

# CANADA'S STRUGGLE WITH ILLEGAL ENTRY ON ITS WEST COAST:

## *The Case of Fred Yoshy and Japanese Migrants before the Second World War*

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### INTRODUCTION

On 11 July 1931, at the Merritt Sawmill in British Columbia's interior, RCMP inspector L.J. Sampson picked up two Japanese labourers for questioning. Inspector Sampson needed to know if the nervous brothers, Katsuzo and Kimatsu Suzuki, were legally resident in Canada. In their statement to the police, the brothers admitted that "they had entered Canada illegally through the connivance of Maruyama and [Fred] Yoshy."<sup>1</sup> In the early 1920s each had obtained, for a fee, Canadian naturalization certificates from a man in Yokohama, Japan. For another fee, Mr. Maruyama, an employee of the British Consulate, had sold them visas and then booked passages for the brothers, under their new false identification, on the Canadian Pacific Railway steamship line. On the final leg of their journey between Victoria and Vancouver, Fred Yoshy, the Vancouver Immigration Branch Japanese interpreter, took their fraudulent naturalization certificates and gave them the address of a boarding house in Vancouver, also for a fee. Having successfully reached their BC destination, the brothers quickly found work and established new lives for themselves. One married a Canadian-born Japanese woman, and the other brought his wife and child over from Japan.

The illegal entry of the Suzuki brothers was not an isolated incident. Fred Yoshy (*Saburo Yoshiye*), who had been the Japanese interpreter in Vancouver since 1914, had for years been smuggling Japanese into British Columbia, probably in collaboration with one or more Canadian immigration officials. A police investigation revealed that the numbers

<sup>1</sup> See Fred Yoshy: Securing False Birth Certificates for the Use of Japanese Immigrants, 13 July 1931, RG 76, Immigration, vol. 342, file 361435, reel 10,250, Archives Canada (AC).

were large. In fact, they were so large (perhaps over 2,500),<sup>2</sup> and white hostility to the Japanese was so ingrained, that the Immigration Branch, with the assistance of the RCMP, decided to investigate Japanese communities throughout British Columbia in order to track down and deport the illegal entrants.<sup>3</sup> The public disclosure of the Yoshy smuggling scheme in 1931, combined with Japan's militant imperialism in the Pacific region and deeply held anti-Japanese sentiment in British Columbia, helped to fuel intermittent allegations of clandestine entry throughout the 1930s. The unfortunate result for the vulnerable Japanese immigrant community was a vigorous government investigation and close scrutiny from 1931 to 1936, and again in 1938.

The existing literature on Canadian immigration history includes little about illegal entry,<sup>4</sup> such as the Yoshy scheme, and for understandable reasons. It is a problematic area of historical research. Most illegal immigrants never got caught, so the existing documentation is scant and offers a misleading guide to the extent of the activity. With regard to the pre-Second World War era, most participants have

<sup>2</sup> An estimate of the Board of Review Report, 12 December 1938, RG 25, External Affairs, series A-2, vol. 729, file 84, reel T-1752, AC.

<sup>3</sup> This paper follows the definitions related to illegal migration given by the United Nations *Protocol against the Smuggling of Migrants by Land, Sea and Air* (N.p.: The United Nations, 2000), 2. Human smuggling "shall mean the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or permanent resident." Illegal entry "shall mean crossing borders without complying with the necessary requirements for legal entry into the receiving State."

<sup>4</sup> The small body of literature on illegal migration has mostly been written by sociologists who examine contemporary themes, such as media discourse on incidents of illegal entry. Other topics include experiences of illegal immigrants, the number of illegal immigrants in Canada, recent human smuggling schemes and law enforcement, procedural justice for apprehended illegals, and government amnesties. For examples, see Joshua L. Greenberg, "Opinion Discourse and the Canadian Newspapers: The Case of the Chinese 'Boat People,'" *Canadian Journal of Communication* 25, 4 (2000): 517-37; Sean P. Hier and Joshua L. Greenberg, "Crisis, Mobilization and Collective Problemization: 'Illegal' Chinese Migrants and the Canadian News Media," *Journalism Studies* 2, 4 (2001): 563-83; Sean P. Hier and Joshua L. Greenberg, "Constructing a Discursive Crisis: Risk, Problemization and Illegal Chinese in Canada," *Ethnic and Racial Studies* 25, 3 (2002): 490-513; Grace M. Anderson, *Illegal Immigration: A Sociologically Unexplored Field* (Waterloo: Department of Sociology and Anthropology, Waterloo Lutheran University, 1971); W.G. Robinson, "Illegal Immigrants in Canada: Recent Developments," *International Migration Review* 18, 3 (1984): 474-85; Kenneth Yates, "Canada's Growing Role as a Human Smuggling Destination and Corridor to the United States," in *Human Smuggling: Chinese Migrant Trafficking and the Challenge to America's Immigration Tradition*, ed. Paul J. Smith (Washington, DC: The Centre for Strategic and International Studies, 1997), 156-68; Patrick Glenn, *Strangers at the Gate: Refugees, Illegal Entrants and Procedural Justice* (Montreal: Les Editions Yvon Blais Inc., 1992); and David S. North, *Amnesty: Conferring Legal Status on Illegal Immigrants - The Canadian Experience, the Western European Experience, and a Proposal to Study Its Possible Consequences in the US* (Washington, DC: Center for Labor and Migration Studies, 1980).

died, thus first-hand oral accounts are unavailable. Furthermore, for obvious reasons any ethnic group associated with a past high-profile illegal entry scam – the kind that do get partially documented – can hardly be expected to preserve and to celebrate its memory. And, given Canada's official doctrine of multiculturalism and the pervasive pro-immigration, pluralist convictions of its social scientists, non-governmental organizations, immigration lawyers, and rights advocates, there exists a general tendency to repress the topic “for fear of inflaming anti-immigrant sentiment.”<sup>5</sup>

Such policies and sentiments befit a major immigrant-receiving nation with a prudent concern to promote intergroup harmony. However, they have combined to distort our often celebrated memory of Canadian immigration history, for illegal entry has a long tradition in Canada. Noteworthy incidents, other than the Yoshy scheme during the 1920s, include violations between 1885 and 1923 of the restrictive Chinese Immigration Act,<sup>6</sup> especially the frauds at Vancouver investigated by a royal commission in 1910;<sup>7</sup> the fraudulent entry of Nazi war criminals after the Second World War;<sup>8</sup> an international scheme centred in Hong Kong that brought thousands of Chinese into Canada during the 1950s;<sup>9</sup> deserting sailors, especially Greeks, during the 1960s;<sup>10</sup> a mass of fraudulent inland refugee claims made between 1966 and 1973;<sup>11</sup> the small groups of Sri Lankan Tamils and Sikhs who landed on Canada's Atlantic coast in the mid-1980s;<sup>12</sup> and, finally, the 599 Chinese “boat people” who were intercepted off British Columbia's coast in 1999.<sup>13</sup>

A historical review of major incidents of illegal entry into Canada reveals that its Pacific coast has been the most contested border, the one where the issue of control has been most challenging and controversial.

<sup>5</sup> Norman Buchignani and Doreen Indra, “Vanishing Acts: Illegal Immigration in Canada as a Sometime Social Issue,” in *Illegal Immigration in America: A Reference Handbook*, ed. David W. Haines and Karen E. Rosenblum (Westport, CT: Greenwood Press, 1999), 443n1.

<sup>6</sup> James D. Cameron, “Creating Illegal Immigration: The Chinese Immigration Act of 1885 and Subsequent Revisions to 1923,” presented at the BC Studies Conference, 1 May 2003, University of British Columbia, Vancouver, BC.

<sup>7</sup> Justice Murphy, *Commission to Investigate Alleged Chinese Frauds, 1910-1911* (Ottawa: Government Printing Bureau, 1913).

<sup>8</sup> Howard Margolian, *Unauthorized Entry: The Truth about Nazi War Criminals in Canada, 1946-1956* (Toronto: University of Toronto Press, 2000).

<sup>9</sup> Ninette Kelley and Michael Trebilcock, *The Making of the Mosaic: A History of Canadian Immigration Policy* (Toronto: University of Toronto Press, 1998), 331.

<sup>10</sup> *Ibid.*, 367.

<sup>11</sup> *Ibid.*, 369-71.

<sup>12</sup> *Ibid.*, 47.

<sup>13</sup> Joshua L. Greenberg, “Opinion Discourse and the Canadian Newspapers: The Case of the Chinese ‘Boat People,’” *Canadian Journal of Communication* 25, 4 (2000): 517-37.

During the nineteenth and early twentieth centuries this coast became more easily accessible to highly populous countries (such as India, China, and Japan) just when they were experiencing serious economic troubles, huge population increases, and land shortages. For young Asian men, North America's west coast economies offered the promise of financial advancement, so the lure to cross the Pacific was strong. However, these were the very people whom many North Americans of European lineage wanted to keep out, and they devised means to do so – head taxes, continuous journey regulations, gentlemen's agreements, and outright exclusion acts. Consequently, the combination of Asians anxious to enter and white Europeans determined to exclude them led some Chinese, Japanese, and East Indian Sikhs to disregard immigration laws that they viewed as unjust. The situation was ripe for exploitation and quickly attracted a small number of unscrupulous whites and Asians, such as Fred Yoshy, who were anxious to profit personally by hatching clandestine schemes involving fraud and human smuggling.

Since Yoshy was eventually nabbed by the authorities, his human smuggling scheme was partially documented. Thus the historian can use the extant documents to open a window on illegal entry on the Pacific coast before the Second World War. However, the caveats noted above apply: the sources are incomplete, the Japanese community had no reasons to preserve this disconcerting dimension of its immigration past, and the participants – the *Issei* (the Japanese immigrants born in Japan) and the Canadian immigration officials – have died. Nonetheless, according to Patricia Roy, illegal Japanese migration, real or rumoured, “became part of the anti-Japanese mythology of the province.”<sup>14</sup> Thus it is worth trying to divine its origins, extent, persistence, and impact on both whites and Japanese. The first task is to briefly trace the origins and early experience of Japanese immigrants on the west coast.

#### THE ORIGINS OF BC JAPANESE

The *Census of 1901* recorded 4,596 Japanese in Canada; almost all lived in British Columbia. They had starting coming to the province during the late 1880s after several trans-Pacific steamship lines had been established.<sup>15</sup> While many passed through to the United States,

<sup>14</sup> Hilda Glynn-Ward with introduction by Patricia E. Roy, *The Writing on the Wall* (Toronto: University of Toronto Press, 1974), xix.

<sup>15</sup> See Table 1 in Patricia Roy, J.L. Granatstein, Masako Iino, and Hiroko Takamura, *Mutual Hostages: Canadians and Japanese during the Second World War* (Toronto: University of Toronto Press, 1990), 18.

many others stayed and formed the first-generation Japanese immigrant community. Japan had repealed its centuries-old emigration prohibition in the mid-nineteenth century, and Japanese thereafter migrated to Hawaii, North America, Peru, and Brazil.<sup>16</sup> Those who left for British Columbia – mainly young single males – were from the poor farming and fishing villages located in the densely populated prefectures of Wakayama, Shiga, Kagoshima, and Hiroshima in the south of Japan. Land reform and heavy agricultural taxes forced almost 40 percent of all Japanese farmers into tenancy by 1900. Moreover, rapid population increases, low incomes, and “a flair for adventure” also made overseas migration attractive.<sup>17</sup> In rapidly developing British Columbia, the Japanese found work in the fishery, logging and mining industries, railway construction, domestic service, small businesses, and farming in such districts as the Fraser Valley.<sup>18</sup> Ken Adachi observes that “the early immigrants demonstrated an astonishingly high rate of mobility, occupational as well as geographic, spending years without definite occupations, shifting from job to job, place to place.”<sup>19</sup> To protect the interests of its overseas nationals and “to aid the establishment of a sound commercial understanding between Canada and Japan,”<sup>20</sup> the Japanese government opened a consulate in Vancouver in 1889 and another in Ottawa in 1904. The consuls served crucial symbolic, emotional, and practical roles for the overseas Japanese. They were a critical link with the old country, and they provided important documentation on immigration, residency, and family matters.<sup>21</sup> In 1897 the newcomers themselves formed the Japanese Canadian Association, which maintained close links with the consulate and tried to represent the interests of the immigrant population.<sup>22</sup>

<sup>16</sup> Dirk Hoerder, *Cultures in Contact: World Migrations in the Second Millennium* (Durham and London: Duke University Press, 2002), 375–6.

<sup>17</sup> Ken Adachi, *The Enemy That Never Was: A History of the Japanese Canadians* (Toronto: McClelland and Stewart, 1991), 16 and 18; Gordon G. Nakayama, *Issei: Stories of Japanese Canadian Pioneers* (Toronto: New Canadian Press, 1984); and Midge Ayukawa, “Good Wives and Wise Mothers: Japanese Picture Brides in Early Twentieth-Century British Columbia,” in *Rethinking Canada: The Promise of Women's History*, 3rd ed., ed. Veronica Strong-Boag and Anita Clair Fellman (Toronto: Oxford University Press, 1997), 241.

<sup>18</sup> Canada, “Report of the Royal Commission to Investigate Chinese and Japanese Immigration into British Columbia,” *Sessional Papers*, 1902, no. 54, pp. 340–74; and Anne Dore, “Transnational Communities: Japanese Canadians of the Fraser Valley, 1904–1942,” *BC Studies* 134 (Summer 2002): 35–70.

<sup>19</sup> Adachi, *The Enemy That Never Was*, 28.

<sup>20</sup> *Vancouver Daily World*, 19 June 1889; and Tosh Tanaka, *Hands across the Pacific: Japan in British Columbia, 1889–1989* (Vancouver: Consulate General of Japan, 1990).

<sup>21</sup> Roy et al., *Mutual Hostages*, 4.

<sup>22</sup> Adachi, *The Enemy That Never Was*, 123.

The white response to the incursion of the Japanese into British Columbia soon became hostile. There was already marked hostility towards the Chinese, who had been arriving since the gold rush of 1858. While some BC employers found the Asians an attractive source of cheap labour, white workers and other classes were provoked by their economic competitiveness, racial difference, and alleged threat to the white future of the province and country.<sup>23</sup> The BC legislature disenfranchised the Japanese in 1895 and passed a series of laws – frequently vetoed by the federal government – to block their entrance and to restrict their employment.<sup>24</sup> In 1885 a federal act tried to restrict Chinese immigration by imposing a fifty-dollar head tax on all Chinese labourers who sought entry; in 1898 BC MPs tried unsuccessfully to have this legislation extended to the Japanese. The public outcry over large numbers of Japanese and Chinese entering the province after 1896, and especially in 1900 (when close to 10,000 Japanese arrived), convinced the federal government to examine their status in British Columbia through a royal commission investigation.<sup>25</sup> The commission, reporting in 1902, recommended a substantially higher head tax on the Chinese and discussions with Japan to ensure that the embargo it had voluntarily placed on emigration to Canada in 1900 remained in force.<sup>26</sup> If it did not remain in force, the commissioners recommended that Canada impose a language test to limit Japanese immigration.<sup>27</sup> The Liberal prime minister, Wilfrid Laurier, refused to implement any restrictions against Japanese immigration; he hoped to maintain friendly relations in order to encourage trade with that rapidly industrializing nation.<sup>28</sup>

<sup>23</sup> See Patricia Roy, *A White Man's Province: British Columbia Politicians and Chinese and Japanese Immigrants, 1858-1914* (Vancouver: UBC Press, 1989), 81-8; and W. Peter Ward, *White Canada Forever: Popular Attitudes and Public Policy toward Orientals in British Columbia*, 2nd ed. (Montreal: McGill-Queen's University Press, 1990), 107. In her most recent study, Roy affirms: "Seldom, if ever, did [racism] have a single biological, social, or economic cause; rather it was based on combinations of these factors, whose relative weight varied according both to the individual group affected and to the time in which the antipathy was expressed." See Patricia Roy, *The Oriental Question: Consolidating a White Man's Province, 1914-1941* (Vancouver: UBC Press, 2003), 7.

<sup>24</sup> Adachi, *The Enemy That Never Was*, 41; and Bruce Ryder, "Racism and the Constitution: The Constitutional Fate of British Columbia Anti-Asian Immigration Legislation, 1884-1909," *Osgoode Hall Law Journal* 29 (1991): 619-76.

<sup>25</sup> Canada, "Report of the Royal Commission to Investigate Chinese and Japanese Immigration," xi.

<sup>26</sup> On the Japanese emigration embargo, see Charles J. Woodsworth, *Canada and the Orient: A Study in International Relations* (Toronto: Macmillan, 1941), 60-1.

<sup>27</sup> Canada, "Report of the Royal Commission to Investigate Chinese and Japanese Immigration," 400.

<sup>28</sup> House of Commons, *Debates 1903*, 58:598-612.

Japanese emigration to British Columbia remained at very low levels between 1901 and 1904, but this soon changed.<sup>29</sup>

#### LIMITING THE JAPANESE INFLUX

The Canadian experience with the Chinese Immigration Act, 1885, had shown that immigration restrictions generated evasions of the law, frauds, and human smuggling.<sup>30</sup> Some migrants rejected the modern nation-state's assumption of the right to regulate people's movements across international borders and to determine who should be "in" and who "out."<sup>31</sup> Nevertheless, the BC public consistently and forcefully pressed for restrictions – even exclusion. Their demands were most vigorous when the economy was faltering or when the Asian influx spiked to unusually high levels. When one or both of these conditions were met in 1907, 1923, and 1928, respectively, Japanese migrants became the target of public protest and new restrictive measures. These measures, made more restrictive at each revision, heightened the incentive for migrants and unscrupulous persons, especially those involved with transportation companies and the Immigration Branch, to resort to illegal entry or even human smuggling.

Fred Yoshy's name appeared in association with the first known and noteworthy incident of Japanese illegal entry into British Columbia. He was in his thirties at the time, but his background remains obscure. While employed as a clerk at the Japanese Consulate in Vancouver, he helped Oikawa Jinsaburo, a Japanese businessman based on the lower Fraser River, develop a plan to land by stealth a group of illegal Japanese migrants disguised as fishers. Jinsaburo executed the plan in the fall of 1906, using the schooner *Suian Maru*, but all eighty-two of his illegal migrants were apprehended by the authorities on Vancouver Island.<sup>32</sup>

<sup>29</sup> Klaus H. Pringsheim, *Neighbours across the Pacific: Canadian-Japanese Relations, 1870-1982* (Westport, CT: Greenwood Press, 1983), 9, reports the number at 447; Roy et al., *Mutual Hostages*, 18, table 1, using Japanese government data, report 372; Roy, *White Man's Province*, 107, reports 6; and *The Canada Yearbook 1932* (Ottawa: General Statistics Branch, 1932), 158, also reports 6.

<sup>30</sup> Cameron, "Creating Illegal Immigration."

<sup>31</sup> For an illuminating discussion of how and why modern nation-states came to monopolize the movement of peoples across their borders in the late nineteenth and early twentieth centuries, see John Torpey, *The Invention of the Passport: Surveillance, Citizenship and the State* (Cambridge: Cambridge University Press, 2000).

<sup>32</sup> See David Sulz, "Japanese 'Entrepreneur' on the Fraser River: Oikawa Jinsaburo and the Illegal Immigrants of the *Suian Maru*" (MA thesis, University of Victoria, 2003). This fascinating thesis investigates the historical accuracy of Nitta Jiro's 1979 historical novel *Stowaway Ship Suian Maru* (translated as *Phantom Immigrants*, 1998), which tells the story of the Japanese businessman who orchestrated the human smuggling fiasco. See also Dr. H.P. Bryce, Chief



Despite the current of anti-Japanese sentiment in British Columbia, all were permitted to stay in Canada, perhaps because of the need for railway labourers, the negligible Japanese immigrations levels from 1900 to 1905, and Yoshy's interventions on their behalf.<sup>33</sup> BC newspapers reported the incident under headlines such as these: "Number of Japs Smuggled Ashore" (*Victoria Times*, 22 October 1906) and "Small Army of Japs Captured" (*Victoria Times*, 24 October 1906).

Yoshy's participation in the *Suian Maru* affair perhaps alerted him to the possible financial rewards of human smuggling; it certainly foreshadowed his later illegal activities while Japanese interpreter for the Vancouver Office of the Immigration Branch. Meanwhile, in late 1906, he left the Japanese Consulate and, along with Saori Goto, formed the Canadian Nippon Supply Company. He predicted that the recruitment of Japanese labourers for Canadian companies would be a lucrative enterprise, given the labour requirements of the booming BC economy.<sup>34</sup> After the Vancouver Riot in 1907, when Mackenzie King, deputy minister of labour, investigated the methods that had been used to "induce" Asian labourers to come to British Columbia, he interviewed Yoshy. In the course of his inquiry King found that Yoshy lied about his company's covert relationship with Japanese emigration firms, such as the Tokyo Emigration Company.<sup>35</sup> There were later indications that Yoshy had trouble with the law as his Canadian Nippon Supply Company was the defendant in civil cases heard in the Revelstoke and Golden county courts in the 1910s.<sup>36</sup>

Within a year of the *Suian Maru* incident Canada imposed the first immigration restrictions on the Japanese. They were precipitated by an unusually high influx of Asian immigrants in 1907. From January through October, 11,440 Asians arrived – 8,125 Japanese, 2,047 East Indians, and 1,266 Chinese.<sup>37</sup> According to Charles Woodsworth, "Anti-Oriental

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Medical Officer, to W.D. Scott, Superintendent of Immigration, 5 October 1906, RG 76, Immigration, vol. 393, file 561280, reel C-10286; G.L. Milne to W.D. Scott, 26 October 1906, RG 76, Immigration, series 1-A-1, vol. 401, reel C-10292; and G.L. Milne to W.D. Scott, 6 September 1907, RG 76, Immigration, series 1-A-1, vol. 470, file 716275, reel C-10407, AC.

<sup>33</sup> Nakayama, *Issei*, 48–9.

<sup>34</sup> Donald H. Avery, *Reluctant Host: Canada's Response to Immigrant Workers, 1896–1994* (Toronto: McClelland and Stewart, 1995), pp. 47–50.

<sup>35</sup> Canada, *Report of the Royal Commission Appointed to Inquire into the Methods by Which Oriental Labourers Have Been Induced to Come to Canada, 1908* (Ottawa: Government Printing Bureau, 1908), 28.

<sup>36</sup> Golden County Court civil case files 1912–42 (GR-2222), box I, file 2/16 and 6/16; and Revelstoke County Court civil case file, 1915 (GR-2252), box II, file 48, BC Archives. Unfortunately, the company papers do not appear to have been preserved.

<sup>37</sup> Canada, *Report of the Royal Commission*, 15.



feeling was rife all along the Pacific coast at this time.”<sup>38</sup> The following September the Vancouver Riot noted above broke out when a large number of marchers went on a rampage through Chinatown and “Little Tokyo” (the Powell Street district).<sup>39</sup> Mackenzie King was appointed to investigate the property losses suffered by Asians,<sup>40</sup> and then he was to determine the causes of the massive influx of migrants. King found that nearly 3,000 Japanese had come to British Columbia from the Hawaiian Islands because the flow into the United States had been blocked by their recent “gentlemen’s agreement”; the remainder came directly from Japan, some as contract labourers through arrangements between Yoshi’s recently formed Canadian Nippon Supply Company and the Tokyo Emigration Company. King recommended that social harmony in British Columbia and good relations between Canada and Japan required “an effective restriction of the numbers of Japanese who shall be admitted to Canada each year.”<sup>41</sup>

In response to developments in Vancouver and King’s commission findings, Prime Minister Laurier dispatched his minister of labour, Rodolphe Lemieux, as Canadian commissioner to Japan, where he concluded a gentlemen’s agreement for the restriction of emigration to Canada. In January 1907 Canada adhered to the British-Japanese Treaty of Commerce and Navigation, which permitted the contracting parties “full liberty to enter, travel, or reside in any part of the dominions and possessions of the other Contracting Party.”<sup>42</sup> This treaty, along with Japan’s advancing importance as an industrial and military power, had convinced Laurier to follow the US approach and to opt for negotiation rather than unilateral restriction (which had been the Conservative government approach to the Chinese back in 1885).

Aspects of the gentlemen’s agreement gradually became clear.<sup>43</sup> Japan agreed to restrict to 400 the number of passports annually issued to Japanese labourers and domestics. However, four classes of migrants were not included: prior Canadian residents and their families, domestics engaged by Japanese residents in Canada, contract emigrants, and agricultural labourers brought in by Japanese landholders.<sup>44</sup> Japan

<sup>38</sup> Woodsworth, *Canada and the Orient*, 74.

<sup>39</sup> See Adachi, *The Enemy That Never Was*, 63–85.

<sup>40</sup> Canada, *Report on the Losses Sustained by the Japanese Population of Vancouver, BC, on the Occasion of the Riots in that City in September, 1907* (Ottawa: King’s Printer, 1908).

<sup>41</sup> Canada, *Report of the Royal Commission*, 66.

<sup>42</sup> “An Act respecting a certain Treaty between Canada and Japan,” *Statutes of Canada 1907*, 349.

<sup>43</sup> See House of Commons, *Debates 1907–8*, 1,585–614, 2,040–1; and *Debates 1912–13*, 6,971.

<sup>44</sup> Adachi, *The Enemy That Never Was*, 81–2.

thought that, under these restrictions, no more than about 400 labourers (not including women and children) would enter Canada annually. In 1913 Japan believed that it had faithfully enforced the limit of 400.<sup>45</sup> But, according to Klaus H. Pringsheim, the Canadian public assumed that 400 was the overall limit and, hence, accused Japan of bad faith when more than this number came, as they often did until the 1930s: “The Gentlemen’s Agreement did not completely succeed because its provisions were never explained to the public, which mistakenly believed that only four hundred per year were to be admitted in all categories.”<sup>46</sup> The agreement brought the first stage of Japanese immigration to a close and “accelerated the immigration of women” – mostly picture brides – which inaugurated “a transition from [single male sojourners] labouring overseas to more long-term settlement.”<sup>47</sup>

#### TIGHTENING THE RESTRICTIONS

After the First World War, Asian immigration into British Columbia again became an issue of intense public scrutiny and concern. Annual totals increased markedly (5,511 in 1919; 2,977 in 1921)<sup>48</sup> while soldiers were reintegrating into civilian life, the economy experienced a significant downturn, and labour militancy increased. In 1921 the number of Japanese living in British Columbia was 15,006, compared to 8,587 in 1911.<sup>49</sup> Annual Japanese immigration had remained between about 400 and 900 during the war; however, their birthrate had increased, largely as a result of the picture-bride system.<sup>50</sup> BC MPs frequently pontificated in the House on the “Oriental Question,” striving to educate eastern members regarding the seriousness of the issue.<sup>51</sup> In 1922 H.H. Stevens, representative for Vancouver Centre, convened all thirteen BC MPs to organize a solid force to press for total exclusion of all Asians.<sup>52</sup> The government admitted that, “in the opinion of this House, the immigration of oriental aliens and their rapid multiplication is becoming

<sup>45</sup> Foreign Secretary to Ambassador in Japan, 3 January 1913, in Canada, *Documents on Canadian External Relations*, vol. 1: 1909–1918 (Ottawa: Department of External Affairs, 1967), 619.

<sup>46</sup> Pringsheim, *Neighbours across the Pacific*, 18; and Woodsworth, *Canada and the Orient*, 90–1.

<sup>47</sup> Ayukawa, “Good Wives and Wise Mothers,” 242.

<sup>48</sup> *Canada Yearbook 1932*, 158.

<sup>49</sup> *Census of Canada*, 1911 and 1921.

<sup>50</sup> Ayukawa states that 6,240 picture brides had arrived in Canada by 1924. See Ayukawa, “Good Wives and Wise Mothers,” 242.

<sup>51</sup> Patricia E. Roy, “Educating the ‘East’: British Columbia and the Oriental Question in the Interwar Years,” *BC Studies* 18 (Summer 1973): 50–69.

<sup>52</sup> House of Commons, *Debates 1938*, 1:553.

a serious menace to living conditions, particularly on the Pacific coast, and to the future of the country in general, and the Government should take immediate action with a view to bringing to an end further such immigration for residence purposes.”<sup>53</sup> W.L. Mackenzie King, now prime minister, announced that his Liberal government planned to bring about “effective restriction” of Asian immigration – but probably not before the next session of Parliament.<sup>54</sup>

British Columbia's federal politicians were disappointed in 1923 when the government introduced a bill that imposed virtual exclusion on the Chinese and but not on the Japanese.<sup>55</sup> However, King's government did pressure Japan to revise the gentlemen's agreement of 1908. The prime minister met with Tamekichi Ohta, the Japanese consul-general at Ottawa, and warned him that, if they could not negotiate a decrease in the quota, then his government might abrogate the agreement and denounce the trade treaty. King confided in his diary: “I told him it was only to preserve internal goodwill. Spoke of fears of people of BC through increase of birth rate, etc.”<sup>56</sup> He had further discussions with Ohta and then drafted a letter to the Japanese government “omitting all threatening and controversial clauses and leaving it to the Japanese government to take the necessary steps without apparent pressure. I have made plain our alternatives in conversation and Ohta has passed them on to his government.”<sup>57</sup> The Japanese government cooperated, thankful that Canada had not passed legislation excluding their nationals.<sup>58</sup> On August 22 Ohta wrote to the minister of immigration “that the Japanese Government do [sic] not ... contemplate that the number of Japanese emigrants going to Canada as household servants and agricultural labourers will exceed one hundred and fifty annually.”<sup>59</sup> Wives and children were not included in this reduced annual quota.

In the postwar atmosphere of heightened anxiety about Asian immigration, there again surfaced allegations of illegal entry and

<sup>53</sup> Ibid., *Debates* 1922, 2:1576.

<sup>54</sup> Ibid., 1:553 and 4:3104.

<sup>55</sup> House of Commons, *Debates* 1923, 1:768. The 1923 Chinese Immigration Act would not be repealed until 1947. See Stephanie D. Bangarth, “We Are Not Asking You to Open Wide the Gates for Chinese Immigration”: The Committee for the Repeal of the Chinese Immigration Act and Early Human Rights Activism in Canada,” *Canadian Historical Review* 84, 3 (2003): 395-422.

<sup>56</sup> William Lyon Mackenzie King, *Diary: 1893-1950*, entry 24 February 1923, at the Library and Archives Canada website: The Diaries of William Lyon Mackenzie King <<http://king.collectionscanada.ca/>>

<sup>57</sup> Ibid., entry 18 March 1923.

<sup>58</sup> Canada, *Documents on Canadian External Relations*, vol. 3: 1919-1925 (Ottawa, Department of External Relations, 1970), 703.

<sup>59</sup> Tamekichi Ohta to James A. Robb, 22 August 1923, *Sessional Papers of Canada*, 1924, no. 113.

human smuggling. Fred Yoshy, the Japanese interpreter for the Immigration Branch at Vancouver since 1914, appeared at the centre of RCMP suspicions. Officer T.A. Wroughton, assistant commissioner for British Columbia, warned in 1920: "It would appear that this man Yoshy is one who will almost do anything for money, and if that is a fact he is a very dangerous person to have attached to an Immigration Port such as Vancouver, which has direct communication with Japan. In my opinion it leaves the door ... open for spies to come and go as they please."<sup>60</sup> The RCMP found that three Japanese men had landed from the SS *Empress of Russia* on 10 November and had not registered with the Japanese Consulate, as required. They each had naturalization papers purchased at a Japanese hotel in the City of Kobe. Yoshy, without proper authorization, allowed them to land and even had them stay at his home until they had made contact with friends or relatives. Then he charged them seventy-five dollars plus twenty-five dollars for lodging. One had difficulty paying and made a full confession of the events to the Japanese Consul, who contacted the home government to have the hotel prohibited from selling Canadian naturalization papers.<sup>61</sup>

Surprisingly, nothing came of these allegations. Arthur L. Jolliffe, the Commissioner of Immigration for the Pacific coast, did not agree with the RCMP report, claiming that all the Japanese immigrants on the SS *Empress of Russia* had been properly processed. He noted that Yoshy was merely the interpreter; that the customs inspector decided who was to be admitted. Jolliffe claimed the allegations originated with a Japanese newspaper in Vancouver that was in competition with one edited by Yoshy: "There are two Japanese factions in this City, and one of them is very hostile to Yoshy, who is employed by us for Japanese interpreting work. Yoshy is the editor of the other newspaper, and I am satisfied it is simply a matter of spite." Nonetheless, Jolliffe commented that it was "very difficult to get to the bottom of matters of this kind" because they could not question the RCMP "operators" who were working "under cover."<sup>62</sup> A more compelling, though apparently now unprovable, explanation for the allegations of wrongdoing might be this: some *Issei* in British Columbia were hostile to Yoshy because they believed that he was an unscrupulous and dangerous individual who might shame

<sup>60</sup> T.A. Wroughton to RCMP Commissioner, Ottawa, 10 December 1920, RG76, Immigration, series I-A-1, vol. 342, reel C-10250, AC.

<sup>61</sup> RCMP Secret and Confidential Report re Frank [sic] Yoshy, 7 December 1920, RG76, Immigration, series I-A-1, vol. 342, reel C-10250, AC.

<sup>62</sup> A.L. Jolliffe to RCMP officer, 17 January 1921, RG76, Immigration, series I-A-1, vol. 342, reel C-10250, AC.

the entire community. And perhaps Commissioner Jolliffe was put off Yosh's trail by one or more immigration officials in Vancouver who were collaborating with him.

#### MORE EFFECTIVELY RESTRICTING JAPANESE IMMIGRATION

Some whites in British Columbia continued to express anger at the extent of Japanese immigration even after the gentlemen's agreement had been revised from 400 down to 150 in 1923. Annual figures reported by the Immigration Branch remained well over 400 from 1924 to 1928, in spite of the officially reduced quota.<sup>63</sup> Some concluded that Japan was demonstrating bad faith; they urged the government to exclude the Japanese, just as the United States had done in 1924.<sup>64</sup> Again under fire from the BC public and his political opponents, King privately threatened Japan in 1925 with exclusionary legislation if it did not voluntarily restrict the emigration of women and children.<sup>65</sup> After extended negotiations that included a series of proposals and counterproposals during the next few years,<sup>66</sup> and a milestone agreement to establish formal diplomatic relations through the exchange of ministers with Japan,<sup>67</sup> King was able to announce, in June 1928, another revision to the gentlemen's agreement: Japan had now agreed to include wives and children in the annual quota of 150, the picture-bride system would cease, and officials of the planned Canadian legation would assign visas to passports issued by Japan to those wishing to emigrate to Canada.<sup>68</sup> Hugh L. Keenleyside, a pioneer member of the new diplomatic mission opened at Tokyo in 1929 – Canada's first in Asia – claimed that “the complicated nature and detailed procedures of the immigration agreement between Canada and Japan” had been one important reason for the institution of the legation.<sup>69</sup> From 1929 to 1939

<sup>63</sup> *Canada Yearbook 1932*, 158. The Japanese government reported annual figures for these years of over 1,000. See Roy et al., *Mutual Hostages*, 18, table 1.

<sup>64</sup> Yuji Ichioka, *The Issei: The World of the First Generation Japanese Immigrants, 1885-1924* (New York: The Free Press, 1988), 178.

<sup>65</sup> Canada, *Documents on Canadian External Relations*, vol. 3: 1919-1925, 724-5.

<sup>66</sup> *Ibid.*, 724-39.

<sup>67</sup> Tou Chu Dou Lynhiavu, “Canada's Window on Asia: The Establishment of the Tokyo Legation in 1928-1931.” *Journal of Canadian Studies* 31, 4 (1996-7): 97-123.

<sup>68</sup> Japanese Consul General to the Prime Minister, 29 May 1928, in Canada, *Documents on Canadian External Relations*, vol. 4: 1926-1930, 890, and House of Commons, *Debates 1928*, 3,980.

<sup>69</sup> Hugh L. Keenleyside, *Memoirs of Hugh L. Keenleyside: Hammer the Golden Day* (Toronto: McClelland and Stewart, 1981), 1:280.

this new arrangement worked effectively to keep the annual number of migrants below the quota, but still the persistent exclusionists would urge “an outright ban.”<sup>70</sup>

In the same year that the gentlemen’s agreement was revised, Yoshy again appeared on the RCMP radar screen. A confidential informer made a statement to Inspector A.E. Reames on 24 June 1928: “Yoshy and his partner ... are trafficking in smuggling some innocent Japanese into this country by the way of using naturalization certificates. The partner in Japan trains Japanese applicants to some extent to fit them to be examined at a Port of Entry in Canada for precaution’s sake, but it is so arranged that this Fred Yoshy is always to meet these immigrants at Victoria, because this Yoshy is allowed to examine Japanese immigrants by himself alone.” The informer claimed that, if the government were to be lenient with them, then others would come forward to witness against him.<sup>71</sup> He added that Yoshy was living with “a concubine,” the wife of a Japanese man who had returned to Japan apparently “without any reason.”<sup>72</sup> In spite of these serious allegations, the RCMP informed the deputy minister of immigration and colonization “that subsequent investigation in Japan tends to clear Yoshy of the suspicions mentioned.”<sup>73</sup> Yet the allaying of suspicion was short-lived as an RCMP inspector, L.J. Sampson, obtained two pieces of evidence that precipitated a thorough and decisive investigation of Yoshy. Sampson saw a report in the *Yokohama News* about a police disclosure of “a smuggler’s gang that assist Japanese into Vancouver, BC, illegally.” He suspected that Yoshy might be the collaborator on the BC side. As well, he heard further testimony that a smuggling operation had brought large numbers into British Columbia.<sup>74</sup>

Jolliffe, the commissioner of immigration who had dismissed allegations of human smuggling against Yoshy back in 1921, asked his division commissioner in Vancouver if Yoshy had been permitted to examine Japanese immigrants by himself. To Jolliffe’s astonishment, A.E. Skinner admitted this, although he had earlier denied it to the RCMP. He tended to downplay the seriousness of the matter and claimed

<sup>70</sup> John D. Meehan, *The Dominion and the Rising Sun: Canada Encounters Japan, 1929-41* (Vancouver: UBC Press, 2004), 9.

<sup>71</sup> Anonymous statement, 24 June 1928, RG76, Immigration, series I-A-1, vol. 342, reel C-10250, AC.

<sup>72</sup> Ibid.

<sup>73</sup> Cortlandt Starnes, RCMP Commissioner, to Deputy Minister, Immigration and Colonization, 21 September 1928, RG76, Immigration, series I-A-1, vol. 342, reel C-10250, AC.

<sup>74</sup> L.J. Sampson, Report re Fred Yoshy, 17 October 1928, RG76, Immigration, series I-A-1, vol. 342, reel C-10250, AC.

that he could not be expected to “travel on vessels bringing in this class of immigrant”; he hoped that there would be “no further need to comment on this matter.”<sup>75</sup> Incensed, Jolliffe forthwith directed Skinner to reprimand his officers, to make a personal check on the procedures they followed, and to be assured that he would be held personally accountable for rectifying the irregularity.<sup>76</sup> Meanwhile, he asked the RCMP to continue the investigation of Yoshy.<sup>77</sup> Strangely, nothing more was heard of it for two more years.

It is hard not to conclude that one or more immigration officials in Vancouver – perhaps Yoshy collaborators – effected a cover-up each time suspicions were raised about a clandestine smuggling operation. Information obtained by Inspector Sampson certainly indicated corruption within the branch during Skinner’s supervision. Sampson reported an assault case tried in Vancouver, where a witness for the prosecution, Jinnosuke Yamashita (a firefighter on the Union Steamship’s *Lady Alexandria*), testified that another man accused him of reporting illegal entrants to the police. His assailant declared something like this: “Now, there are over 2000 Japanese in this Country smuggled in and some of them are determined to kill you to avoid deportation, and asked me to do the job on condition that these men would collect \$10 per head and pay me that amount, and further I know you reported me to the Immigration Officer about my illegal entry into Canada, but I paid two certain Immigration Officers the sum of three hundred dollars and got permission to stay here without being molested anymore.” If Jinnosuke’s testimony is true, then it shows that Yoshy was not the only corrupt official working for the Vancouver Immigration Branch.<sup>78</sup>

#### INVESTIGATING THE JAPANESE INTERPRETER

In December 1930 Wesley Ashton Gordon, the recently elected Conservative government’s minister of immigration and colonization, received this message from the lieutenant-governor of British Columbia: “a certain Japanese interpreter at Vancouver employed by

<sup>75</sup> Skinner to Jolliffe, 11 December 1928, RG76, Immigration, series I-A-1, vol. 342, reel C-10250, AC.

<sup>76</sup> A.L. Jolliffe to A.E. Skinner, 8 November 1928, Skinner to Jolliffe, 20 November 1928, Jolliffe to Skinner, 29 November 1928 Jolliffe to Skinner, 22 December 1928, RG76, Immigration, series I-A-1, vol. 342, reel C-10250, AC.

<sup>77</sup> Immigration Commissioner to C. Starnes, RCMP Commissioner, 7 November 1928, RG76, Immigration, series I-A-1, vol. 342, reel C-10250, AC.

<sup>78</sup> L.J. Sampson, Report re Fred Yoshy, alias Kiyoshi Sugimoto, 17 October 1928, RG76, Immigration, series I-A-1, vol. 342, reel C-10250, AC.



your Department is making a business of securing false birth certificates for Japanese immigrants.”<sup>79</sup> This time Jolliffe directed Skinner, who was in Vancouver, to make a prompt investigation followed by a full report, which he did. Skinner recognized that the matter was a political issue. Nonetheless, he exonerated Yoshy, just as he had done two years before. His defence of Yoshy and his tendency to downplay the matter is astonishing; perhaps he merely wanted to protect the reputation of his Vancouver Immigration Division. Or maybe he had a deeper interest in Yoshy’s activities as a direct collaborator; the evidence is inconclusive but elicits strong suspicion. Immediately, Jolliffe requested the RCMP to again investigate Yoshy.<sup>80</sup> Why he did not widen the investigation to include the entire Vancouver Immigration Branch is difficult to say. Within one month, Inspector Sampson filed a secret report that heightened suspicion of Yoshy.<sup>81</sup> The RCMP asked the deputy minister of immigration to appoint Sampson an immigration officer for the sake of the investigation, and this was done.

By May the RCMP had amassed a substantial amount of evidence for perjury (false declarations), fifty fraudulent birth certificates along with false naturalization certificates, some dating as far back as 1920. As well, they continued to receive statements incriminating Yoshy (such as those given by the two Suzuki brothers whom Inspector Sampson had picked up at the Merritt Sawmill). Based on the investigation’s progress by early June, Jolliffe directed the Vancouver office “to immediately discontinue employment [of] Yoshy as interpreter.”<sup>82</sup> The RCMP then retained the Honourable R.L. Maitland, a lawyer and BC MLA, who took charge of the prosecution on 26 June 1931. On 3 July Inspector Sampson arrested Yoshy, and he was released on \$10,000 bail (later raised to \$20,000). The investigation proved to be difficult as witnesses mysteriously disappeared and others were afraid to provide evidence for fear of deportation. The RCMP superintendent for British Columbia informed the commissioner in Ottawa as follows: “You will fully appreciate the fact that we are working under very severe handicaps, and opposed to a very complete organization of some considerable years standing, for smuggling, or otherwise through fraudulent means obtaining domicile for Japanese

<sup>79</sup> Under-Secretary of State to Hon. Wesley Ashton Gordon, Minister of Immigration and Colonization, December 1930, RG76, Immigration, series I-A-1, vol. 342, reel C-10250, AC.

<sup>80</sup> Jolliffe to RCMP Commissioner, Ottawa, 30 December 1930, RG76, Immigration, series I-A-1, 342, reel C-10250, AC.

<sup>81</sup> L.J. Sampson, re Fred Yoshy, Securing false birth certificates for the use of Japanese immigrants, 30 January 1931, RG76, Immigration, series I-A-1, vol. 342, reel C-10250, AC.

<sup>82</sup> A.L. Jolliffe to A.E. Skinner, 12 June 1931, RG76, Immigration, series I-A-1, vol. 342, reel C-10250, AC.

illegally in the Dominion of Canada; but we shall endeavour to do the best possible to get sufficient evidence before the Courts.”<sup>83</sup> The police believed that Yoshy and his accomplices were trying to get key witnesses out of the country before they could be apprehended and testify in court.

Meanwhile, the major newspapers announced the developments to the public. On 6 July an Ottawa *Citizen* headline declared, “Deportation Threatens Hundreds of Japanese: BC Investigation May Expose Illegal Entry,” and the day before Vancouver’s *Daily Province* had announced, “Mounted Police Net Closes on Alien Suspects: Hundreds of Japanese Reported to Be Illegally in Canada.” During the spring and summer BC members in the House of Commons got wind of the human smuggling allegations and investigation. Thomas Reid (New Westminster) urged the minister of immigration to investigate “to the fullest extent” and informed the House of “an extensive province-wide conspiracy to evade immigration laws” and, therefore, a “serious state of affairs.”<sup>84</sup>

After Yoshy’s preliminary hearing on 23 July, the Crown prosecutor informed the minister of justice: “The preliminary hearing took the entire day, and included a great mass of evidence, together with the testimony of several Japanese. I am not certain how far reaching these prosecutions will be, as the estimate is that there must be a tremendous number of Japanese in this country irregularly, and [Yoshy] seems to have been the Ringleader connecting up with agents in Japan and Japanese in British Columbia.”<sup>85</sup> Japanese newspapers in British Columbia, such as the *Daily People* and the *Canada Daily News*, reported the investigation and court proceedings, as did Vancouver’s *Daily Province*.<sup>86</sup>

On 25 September 1931 a jury of twelve in the BC Supreme Court convicted Fred Yoshy of two charges – conspiracy and unlawfully receiving a gift while employed by the government.<sup>87</sup> He was sentenced to serve two years and six months hard labour in the BC Penitentiary

<sup>83</sup> H.M. Newson to RCMP Commissioner, Ottawa, 10 July 1931, RG76, Immigration, series I-A-1, vol. 342, reel C-10250, AC.

<sup>84</sup> House of Commons, *Debates 1931*, 3:3120-1 and 4:4275.

<sup>85</sup> R.L. Maitland to the Honourable Hugh Guthrie, 23 July 1931, RG76, Immigration, series I-A-1, vol. 342, reel C-10250, AC. The document listing evidence presented to the court – all from the 1920s – was three pages and included letters, telegrams, diaries, genealogical documents, statutory declarations, British Consul visas, certificates of naturalization, birth certificates, and immigration identification cards. List of Diaries, Documents, and so forth handed into court for the preliminary hearing of Fred Yoshy before Deputy Police Magistrate J.A. Findlay on 23 July 1931, RG76, Immigration, series I-A-1, vol. 342, reel C-10250, AC.

<sup>86</sup> See the *Daily Province*, 23, 24, and 26 September 1931.

<sup>87</sup> T.S. Belcher, Assistant RCMP Commissioner, to Immigration Commissioner, 26 September 1931, RG76, Immigration, series I-A-1, vol. 342, reel C-10250, AC.

as well as one month hard labour (concurrent) for conspiracy; he was also assessed a fine of \$100 for receiving a gift.<sup>88</sup> He was fifty-six years old and probably returned to Japan shortly after his release from jail. His sixteen-year career as official Japanese interpreter in Vancouver had ended in shame. Maitland, the prosecutor, concluded that the last six years had been Yoshi's most corrupt. The conspiracy had involved Yoshi and three other Japanese in Japan, one employed by the British consulate and the other by a steamship company.<sup>89</sup> He mentioned nothing of collaborators or corrupt officials within the Vancouver Immigration Division. Maitland reported as follows to the deputy minister of justice: "The different transactions were gradually pieced together and I was able to make out at the trial a case of straight connection with the men in Japan and Yoshi in Vancouver for the bringing into Canada of Japanese by false birth certificates, the sale of these birth certificates to persons in Japan at a price as high as \$1000 and the same dealing, of course, with Naturalization certificates." He added that "Yoshi's case was very bitterly fought" and that "we were met in the early stages with the disappearance of witness after witness."<sup>90</sup> The Suzuki brothers of Merritt had both testified against Yoshi.<sup>91</sup> The damage Yoshi's smuggling scheme inflicted on his fellow countrypeople in British Columbia was yet to be determined. The Japanese community viewed him as an odious, shameful, embarrassing, and dangerous individual.<sup>92</sup>

#### COMMUNITY UNDER INVESTIGATION

Public disclosure of the Yoshi smuggling racket likely helped to fuel intermittent allegations and rumours of illegal Japanese entry along the Pacific Coast during the 1930s.<sup>93</sup> It immediately unleashed a long-term joint RCMP-Immigration Branch search through Japanese communities in British Columbia for illegal entrants. Already in August 1931 the

<sup>88</sup> RCMP Report on Conclusion of Case, 7 December 1931, RG76, Immigration, series I-A-1, vol. 342, file 361435, reel C-10250, AC.

<sup>89</sup> *Daily Province*, 24 September 1931.

<sup>90</sup> R.L. Maitland to W. Stuart Edwards, 7 December 1931, RG 76, Immigration, series I-A-1, vol. 342, file 361435, reel C-10250, AC.

<sup>91</sup> By telling all they knew the Suzuki brothers hoped to obtain clemency and to be allowed to remain in Canada. See *Daily Province*, 24 September 1931.

<sup>92</sup> Midge Ayukawa to author, 28 May 2005.

<sup>93</sup> Common rumours claimed that Japanese fishing boats were ferrying illegal migrants from steamships standing off the coast to Vancouver Island and the Queen Charlotte Islands. See H. McGowan to Inspector Mead, 14 October 1931, Sergeant R.S.S. Wilson to J.W. Phillips, 17 August 1933, and Inspector R. Armitage to RCMP Commissioner, Ottawa, 23 February 1934, RG76, Immigration, series I-A-1, vol. 382, reel C-10278, file 532462, AC.

RCMP commissioner in Ottawa had ordered an intensive provincewide investigation into the status of Japanese immigrants. As required, Immigration Branch officials were to accompany the RCMP patrols.<sup>94</sup> Where possible, they would use surprise tactics to forestall evasions. As well, the police planned to investigate any Japanese businesspeople who had aroused suspicions and to check the papers of any Japanese living in boarding houses. Any who failed to produce proper identification would be brought to the Immigration Office in Vancouver for further questioning. The minister of immigration asked Maitland to continue prosecuting, and those found in violation of the Immigration Law were to be deported.<sup>95</sup>

The Japanese community was clearly distressed and alarmed by the Yoshy conviction and its potential for disrupting the lives of many Japanese living in the province. In September leading Japanese citizens formed the Japanese Public Justice Association to monitor the impact of the RCMP investigation. It wrote to both Major H.M. Newson, commanding officer of the RCMP, Vancouver, and to the minister of immigration and colonization acknowledging the wrongfulness of illegal entry. However, the *Issei*, having experienced life in both Japan and British Columbia, well understood the strong temptation for some young Japanese men to enter the province by any means possible, especially given the limitations on passports imposed by the gentlemen's agreement and their total exclusion from the United States after 1924. Japan's rapid industrialization and population increases had conspired to create economic suffering for many of the Japanese rural poor and urban working classes.<sup>96</sup> And British Columbia no doubt appeared to them as a land of seductive financial charms, with its robust economic growth and its diverse work opportunities across rich resource sectors.<sup>97</sup> The association leaders also noted that some of those who had entered

<sup>94</sup> J.H. MacBrien to Deputy Minister of Immigration and Colonization, 18 August 1931, RG76, Immigration, series I-A-1, vol. 342, reel C-10250, AC. In the coastal communities the RCMP were also to check the legality of fishing licences held by Japanese fishers.

<sup>95</sup> A 1902 amendment to the Immigration Act established the statutory basis for deporting immigrants who had entered in contravention of the act. This statutory basis was expanded in the 1906 and 1910 Immigration Acts. See An Act to Amend the Immigration Act, *Statutes of Canada*, 1902, p. 85; and Henry F. Drysek, "The Simplest and Cheapest Mode of Dealing with Them': Deportation from Canada before World War II," *Histoire Sociale/Social History* 15, 30 (1982): 410. Barbara Roberts provides an overview and sharp analysis of early deportation from Canada in *Whence They Came: Deportation from Canada, 1900-1935* (Ottawa: University of Ottawa Press, 1988), but she doesn't throw much light on deportation related to illegal entry.

<sup>96</sup> William J. Duiker, *Twentieth-Century History*, 3rd ed. (Belmont, CA: Thomson Wadsworth, 2005), 104.

<sup>97</sup> Jean Barman, *The West beyond the West: A History of British Columbia*, rev. ed. (Toronto: University of Toronto Press, 1996), pp. 236-43.

illegally had lived in the country for many years and had been raising families and making an honest living.<sup>98</sup> The investigation could seriously affect their future prospects. Therefore, it pleaded for “a somewhat lenient attitude” on the part of the authorities and hinted that Canada’s friendship and trade relations with Japan could be affected.<sup>99</sup>

The association eventually decided, by unanimous resolution, on the following policies regarding Japanese illegal entrants: to support the lawful prosecution of the ring-leaders and their accomplices as well as those who had “abused freely” illegal papers; to help “settle the matter smoothly” for those who had no intention of obtaining illegal papers but had been led astray; to lobby government for a “somewhat lenient attitude” towards the many hundreds who had obtained papers illegally; and to recommend that those who had landed as ship-deserters be assessed on an individual basis. Association minutes referred to the RCMP investigation as “very regrettable” but added that “the officials in this country are fortunately taking a very moderate policy.”<sup>100</sup> The association did supply useful information to the RCMP.<sup>101</sup>

By 1931 the BC Japanese community of about 22,000 was well established.<sup>102</sup> From 1930 to 1939 the annual totals of Japanese immigrants ranged from a low of forty-four (1939) to a high of 218 (1930). Normally, the yearly totals were between 100 and 150, well below those of the previous three decades.<sup>103</sup> The revised gentlemen’s agreement of 1928 and the Great Depression probably accounted for the decrease, as did the termination of the Yoshy smuggling scheme. Whites were now more dismayed by the high birth rate of the Japanese than by their immigration levels.<sup>104</sup> During a parliamentary debate on the Japanese,

<sup>98</sup> The letters were signed by the leaders of thirteen Japanese organizations, such as the Japanese Anglican Church, Vancouver; the Japanese Buddhism Mission; the Salvation Army; the Japanese Corps, Vancouver; and the Japanese Gardeners’ Association, Vancouver. Kosei-Kai to the Minister of Immigration and Colonization, 15 November 1931, RG76, Immigration, series 1-A-1, vol. 382, reel C-10278, file 532462, AC.

<sup>99</sup> Junjiro Nakayama, President, to H.M. Newson, 19 September 1931, RG76, Immigration, series 1-A-1, vol. 382, reel C-10278, file 532462, AC.

<sup>100</sup> Translation of selected reports of the Japanese Public Justice Association that appeared in three Japanese newspapers issued 11 December 1931, RG76, Immigration, series 1-A-1, vol. 382, reel C-10278, file 532462, AC. Inspector Sampson, who led the early investigation, was killed in May 1933 while on duty in Regina. The RCMP claimed that Canadian Japanese, the bench, and the press specially commended him for his sensitive work on Japanese violations of the Immigration Act. See obituary, *RCMP Quarterly* 1,1 (1933): 37.

<sup>101</sup> Inspector F.J. Mead to S.T. Wood, Superintendent Commanding E Division, 23 July 1932, RG76, Immigration, series 1-A-1, vol. 382, reel C-10278, file 532462, AC.

<sup>102</sup> *Census of Canada 1931*.

<sup>103</sup> *The Canada Yearbook 1942* (Ottawa: Dominion Bureau of Statistics, 1942), 166.

<sup>104</sup> Roy et al., *Mutual Hostages*, 17.

A.W. Neill (Comox-Alberni) observed that “more trouble is caused by the stork than by the immigrant ship.”<sup>105</sup> While the early 1930s appeared to be a period of increased tolerance,<sup>106</sup> the Japanese continued to face discrimination and political disabilities (such as disenfranchisement).<sup>107</sup> Transnational Japanese farming communities were firmly rooted in the Fraser Valley, where they remained somewhat isolated and segregated from white society in such places as Mission, Surrey, Pitt Meadows, and Haney. In contrast to the Japanese fishing villages that were based on seasonal work and thus were quite transient, the farming communities were cohesive and practised cooperation and mutual support.<sup>108</sup> By the 1930s the second generation of Japanese (the *Nisei*) were maturing under the influence of two distinct cultures and, along with the *Issei*, had built up “a vast complex of associations and clubs.”<sup>109</sup>

Following leads provided by informants, the RCMP investigated any Japanese fishing village, farming community, resource town, or business allegedly harbouring illegals. Unannounced, they arrived at numerous communities on Vancouver Island (Fanny Bay, Courtenay, Port Alberni); the Gulf Islands (Reid, Galiano, Mayne); north along the Pacific Coast (Britannia Mines, Woodfibre, Ocean Falls, Prince Rupert, Alert Bay, the Skeena River Valley); the Fraser Valley (Chilliwack, Sardis, Port Coquitlam); and the BC interior (Kelowna, Vernon, and rural districts in the Okanagan Valley). Frequently, advanced warning of an RCMP patrol helped Japanese labourers to evade the police; many left the country. Those questioned sometimes claimed to have lost their papers.<sup>110</sup> The patrols filed reams of reports, freely exchanged information with the Immigration Branch, and had access to records at the Japanese Consulate in Vancouver. In December 1931 an officer, aided by an interpreter, began monitoring all Japanese on ships leaving Vancouver and Victoria for Japan.<sup>111</sup> They regularly found Japanese

<sup>105</sup> House of Commons, *Debates* 1931, 3:3122.

<sup>106</sup> Patricia E. Roy, “The Illusion of Toleration: White Opinions of Asians in British Columbia, 1929-37,” in *Visible Minorities and Multiculturalism: Asians in Canada*, ed. K. Victor Ujimoto and Gordon Hirabayashi, 81-91 (Toronto: Butterworths, 1980); and Roy, *The Oriental Question*, 131-65.

<sup>107</sup> H.F. Angus, “The Legal Status in British Columbia of Residents of Oriental Race and Their Descendants,” *Canadian Bar Review* 19, 1 (1931): 1-12.

<sup>108</sup> Anne Dore, “Transnational Communities,” pp. 35-70.

<sup>109</sup> Adachi, *The Enemy That Never Was*, 122.

<sup>110</sup> Sergeant Fred Markland, BC Provincial Police, to Inspector Sampson, RCMP, 26 October 1931, RG76, Immigration, series 1-A-1, vol. 382, reel C-10278, file 532462, AC.

<sup>111</sup> F.W. Taylor to Commissioner of Immigration, Ottawa, 2 January 1932, RG76, Immigration, series 1-A-1, vol. 382, reel C-10278, file 532462, AC.



with no papers whatsoever and thus assumed that they had entered the country “by some illegal means unknown.”<sup>112</sup>

A review of selected patrol operations illustrates how the RCMP worked and the results they attained. In February 1932 a special patrol visited the Pacific Mills at Ocean Falls, about 470 kilometres north of Vancouver, and obtained its entire employee list. They apprehended sixteen suspected illegals and took them to Vancouver for questioning. Otokichi Nakahara, age forty-two, claimed that Yoshy, the convicted Japanese interpreter, had loaned him a naturalization certificate for a handsome price. He had landed on 15 April 1928, under the name of T. Suzuki. Moriji Kawahigashi, age twenty-six, arrived in 1928 as a stowaway on the *Empress of Canada*; Kisuke Morita, age twenty-six, arrived as a stowaway in 1926 on the *Empress of Asia*; Kitaro Nitsutani, age forty-five, arrived May 1928 on a one-year's permit as a non-immigrant but then overstayed his permit; Snichnosu Yamasaki, age thirty-two, was a ship's deserter who obtained a birth certificate illegally but, being afraid, soon destroyed it; and a few claimed to be married to Canadian-born Japanese women who had borne them children.<sup>113</sup>

Between 13 and 15 September 1932 seven investigators, including an interpreter, led by Sergeant J.R. Paton, examined about 280 Japanese workers employed in the Fraser Valley at the Haas Hop Gardens, Chilliwack, and the Hulbert Hop Company Gardens, Sardis. A guard was stationed to ensure that no workers escaped until the questioning was completed. The report stated: “The huts in which the pickers live are so situated that in order to keep the Japanese from getting away, it was necessary to keep a patrol continually on the outskirts of the camp. The fact that the work had to be done at night made it more difficult.” Nine Japanese workers were taken to Vancouver for further questioning and, of these, six were deported. Two were ship deserters and one had entered Canada illegally. The Japanese foreperson at the Hulbert Hop Company reported, to the patrol's dismay, that ten or twelve Japanese workers had anticipated the RCMP patrol and had suddenly vanished.<sup>114</sup>

Four RCMP officers, a Japanese interpreter, and an immigration official spent several days in October 1932 in the Okanagan Valley (Kelowna and Vernon areas), driving some 394 miles and examining many Japanese

<sup>112</sup> Corporal C.G. Fairman, *Infractions of Immigration and other Acts by Japanese in British Columbia*, 7 October 1932, RG 76, vol. 382, file 532462, reel C-10,278, Immigration, AC.

<sup>113</sup> Sergeant W.C. Grennan to Commanding Officer, N Division, Vancouver, 18 February 1932, RG 76, Immigration, series 1-A-1, vol. 382, reel C-10278, file 532462, AC.

<sup>114</sup> S.T. Wood, *Infractions of Immigration and Other Acts by Japanese in British Columbia*, 19 September 1932, RG 76, vol. 382, file 532462, reel C-10,278, Immigration, AC.



at boarding houses, packing plants, and ranches. An informer claimed that six or seven Japanese who were illegally in Canada had fled into the bushes. The sergeant reported, "I patrolled the district, and though much time was spent searching the barns, haystacks etc, in the locality where the party were supposed to be, no results were obtained." However, they did eventually apprehend ten Japanese whom they escorted to Vancouver for further investigation. His report observed, "The Japanese in this district are scattered in ones and twos at the various fruit farms in this area and it is difficult to locate them. No packing houses were employing Japanese to any extent, and those that were, had reduced their staff considerably before our arrival."<sup>115</sup>

From the standpoint of RCMP and Immigration Branch officials, the investigation yielded important results. It determined that over 2,000 Japanese migrants had entered the country illegally by 1931. The means they had used were several. The Yoshy smuggling scheme, of course, had been the most widely used. However, others had come as stowaways, some had entered as visitors and then had overstayed their time limit, while yet others had deserted ship or landed surreptitiously away from official ports of entry. While the investigation had apprehended some of the illegal entrants, it was more successful, apparently, in convincing a very large number to leave the country voluntarily rather than to face deportation. Between 1931 and 1938, 145 were deported for illegal entry. Fortunately for forty-three, the Immigration Branch suspended their deportation orders on compassionate grounds, usually because they had married and had started families.<sup>116</sup>

Judging from the numbers of illegal entrants apprehended and deported, the investigation had been most active in 1932 when fifty-nine were deported after having been required to appear before Immigration Branch boards of inquiry.<sup>117</sup> Although it continued into 1936, the investigation lost momentum and support. The Depression years were an inauspicious time to mount a major provincewide investigation, and, like other government departments and agencies during the R.B. Bennett Conservative administration, immigration and the RCMP had tight budgets. So in July 1933 Wesley A. Gordon, the immigration minister, wrote to J.H. MacBrien, the RCMP commissioner: "I beg to advise you it has been decided to discontinue for the present the investigation being

<sup>115</sup> Sergeant J.R. Paton, *Infractions of Immigration and Other Acts by Japanese in BC*, 4 November 1932, RG 76, vol. 382, file 532462, Immigration Branch, AC.

<sup>116</sup> Statement of Japanese Deported from Canada, 1 August 1931 to 31 August 1938, RG76, Immigration, series I-A-1, vol. 382, reel C-10278, file 532462, AC.

<sup>117</sup> House of Commons, *Debates 1938*, 2:1287.

conducted at the Pacific Coast by members of your Force and officers of the Department into the status of Japanese. The reason for this action is the fact that there will not be funds available during the present fiscal year for any further expenditure in this connection.”<sup>118</sup> However, the RCMP commissioner considered the investigations “very important” and decided to complete them while absorbing the cost himself.<sup>119</sup> Yet the investigation was scaled back and finally terminated in 1936.

#### REVIVING THE INVESTIGATION

Japan’s militarism and imperialistic expansion, and especially its invasion of China and the infamous capture of Nanjing in 1937, inflamed the hostility of many whites towards the Japanese in British Columbia.<sup>120</sup> Pringsheim states that the invasion “created a worldwide uproar of anti-Japanese resentment, which was also reflected in Canada.”<sup>121</sup> British Columbia’s old fears of a Japanese attack reawakened, and rumours spread of Japanese spies and illegal entrants. While senior government officials in the Departments of Immigration, Fisheries, Justice, and Immigration, as well as the RCMP, all agreed “that the reports of large surreptitious entries [of Japanese] were unfounded,”<sup>122</sup> Prime Minister Mackenzie King eventually calculated that it would be prudent to take some action. On 4 March 1938 King announced to the House that he would appoint a board of review “to organize and vitalize the search for illegal immigrants into Canada” and “to convince the people of British Columbia that the government is really taking the Oriental problem seriously.”<sup>123</sup>

After in-camera hearings and RCMP-assisted investigations throughout the province, the board, composed of Hugh Keenleyside (external affairs) as chairperson, F.W. Taylor (district superintendent of immigration, Vancouver), and Inspector G.W. Fish (RCMP, Vancouver), concluded the following:

<sup>118</sup> W.A. Gordon to J.H. MacBrien, Ottawa, 11 July 1933, RG76, Immigration, series I-A-1, vol. 382, reel C-10278, file 532462, AC.

<sup>119</sup> J.H. MacBrien to Immigration Commissioner, 18 July 1933, RG76, Immigration, series I-A-1, vol. 382, reel C-10278, file 532462, AC.

<sup>120</sup> How the “menace” from Japan inflamed the west coast is thoroughly investigated by Roy, *The Oriental Question*, chaps. 6 and 7. Its impact on evolving Canadian-Japanese diplomatic relations is examined in Meehan, *The Dominion and the Rising Sun*.

<sup>121</sup> Pringsheim, *Neighbours across the Pacific*, 46.

<sup>122</sup> Investigation of Alleged Illegal Entry of Japanese into British Columbia, 16 February 1938, RG25, External Affairs, series A-2, vol. 729, reel T-1751-1752, file 84, pt. 9-II, AC.

<sup>123</sup> House of Commons, *Debates 1938*, 2:1035.

Unfortunately the situation in British Columbia is complicated by the circulation of rumours which have little or no proven substance but are disseminated assiduously as records of fact. The resulting picture which has been built up in the minds of many of the people of British Columbia is one in which well organized gangs of smugglers run boatloads of Japanese across the Pacific, land them in the dark of night on the west coast of the Queen Charlotte Islands or of Vancouver Island, whence they rapidly find their way into the fishing, agricultural, or industrial life of the Province. While this picture is today false both in detail and in substance, the public mind in British Columbia was made susceptible and was prepared for its reception by the undoubted fact that between the years 1916 and 1931, and particularly between 1922 and 1931, many Japanese did enter Canada illegally.<sup>124</sup>

Evidently, the Yoshy smuggling scheme and illegal entry came back to haunt the Japanese community as the Japan "menace" appeared ever more threatening. Yet, of the 1,862 Japanese questioned by the board in 1938, almost all – 1,854 – were found to be in Canada legally.<sup>125</sup> Members of the board, claimed Keenleyside, believed that "the most deplorable aspect of the situation in the province was the way in which the politicians (at various levels) and other people in the public eye persisted in making allegations about illegal entry, espionage, unfair competition, and other offences with no substantiation for their accusations."<sup>126</sup> Unfortunately, the board's findings did little to change the situation. Keenleyside lamented: "the results of our work [had] little value in reducing the growing hostility toward the Japanese residents."<sup>127</sup> Indeed, the extensive media coverage of the investigation probably heightened public suspicions about the small Japanese minority.

## CONCLUSIONS

The Yoshy smuggling racket and Japanese illegal migrants in British Columbia during the interwar years reveal the darker side of Canada's often celebrated immigration history. Canada's tradition of illegal entry, particularly challenging on its west coast, demonstrates that

<sup>124</sup> Board of Review Report, 12 December 1938, p. 18, RG25, External Affairs, series A -2, vol. 729, reel T-1752, file 84, pt. 9 - II, AC. Roy provides an excellent overview of the Board of Review's work in *The Oriental Question*, 196-9.

<sup>125</sup> Keenleyside, *Memoirs*, 482.

<sup>126</sup> *Ibid.*

<sup>127</sup> *Ibid.*

global economic inequities, combined with the trend of nineteenth- and twentieth-century nation-states to assert a monopoly on movement across their borders,<sup>128</sup> frequently tempted migrants to disregard legal entry procedures. This temptation was regularly exploited by unscrupulous and immoral individuals – private persons, government officials, and criminals – eager to facilitate illegal movements for personal gain. Since illegal immigration is an important, fascinating, and persistent dimension of Canada's immigration history, it should be carefully charted, notwithstanding the challenges posed.

Yoshy and his collaborators were eager to exploit any young Japanese migrants tempted to enter British Columbia illegally. Greed was the fundamental motivation, but it eventually brought Yoshy down. His clandestine human smuggling ring underscores the trouble corrupt individuals and practices can cause, especially for ethnic groups struggling to survive in the face of white hostility and strained international relations. The pre-Second World War Japanese community in British Columbia was plagued not only by the economic troubles of the Great Depression but also by real and rumoured stories of illegal immigration. Many whites concluded, especially after the Manchurian Crisis in 1931 and the Japanese invasion of China in 1937, that the BC Japanese and their homeland were a growing menace to peace and security. Unfortunately, the Yoshy scheme and the presence of Japanese illegal migrants caused the vulnerable Japanese community in the 1930s to be the object of harrowing and disagreeable police investigations.

<sup>128</sup> Torpey, *Invention of the Passport*, 1.