

Aliens, Right to Hold Real Property, Janapese, Right to Hold Real Property. Foreigners, Right to Hold Real Property. Real Property, Right of Foreigners to Hold.

There is no law in this state prohibiting a Japanese from holding real property, and as this is a matter of statutory regulation, such alien may hold real property until forbidden by express statute.

June 2, 1914.

Hon. T. F. Shea,
County Attorney,
Deer Lodge, Montana.

Dear Sir:

I am in receipt of your letter of May 27th, submitting the question: "as to whether Japanese may hold and own real property in this state?"

Section 25, Article 3 of our state constitution, referred to by you is a prohibition against the enactment of any law prohibiting aliens from acquiring mines and mining property, but nothing is said in the constitution relative to the owning of real estate by aliens, and there is not any law upon the statute dealing with the subject. Hence, there is no law now in existence in the state of Montana, forbidding Japanese from holding and owning real property. An alien may take property in this state by succession, the same as a citizen. Sec. 4835.

44 Mont. 264.

Yours very truly,

D. M. KELLY,
Attorney General.