Verified written reports in compliance with Section 5 of the Alien Land Law of 1920, 1921-1949 (bulk, 1930-1949)

Processed by Sonoma County Library staff; machine-readable finding aid created by Geoffrey Skinner.

This work is licensed by Sonoma County Library under a Creative Commons Attribution-NonCommercial-ShareAlike (CC BY-NC-SA) 4.0 International License.

Published Dec. 20, 2019
Sonoma County Library
6135 State Farm Drive
Rohnert Park, CA 94928
URL: https://sonomalibrary.org
Email: http://ask.sonomalibrary.org/ask/
Phone: 707 545-0831
Verified written reports in compliance with Section 5 of the Alien Land Law of 1920, 1921-1949 (bulk, 1930-1949)

Sonoma County Library

Overview of the Collection

Collection Title: Verified written reports in compliance with Section 5 of the Alien Land Law of 1920, 1921-1949 (bulk, 1930-1949)

Date (inclusive): 1921-1949

Date (bulk): (bulk, 1930-1949)

Identification: SCG.00075

Creator/Collector: San Francisco (Calif.). Clerk, Sonoma County (Calif.). Clerk

Physical Description: 0.3 linear feet, 1 archival storage box

Language of Materials: English

Repository: Sonoma County History and Genealogy Library, Sonoma County Library

725 Third Street
Santa Rosa, CA,

URL: https://sonomalibrary.org/locations/sonoma-county-history-and-genealogy-library/sonoma-county-archive

Email: history@sonomalibrary.org

Phone: (707) 308-3212

Abstract: The collection consists of verified written reports from 65 depositions regarding Japanese-owned properties focused in Sonoma County, California. These reports compiled in compliance of Section 5 of the Alien Land Law of 1920 were filed between 1921 and 1949. They include names of trustee(s), names of minor(s), legal description of real property, and, for most cases, income and expenditures.

California Alien Land Law of 1913

The California Alien Land Law of 1913 (also known as the Webb-Haney Act) prohibited "aliens ineligible for citizenship" from owning agricultural land or possessing long-term leases over it, but permitted leases lasting up to three years. It affected the Chinese, Indian, Japanese, and Korean immigrant farmers in California. Implicitly, the law was primarily directed at the Japanese. It passed thirty-five to two in the Senate and seventy-two to three in the Assembly and was co-written by attorney Francis J. Heney and California state attorney general Ulysses S. Webb at the behest of Governor Hiram Johnson. Japan's Consul General Kametaro Iijima and lawyer Juichi Soyeda lobbied against the law. In a letter to the United States Secretary of State, the Japanese government via the Japanese Minister of Foreign Affairs called the law "essentially unfair and inconsistent" with the sentiments of amity and good neighborhood which have presided over the relations between the two countries," and noted that Japan felt it was "in disregard of the spirit of the existing treaty between Japan and the United States." The law was meant to discourage immigration from Asia, and to create an inhospitable climate for immigrants already living in California. (Source: Wikipedia, accessed June 4, 2019: https://en.wikipedia.org/wiki/California_Alien_Land_Law_of_1913)

The Law included a provision that any property acquired in violation of the law would pass to the State of California: Sec. 5. Any real property hereafter acquired in fee in violation of the provisions of this act by any alien mentioned in Section 2 of this act, or by any company, association, or corporation mentioned in Section 3 of this act, shall escheat to and become and remain the property of the State of California. The attorney- general shall institute proceedings to have the escheat of such real property adjudged and enforced in the manner provided by Section 474 of the Political Code, and Title 8, Part 3, 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 2 and 3 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. (Source: Collins, Charles Wallace. Will the California Alien Land Law stand the test of the Fourteenth Amendment? Yale Law Journal, vol. 23, issue 3, 1914, page 332. Accessed June 4, 2019. https://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=2346&context=ylj)

California Alien Land Law of 1920

The California Alien Land Law of 1920 continued the 1913 law while filling many of its loopholes. Among the loopholes filled were that the leasing of land for a period of three years or less was no longer allowed; owning of stock in companies that
acquired agricultural land was forbidden; and guardians or agents of ineligible aliens were required to submit an annual report on their activities. The 1920 Alien Land Law was passed in reaction to the intensification of anti-Japanese sentiment, and to the fact that the 1913 Alien Land Law was doing little to stem Japanese immigration to California. The law was approved by the voters after being proposed by the California State Legislature. It passed with a vote of 668,438 to 222,086. The 1920 law was amended in 1923 to further fill wording-related loopholes.

In 1923, the California Land Law of 1913 and similar laws in other states were upheld in the United States Supreme Court and were determined not to be in violation of the Fourteenth Amendment to the United States Constitution. The 1946 Supreme Court of California case People v. Oyama reaffirmed the 1923 decision, determining that Japanese immigrant Kajiro Oyama had attempted to evade the Alien Land Laws by purchasing farmland that he placed in the name of his son, who was a U.S. citizen. In fact, Oyama's petition to be named as his son's guardian in order to have authority over the land had been approved by a local court. This method was a major way in which the Japanese were able to acquire agricultural land during this period, since most other options were closed to them. The case was then reviewed by the United States Supreme Court in Oyama v. California after petitioning by the Oyamas and their supporters. The majority opinion held that Fred Oyama's rights as a U.S. citizen to take and hold property had been violated by the state of California. The decision was arguably instrumental in helping to bring about a shift in attitudes toward the Japanese and their property rights.

Abolition of the Alien Land Laws

The Alien Land Laws were invalidated in 1952 by the Supreme Court of California as a violation of the equal protection clause of the 14th Amendment to the United States Constitution in Sei Fujii v. California. Fujii was a longtime Los Angeles resident, but was not a U.S. citizen. He alleged that the law violated the California and United States Constitutions, and that it also went against the spirit of the United Nations Charter to which the United States was bound by treaty. The California District Court of Appeal had decided in 1950 that the Alien Land Law was in violation of Articles 55 and 56 of the United Nations Charter. The Supreme Court of California then ordered the case transferred for hearing and settlement, as it was determined to be a sufficiently important question of law. (Source: Wikipedia, accessed June 4, 2019: https://en.wikipedia.org/wiki/California_Alien_Land_Law_of_1913)

Trustees and Minor Children

Elliot, Albert H. and Guy C. Calden, trustees for Morio Tominaga: 1930-1933
Fujita, George E., trustee for Tomoe Fujita: 1937
Fujita, Henry Katsumi, brother of Eigi, Michi, and Tomoe Fujita: 1931-1936
Fujita, Katsumi, brother of Eigi, Michi, and Tomoe Fujita: 1930
Fujita, T., father of Katsumi, Eigi, Michi and Tomoe Fujita: 1930
Hirooka, Niemon for child, Hideo Hirooka: 1930, 1931, 1932-1937
Inagawa, Hichiro for Kiyoko Inagawa: 1948, 1949
Kawaoka, Risuke, father of Mitsuto, Itsuo and Hideo Kawaoka: 1930-1938
Kawaoka, Risuke, trustee of Hideo Kawaoka: 1939-1940
Kawaoka, Risuke, trustee for Jitsuo Kawaoka: 1941-1945
Kido, Saburo, trustee of estate of Henry Masuoka, minor: 1930-1931
Kido, Saburo for Hiroshi, Kumiko and Mikio Taniguchi: 1947
Kido, Saburo for Eiko and Sachio Yamamoto: 1948
Komatsu, Shige, for son Aoba Komatsu: 1921
Morita, T. for Raymond Morita: 1949
Nakano, Juhachi, guardian of Kiyoko, Masaki, Toshiyuki and Hideo Nakano: 1930-1943
Okazaki, K., for children, Mika, Kazuo and Makoto Okazaki: 1930-1931
Yamaoka, Sensuke for Matsuuo, Hisako, Yoshiko and Kazuo Yamaoka: 1930-1931
Yamaoka, Kayo, mother for Yoshiko and Kazuo Yamaoka: 1932-1937, 1940
Yamaoka, Kayo, mother of Noboru, Hideko, Jeanne and Kazuo Yamaoka: 1942-1943

Trustees

Guy C. Calden: 1930-1933
Elliot, Albert H. 1930-1933
Fujita, George E. 1937
Fujita, Henry Katsumi: 1931-1936
Fujita, Katsumi: 1930
Fujita, T. 1930
Hiraoka, Niemon: 1930-1933, 1935-1937
Inagawa, Hichiro: 1948-1949
Kawaoka, Risuke: 1930-1945
Komatsu, Shige: 1921
Morita, T 1949
Nakano, Juhachi: 1930-1931, 1938-1943
Okazaki, K. 1930-1931
Yamaoka, Sensuke: 1930-1931
Yamaoka, Kayo: 1932-1937, 1940, 1941-1942

Minor children
Fujita, Eigi: 1930-1936
Fujita, Katsumi: 1930
Fujita, Michi: 1930-1936
Fujita, Tomoe: 1930-1937
Hirooka, Hideo: 1930-1933, 1935-1937
Inagawa, Kiyoko: 1948-1949
Kawaoka, Hideo: 1930-1940
Kawaoka, Itsuo: 1930-1938
Kawaoka, Jitsuo: 1941-1945
Kawaoka, Mitsuto: 1930-1938
Komatsu, Aoba: 1921
Masuoka, Henry: 1930-1931
Morita, Raymond: 1949
Nakano, Hideo: 1930-1931, 1938-1943
Nakano, Kiyoko: 1930-1931, 1938-1943
Nakano, Masaki: 1930-1931, 1938-1943
Nakano, Toshiyuki: 1930-1931, 1938-1943
Okazaki, Kazuo: 1930-1931
Okazaki, Makoto: 1930-1931
Okazaki, Mika: 1930-1931
Taniguchi, Hiroshi: 1947
Taniguchi, Kumiko: 1947
Taniguchi, Mikio: 1947
Tominaga, Morio: 1930-1932
Yamamoto, Eiko: 1948
Yamamoto, Sachio: 1948
Yamaoka, Hideko: 1942-1943
Yamaoka, Hisako: 1930-1931
Yamaoka, Jeanne: 1942-1943
Yamaoka, Kazuo: 1930-1937, 1940, 1942-1943
Yamaoka, Matsuyo: 1930-1931
Yamaoka, Noboru: 1942-1943
Yamaoka, Yoshiko: 1930-1937, 1940

Related Records
Copies of these and other reports are located in the California State Archives, located in Sacramento, California. They are listed in the Inventory of the Office of the Secretary of State Records, Part I; digitized versions can be accessed through
Ancestry.com: California, Alien Land Ownership Records, 1921-1952 (includes 879 entries for Sonoma County).

Creator/Collector:
California. Secretary of State

Title: Alien Land Law Reports

Date (inclusive): 1921-1952

Identifier/Call Number: #1-6000

Scope and Contents
Official reports as recorded by the Clerk of San Francisco and Sonoma Counties.

Arrangement of Materials:
Arranged in 19 annual series; arranged alphabetically by filer last name within each year.

Access Terms
The following terms have been used to index the description of this collection.

Personal Names (Persons Filing Deposition)
Calden, Guy C.
Elliot, Albert H.
Fujita, George E.
Fujita, Henry Katsumi
Fujita, Katsumi
Fujita, T.
Hirooka, Niemon
Inagawa, Hichiro
Kawaoka, Risuke
Kawaoka, Risuke,
Kido, Saburo
Kiyoko Inagawa
Komatsu, Shige
Morita, T.
Nakano, J.
Nakano, Juhachi
Okazaki, K.
Yamaoka, Kayo
Yamaoka, Sensuke

Personal Names (Title Owners)
Fujita, Eigi
Fujita, Katsumi
Fujita, Michi
Fujita, Tomoe
Hichiro, Inagawa,
Hirooka, Hideo
Inagawa, Kiyoko
Kawaoka, Hideo
Kawaoka, Itsuo
Kawaoka, Jitsuo
Kawaoka, Mitsuto
Komatsu, Aoba
Masuoka, Henry
Morita, Raymond
Nakano, Hideo
Nakano, Kiyoko
Nakano, Masaki
Nakano, Tosbiyuki
Nakano, Toshiyuki
Okazaki, Kazuo
Okazaki, Makoto
Okazaki, Mika
Taniguchi, Hiroshi
Taniguchi, Kumiko
Taniguchi, Mikio
Tominaga, Morio
Yamamoto, Eiko
Yamamoto, Sachio
Yamaoka, Hideko
Yamaoka, Hisako
Yamaoka, Jeanne
Yamaoka, Kazuo
Yamaoka, Matsuyo
Yamaoka, Noboru
Yamaoka, Yoshiko

**Geographic Terms**
California--Laws, statutes, etc.

**Topical Terms**
Japanese--United State
Japanese Americans-- United State
Japanese--California--Sonoma County
Japanese Americans-- California--Sonoma County
Land tenure--Law and legislation--California
Japanese
Race discrimination

**Genre and Format Terms**
Official reports
Archival materials

**Access Information**
This collection is partially processed. Please contact the Sonoma County History and Genealogy Library for access; for contact info and current hours, see https://sonomalibrary.org/locations/sonoma-county-history-and-genealogy-library

**Conditions of Use**
Collection does not circulate and may be photocopied or photographed by arrangement only.

**Publication Rights**
Property rights reside with the Sonoma County Library. The Sonoma County Library has made this collection available and believes that the collection is in the Public Domain under the laws of the United States, but a determination was not made as to its copyright status under the copyright laws of other countries. The Collection may not be in the Public Domain under the laws of other countries. Preferred credit line is: Courtesy, the Sonoma County Library. Please see additional reproduction and reuse information at https://sonomalibrary.org/locations/sonoma-county-history-and-genealogy-library/order-photo
[Identification of item], Verified written reports in compliance with Section 5 of the Alien Land Law of 1920, 1921-1949. SCG.00075, History and Genealogy Library, Sonoma County Library, Santa Rosa, CA.
Gift:: donor and date of donation unknown