for the purpose prescribed by any treaty now existing between the government of the United States and the nation or country of which such alien is a citizen or subject, and not otherwise.

Section 4. Hereafter no alien mentioned in section two hereof and no company, association or corporation...may be appointed guardian of that portion of the estate of a minor which consists of property which such alien or such company, association or corporation is inhibited from acquiring, possessing, enjoying or transferring by reason of the provisions of this act. The public administration of the proper county, or any other competent person or corporation, may be appointed guardian by the estate of a minor citizen whose parents are ineligible to appointment under the provisions of this section.

On such notice to the guardian as the court may require, the superior court may remove the guardian of such as estate whenever it appears to the satisfaction of the court:

(a) That the guardian has failed to file the report required by the provisions of section five hereof; or

(b) That the property of the ward has not been or is not being administered with due regard to the primary interest of the ward; or

(c) That facts exist which would make the guardian ineligible to appointment in the first instance; or

(d) That facts establishing any other legal ground for removal exist.

Section 6. Whenever it appears to the court in any probate proceeding that by reason of the provisions of this act any heir or devisee cannot take real property of in this state or membership or shares of stock in a company, association or corporation which, but for said provisions, said heir or devisee would take as such, the court, instead of ordering a distribution of such property to such heir or devisee, shall order sale of said property to be made in the manner provided by law for probate sales of property and the proceeds of such sale shall be distributed to such heir or devisee in lieu of such property.

Section 7. Any real property hereafter acquired in fee in violation of the provisions of this act by any alien mentioned in section two of this act, or by any company, association or corporation mentioned in section three of this act, shall escheat to, and become and remain the property of the State of California. The attorney general or district attorney of the proper county shall institute proceedings to have the escheat of such real property adjudged and

enforced in the manner provided by section four hundred seventy-four of the Political Code and title eight, part three of the Code of Civil Procedure. Upon the entry of final judgment in such proceedings, the title to such real property shall pass to the State of California. The provisions of this section and of sections two and three of this act shall not apply to any real property hereafter acquired in the enforcement or in satisfaction of any lien now existing upon, or interest in such property, so long as such real property so acquired shall remain the property of the alien, company, association or corporation acquiring the same in such manner. No alien, company, association or corporation mentioned in section two or section three hereof shall hold for a longer period than two years the possession of any agricultural land acquired in the enforcement or in satisfaction of a mortgage or other lien hereafter made or acquired in good faith to secure a debt.

*California Anti-Alien Land Law, 1920*

(b)

Section 2. An alien shall not own land or take or hold title thereto. No person shall take or hold land or title to land for an alien. Land now held by or for aliens in violation of the constitution of the state is forfeited to and declared to be the property of the state. Land hereafter conveyed to or for the use of aliens in violation of the constitution or of this act shall thereby be forfeited and become the property of the state.

Section 3. An alien is not qualified to be trustee under a will, executor, administrator or guardian, if any part of the estate is land; Provided, An alien now lawfully acting in any such capacity may continue for not more than two years.

Section 4. If hereafter an alien acquire land by inheritance or in good faith either under mortgage or in the ordinary course of justice in the collection of debts, and remaining an alien, hold the same for more than twelve years from the date title was so acquired or control or possession taken, the land shall be forfeited to the state.

Section 5. If an alien claiming or holding under a mortgage has control, possession, use or enjoyment of the mortgaged land, the obligation secured by the mortgage shall be deemed matured and the mortgage shall be foreclosed; and if the land not be sold under foreclosure within three years after the alien has obtained control, possession, use or enjoyment, the mortgage and the

obligation thereby secured shall be forfeited to the state and shall be foreclosed for the use of the state.

Section 6. Unless an alien who has declared his intention to become a citizen of the United States be admitted to citizenship within seven years after his declaration was made, it shall be presumed that he declared his intention in bad faith.

*Washington Anti-Alien Land Law, 1921*

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*While the Alien Land Acts represented a wave of discriminatory legislation against Japanese immigrants (Issei), they also generated opposition. Through diverse channels and activities, Japanese on the West Coast launched a series of appeals,<sup>8</sup> while supporters demanded that the Japanese be accorded equal rights. Although the hearings on Japanese immigration, held by the House Committee on Immigration and Naturalization on the West Coast in 1920, served essentially as a forum for anti-immigrant diatribes, there were a number of witnesses who testified in favor of the Japanese and who made a number of clearly anti-racist arguments. Among them were the Los Angeles Baptist minister C.C. Pierce (a), whose statement below was incorporated with his answers to questions; John P. Irish (b), a wealthy farmer and member of the Oakland Chamber of Commerce whose pamphlet on the "anti-Japanese pogrom" was incorporated into the published proceedings as Exhibit B, and who refused to denounce interracial marriage and relationships despite the prodding of his questioners<sup>9</sup>; and Erwin B. Ault (c), editor of the Seattle Union Record, voice of the Seattle Central Labor Council; Ault had been a major player in the Seattle General Strike in 1919.<sup>10</sup> The Oakland-based American Committee of Justice, which included political figures, landowners, merchants, clergymen, academicians, and John Irish, among others, produced a pamphlet (d), from which a passage against the Alien Land Act is excerpted.<sup>11</sup> The Committee's efforts were not all in vain: over a third of the voters in California opposed the Act in the November 1920 election.*

(a)

There is no real Japanese problem in California. The so-called Japanese problem is based upon a number of facts and considerations, some of which are real, but some are imaginary and the outgrowth of prejudice, ignorance, and selfishness. That the Japanese people are here in considerable numbers, that they carry on their activities upon some of the best land in California, that they are fairly prolific as a race, that they live in rather simple conditions in many cases, that they are diligent workers, that they are increasing in numbers, and doubtless some other things which might be mentioned, either for or against them, present various phases of the truth. But most of the things which are urged against the Japanese and which are true or contain an element of the truth present a very different aspect when viewed from the standpoint of international comity, friendship, and true Americanism than when presented in an unqualified manner and in the spirit of misunderstanding.

Many things urged against the Japanese are wholly untrue or are so nearly wholly untrue that to state them is to deceive and mislead. It is not true at all that they have "crowded the young white men off the farm and the ranch," that they are a people coming to possess this country who hold "a divided allegiance," that they "do not understand or appreciate our institutions," that the Americans are beholding their "possessions wiped out," that they are "an unassimilable race," that "they send the most of their money earned here back to Japan," and maintain an unswerving loyalty to their native country any more than do those of other nations.

Unfortunately, there exists a rather positive element of race prejudice in the minds of many people, and in the case of the Japanese and our relations to them and our estimation of the various elements introduced by their presence it is quite evident that this prejudice is rather widely and generally manifested in the State of California. Most of the facts which exist in connection with the presence of the Japanese people in this State, however, exist wherever people of one nationality come in considerable numbers to take up their residence among those of another race.

Practically all of the things, or at least many of them, which I hear constantly urged against the Japanese I heard as a boy urged against the Scotch and the Irish in rural New York, and later in the city of New York and Boston against practically all of the people of southern Europe who came