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Italo-American Relations, 1870 - 1914

A Study in American Diplomacy

by


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B. A., College of St. Thomas, 1943

Presented in partial fulfillment
of the requirements for the degree
of Master of Arts

Montana State University

1950

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CHAPTER I

INTRODUCTION

International relations are conducted by states. It is states that engage in diplomacy, make treaties, arbitrate disputes, and go to war. Even when an individual has an interest to promote or protect, such as a financial claim against some foreign state, there is no way to handle it internationally except through the diplomatic machinery of his state. It follows that the state is the basic unit in the world community, much as the individual is the basic unit in national and in local communities. Why do states act as they do? The answer to this question is not simple, but, broadly speaking, the policies of states are reactions to environmental stimuli. Because of the attributes of characteristics of modern states, certain reactions appear to be quite natural. Under given circumstances states find it possible to cooperate with each other, while under other environmental stimuli states are liable to refuse cooperation, become aggressive, or go to war.¹ The purpose of this paper is to examine the relations of two states, The United States of America, and the Kingdom of Italy. This examination covers the time after the completion of the unification of Italy, up to the time of the treaty between the two nations for the advancement of peace, just prior to the first World War.

¹ Norman Hill, International Relations (New York: Oxford University Press, 1950) Page 3

During the earlier part of this period, nearly every occurrence of much importance in the diplomatic history of Europe was connected with the Franco-Prussian War. The war itself brought about efforts to prevent the outbreak of war, the protection of the neutrality of Belgium and Luxembourg, German seizure of neutral property during the war, and the sale of munitions of war to the belligerents. In October of 1870 Russia announced that she would no longer be bound by the terms of the treaty of Paris (1856) relative to the Black Sea. In September, 1870, the Italian Government occupied Rome, and the diplomatic history of a United Italy commenced. German demands for the annexation of Alsace-Lorraine and the evacuation of France were diplomatic problems up to 1873.²

In the United States, Ulysses S. Grant was president. Described by Bailey as a narrow and bewildered military hero, Grant, suddenly elevated from a seat in the saddle to one in the White House, was a pathetic and gullible misfit. By a happy accident, says Bailey, he chose Hamilton Fish who was a wealthy and socially prominent New Yorker, as his Secretary of State. Fish found the diplomatic problems to be the trouble in Cuba, Santo Domingo, the difficult Alabama Claims, and other problems.³

² Anderson and Hershey, Handbook for Diplomatic History (Washington, Government Printing Office, 1918) pp. 9-10.

³ Thomas A. Bailey, A Diplomatic History of the American People (New York: Appleton, Century, Crofts, Inc., 1946) pp. 406-425

After the Franco-Prussian War and until his retirement in 1890, Bismarck dominated the international affairs of Europe to a degree seldom paralleled by any other individual. From 1871 on, Bismarck's chief and almost exclusive aim in foreign policy was to preserve for Germany the gains she had secured by the Franco-Prussian War. As the annexation of Alsace-Lorraine made the restoration of a really friendly feeling between France and Germany impossible, Bismarck was haunted with the fear lest France should find allies and develop a coalition hostile to Germany. Bismarck therefore bent his efforts toward securing the complete isolation of France. His success was remarkably speedy and complete. It was secured and maintained throughout the period by the arrangement called commonly the League of the Three Emperors. The Franco-German war scare of 1875 showed the kind of danger to which France was constantly exposed owing to the isolation forced upon her by Bismarck.⁴

About this time there were war scares in American circles. By January of 1876 the great diplomatic plans of Fish had broken down and recommendations to Congress for intervention in Cuba seemed to be enough to precipitate war with Spain.⁵

In 1876 the most important features of European diplomacy arose out of the Eastern Question, as the problem of the exist-

⁴ Anderson and Hershey, op.cit., p. 10

⁵ Samuel Flagg Bemis, American Secretaries of State and their Diplomacy, (New York: Alfred Knopf, 1928) Vol. VII, p. 200

ing status and future disposition of the Ottoman Empire was then called. Turkish misrule, especially in the Balkan peninsula, resulted in the Russo-Turkish war of 1877-1878. The settlement of this war was the cause of great dissatisfaction in many different quarters and created conditions which had a large influence in bringing about the World War. Soon after the adjournment of the Congress of Berlin, Bismarck obtained from Austria-Hungary recompense for the assistance he had rendered the Dual Monarchy.⁶

At the Congress of Berlin Bismarck professed to play the role of "honest broker", i. e., to seek no personal or no German interest, but to act as the impartial friend of all parties, thus to facilitate the arrangement of a satisfactory adjustment.

Meanwhile, he found the necessary arrangement for French isolation in the form of a close alliance with Austria-Hungary. Three years later the arrangement was altered by the addition of Italy to the combination, the formation of the Triple Alliance. Bismarck was able to continue the complete isolation of France by his reinsurance treaty with Russia.⁷

Throughout the entire period, but especially in the later years, questions arising out of the colonial enterprises of Europe occupied much attention. Little attention was given

6 Anderson and Hershey, op. cit., p 10-11

7 Anderson and Hershey, op. cit., Introduction, pp. 9 ff.

to the United States. As late as 1878 only a small portion of Africa, consisting chiefly of the Mediterranean coast, the southern end of the continent, and scattered regions along the west coast was under the control of European countries. Rivalry for possession and the adjustment of boundaries gave rise to a series of diplomatic disputes. A large number of questions arose as, in the next dozen years, nearly all of the unclaimed portion of the African continent passed under European control. Many of these questions were settled by the powers directly interested. The United States was not involved.

At this time, however, the United States was beginning to take a place in world affairs. During the years after the Civil War the energies of the American people were absorbed by industrial expansion and transformation. The consequent economic and financial maladjustments brought about a number of crusades for popular panaceas, notably greenbacks and free silver. At the same time the enormous task of conquest of the continent involved real estate, railroad building, Indian fighting, buffalo shooting, homesteading, and other pursuits. In brief, Americans were so busy with their own affairs that, in the absence of compelling issues of foreign policy, they had little time to give to their relations with other powers.

8 Among these problems were the establishment of the French protectorate over Tunis, the dual control of Egyptian finances, the Sudan question, the British occupation of Egypt, Anglo-German rivalry in Southwest Africa, the formation of the Congo Free State, the Berlin conference, British relations with the Boer republics, and the questions about the Portuguese colonies.

The five Secretaries of State from 1877 to 1893, with one exception, were without previous diplomatic experience,⁹ and they were appointed primarily for political reasons.¹⁰ Whatever continuity existed in the State Department was provided in large measure by two extraordinarily useful public servants, William Hunter, and A. A. Adee. For a period of nearly one hundred years, either Hunter or Adee, with his remarkable knowledge of precedent, international law, and departmental procedure¹¹ was behind the front lines.

In the period 1890-1914 the problems of diplomacy were greatly influenced by four new factors affecting the international situation:

(1) The Collapse or abandonment near the beginning of the period of Bismarck's system for securing the isolation of France through the Triple Alliance in combination with his reinsurance treaty with Russia:

(2) The development of the Dual Alliance.¹²

(3) The adoption of the policy of Weltpolitik.¹³

(4) The Chino-Japanese war, and the changed situation in the Far East.

9 See Appendix and Chapter II

10 As an example, consider Grant's appointment of Washburne as Secretary of State for a few days in 1869 so as to give him greater personal and social prestige in France, as ambassador. Grant's practice of rewarding friends or side-tracking enemies in the diplomatic Service made the service disreputable. See Bailey, footnote, p. 412

11 Thomas A. Bailey, *op. cit.*, p. 426-427

12 France and Russia

13 Adopted by Germany and Austria

The dismissal of Bismarck in 1890 was followed by the development of the Franco-Russian Alliance. The Heligoland treaty of 1890 and the Dreyfus affair were important at this time. A series of matters arising out of the general affairs of southeast Europe became the concern of European diplomats.¹⁴ In this period also, African problems occupied the attention of diplomats, Italy playing a small role.¹⁵ In a dispatch from London, Hatzfeldt, the German ambassador to London quoted Lord Salisbury to the Councillor in the German Foreign Office (Von Holstein) apropos Lord Salisbury's proposal to partition Turkey, and Italy's desire to sit in:

"C'est une femme légitime qui demande a être payée"¹⁶

It was about this time that (1893-1900) the clash of Italian colonial enterprises with Abyssinia in the Red Sea region was at its height. Italy finally desisted from all effort to assert any claim of control over Abyssinia and acknowledged its entire independence. The Fashoda affair settled the conflicting territorial claims in the upper Nile region making the way clear for the formation of the Entente Cordiale. Largely because of colonial rivalry, French resentment against

14 These included the railway concessions in Turkey, the Greco-Turkish war, the Cretan question, and the Armenian question.

15 Anderson and Hershey, *op.cit.*, pp. 9 ff.

16 Translated: "It is a legitimate woman who demands to be paid". Quoted in a dispatch of July 31, 1895, in a report of Lord Salisbury's proposal for Turkish partition, in Cooke and Stickney, Readings in International Relations, (New York: Harper and Brothers, 1931) p. 35.

Great Britain had been increasing since 1882. Shortly before the Fashoda affair an attempt was made to utilize the opportunity presented to bring about closer and more amicable relations between France and Germany. This failed and the Franco-German accord of 1898 never materialized.¹⁷

The United States, after 1898, experienced a rebirth of Manifest Destiny. Several reasons for this are advanced. The spirited diplomacy of Blaine, the wakening of the idea in Americans that the world belonged to people with ambition, and the gospel of Captain A. T. Mahan that naval power and world power are Siamese twins, provided the "quicken-¹⁸ing sap of imperialism". American strength was being tested in the Venezuela crisis, which Italy was involved. In 1898 American strength was given a dress rehearsal test in Cuba. After 1898, with Samoa and Hawaii in the background, the United States was a world power, and the United States was no longer the "negligible quantity"¹⁹ in the eyes, of the world, that it was considered in 1895.²⁰ American influence after that began to make itself felt in Europe, South America, and the Far East.

17 Anderson and Hershey, op.cit., pp112 ff.

18 Thomas A. Bailey, op.cit., p.458

19 Richard Olney, in 1912, quoted by Thomas A. Bailey, at the beginning to Chapter XXIX on Cleveland and the Venezuela crisis with Great Britain, op.cit., p 477.

20 See footnote 19.

The solidity of the Franco-Russian Alliance, the attempt of Germany to destroy the Entente Cordiale, the growing Anglo-German antagonism, and the desire of Russia for speedy recovery from the disaster of the Russo-Japanese War and the revolutionary movement in it led in 1907 to the drawing-together of Russia, France and England. This was called the Triple Entente.²¹

The Young Turks revolution was the starting point and in large measure shares responsibility for a chain of events leading directly to the World War. The action of Austria-Hungary in annexing Bosnia-Herzegovina, deeply resented by Serbia, precipitated a crisis which nearly led to a general European War in 1908. The Algeciras Conference in 1906 served to prevent the tension between France and Germany from becoming acute until 1911. From about 1901 to 1908 Tripoli, nominally a part of the Ottoman Empire, passes more and more under the control of Italy, through at least a semblance of Turkish authority was constantly maintained. Disputes over that situation finally resulted in 1911 in the outbreak of the war between Italy and Turkey.²² In 1912, Poincare, writing to Izvolski, characterized Italy in the following words,²³ expressing the opinion of a large part of diplomatic Europe:

²¹ Anderson and Hershey, op. cit., pp. 15-19. This was where the political sympathy of the United States lay, and the group to which Italy later gravitated.

²² Anderson and Hershey, op. cit., pp. 15-19.

²³ Cooke and Stickney, op. cit., p. 81.

"Neither the Triple Entente or the Triple Alliance dare count on the loyalty of Italy.; the Italian government will employ all its efforts to preserve the peace; and in case of war, it will begin by adopting a waiting attitude, and will finally join the camp toward which victory will incline."

The Balkan War between the Balkan Alliance and Turkey and the important Treaty of London of 1913 temporarily brought about the settlement of the Albanian question and the establishment of the Principality of Albania. The effort of diplomacy to adjust the dispute between Bulgaria, Serbia, and Greece preceded the outbreak of the second Balkan War. This ended with the Treaty of Bucharest, and the Greco-Servian Alliance of 1913. The Turco-Bulgar War was settled by the Treaty of Constantinople, and in a few months the World War broke out.²⁴

It is important to note that the diplomacy of Italy was almost completely oriented to Europe during this time, and the diplomacy of the United States, besides being Anglophobic, was oriented to South America, to the Pacific, and the Far East. Because Italy and the United States were neither neighbors nor allies, nor disputants for the same territory, nor directly desirous of the same colonial lands, nor allies of enemies, it was not likely for them to come into deep conflict over any of the usual causes of those conflicts which give rise to the art of diplomacy. Therefore, this is a study of the minor phases of the larger picture of world diplomacy, wherein two countries with largely different policies and reasons, with different external stimuli in varied environments, came into diplomatic contact, and conflict.

24 Anderson and Hershey, op.cit., pp 15-19.

Chapter one of this thesis is an attempt to correlate the general trends of European and American diplomacy, which did not always coincide. The Diplomacy of Italy and the United States did not follow the same path. Italy was mainly concerned with the Triple Alliance and European problems.

The United States was diplomatically engaged with England, in South America, and in the Orient. The main evidence is negatively inclined, tending to show the lack of major diplomatic conflict. The positive evidence of Italian-American Diplomacy is largely of a minor, routine nature. Treaty Clarification is the dominant theme. In the field of Italian diplomatic writing, Salvemini²⁵ divides the foreign politics of Italy into several periods from 1871 to 1876, to the Triple Alliance, to Di Robilant, To Crispi, to the Franco-Italian rapprochement, to the seven years of Crisis, The Balkan Wars, and the immediate pre-war years. In his seven-volume work on the Parliamentary, Political, and Diplomatic History of Italy, Cilibrizzi²⁶ has considered as periods the time before 1870, that until 1876, the next twenty years to 1896, the period from then until 1909, and then the next five years as a unit, from '09 to 1914. The only study directly concerned with this subject is a Thesis for the Master of Arts degree written

²⁵ Gaetano Salvemini, La Politica Estera Dell'Italia, dal 1871 al 1915, (Firenze, G. VarBera, 1950) 287 p.

²⁶ Saverio Cilibrizze, Storia Parlamentare Politica e Diplomatica D'Italia Da Novara a Vittorio Veneto (Roma: Tose Editore) 7 Volumes

by the Italian exchange student Dr. Livio Chersi, at the University of Louisiana, in 1936, and published as an Italian work in Italy in 1937.²⁷ Dr. Chersi has written his paper covering the years 1861 to 1935. His paper is not as complete as it might have been, and reference to possible errors has been noted in later chapters.

Succeeding chapters deal with the people and their place in the story, with some comment on the political dispatches of George Marsh; treaty relations between Italy and the United States; a chapter on Italian army service, extradition and immigration; a chapter on the more violent aspects of the life of the immigrant to the United States; notes on Italy and the United States in the world scene, in commercial relations, and a final gathering of the myriad items which make the diplomat an attorney, judge, minister, newspaperman, editor, salesman, businessman, farmer, sailor,²⁸ and economist.

Up to the present time, little research has been done on this problem. The Library of Congress lists no specific American works on Italian-American Diplomatic relations. Sig. Professore Carlo Morandi of the University of Florence suggested two works²⁹ in a letter in

27 Livio Chersi, Italia e Stati Uniti-Relazioni Diplomatiche 1861-1935 (Trieste, ed. L'Alabarda, 1937) 205 pp.

28 See Hill, op. cit., p. 155-156

29 Gaetano Salvemini, La Politica Estera dell'Italia dal 1871 al 1915 (Firenze, G. Barbera, 1950) 287 pp.

L. Salvatorelli, La Triplice Alleanza (Milano: Ed. Ispi, 1940) This work was unobtainable for the purpose of this study.

the summer of 1949.³⁰ There are only a few works which bear indirectly on the subject, so the major reliance for this study is placed on American publications of the United States Department of State, with some aid for small items from the Italian Embassy, and other sources. As far as is known the diplomatic correspondence of the Kingdom of Italy has never been opened to scholars.³¹ Background material for this period, dealing with European Diplomacy, or with American relations with the important countries is not lacking:

30 In a letter to George H. Veith, Jr. from Tonfano, dated August 11, 1949, Professor Morandi said in part: "Ella ha perfettamente ragione: nel campo della sua ricerca non esistono lavori specifici. Il Suo lavoro si presenta dunque come uno studio integralment nuovo..." In another letter from the Library of Congress, General Reference Division, D. G. Patterson stated to G. H. Veith, Jr. that no American works were listed in the fields of "Diplomatic History of Italy, 1870-1914" or "Italian-American Diplomatic Relations, 1870-1914."

31 Doctor Karlin of Montana State University stated in a conversation in June, 1950, that even with high Political aid he was unable to obtain use of or entrance into the Italian Archives.

CHAPTER II

THE SECRETARIES OF STATE

On September 20, 1870, after the withdrawal of French troops and a brief resistance by Papal troops, Italian soldiers entered and occupied Roman Territory. This completed the formation of the new Italian nation, save for those provinces populated largely by Italians but as yet under Austrian rule. On December 4, 1871, Ulysses S. Grant, the President of the United States, in his annual message to Congress, stated,

"I have been officially informed of the Annexation of the States of the Church to the Kingdom of Italy, and the removal of the Kingdom to Rome."

This is the starting point for this study. The President went on to say,

"In conformity with the established policy of the United States, I have recognized this change. The ratification of the new treaty of commerce between the United States and Italy has been exchanged."¹

Ulysses S. Grant became president of the United States March 4, 1869, and remained in that office until March 4, 1877. His first Secretary of State was Elihu B. Washburne. On March 11, 1869, Hamilton Fish was commissioned, and entered on his duties March 17, 1869, remaining in the office during the Presidency of Grant, until March 12, 1877.² Fish was long-

¹ Executive Documents, House of Representatives, 42nd Congress, second session, 1871-1872, p. 5.

² He was in office only 11 days, March 5, to March 16, 1869.

³ Thomas A. Bailey, A Diplomatic History of the American people, (New York; F. S. Crofts, 1946) pp 873-878.

suffering and prudent; he had averted possible war with Great Britain and Spain; and he had settled or arranged every diplomatic problem. He made no irreparable blunders and had avoided some of those which Grant seemed bent on making.⁴

The tenor of diplomatic relations is early indicated by a dispatch from Mr. Wurts to Fish, on December 31, 1873, mentioning that the chiefs of missions in the Roman capital were received by the King and Queen, and that sincere expressions of hopes for the enjoyment of peace and plenty by the people of the United States were made.⁵ Shortly thereafter, Mr. Marsh had the pleasure of extending personal greetings to the King on the occasion of his twenty-fifth year on the throne.⁶

William M. Evarts followed Fish, commissioned and entering on his duties March 12, 1877, as the Secretary of State to Rutherford B. Hayes, the new president of the United States. Evarts remained as Secretary for the four years which Hayes was president.⁷ Evarts was the first of the five Secretaries of State appointed from 1877 to 1893 who all were without previous diplomatic experience. They were all appointed primarily for political reasons.⁸

The next two men remained a tragically short time. In

4 Thomas A. Bailey, op. cit., p. 424-425

5 Foreign Relations of the United States: Diplomatic Papers (Washington; Government Printing Office, 1862 to date) Wurts to Fish, December 31, 1873, Volume 1874, p. 627.

6 Ibid., p 628

7 Thomas A. Bailey, op. cit.; pp 873-878

8. Thomas A. Bailey, op. cit., p 427

1881 James A. Garfield became president, and took as his Secretary of State James G. Blaine, who remained as the Secretary a short nine months, due to the assassination of Garfield. Blaine entered on his duties March 7, 1881 and retired from the office December 19, 1881, some three months after death claimed Garfield on September 19, 1881.⁹ Blaine was a man of great personal magnetism. He had a quick mind and a lively imagination. The limelight was his accustomed place, where he carried popular favor. Blaine's profession was journalism, which developed in him habits of energetic action which led to his "Spirited Policy". On the other hand "Jingo Jim" had no diplomatic experience or background, no formal training in law, either domestic and international. His editorial dogmatism was not suited to diplomatic note-writing. He did not realize that the best diplomatists are the quietest workers. He did not know how to handle problems in a opportune manner as they arose.¹⁰

After the death of Garfield, Chester A. Arthur became president, keeping for four years his Secretary of State, Frederick T. Frelinghuysen,¹¹ who was a conservative cooperation lawyer. His policy in general was a traditional one of opportunistic drifting and negativism. He never went out to look for troubles, but settled them¹² as they arose.

9 Ibid., pp 873-876

10 Thomas A. Bailey, op. cit., p 434

11 Thomas A. Bailey, op. cit., pp. 873 ff. Was commissioned December 12, 1881, entered upon his duties, December 19, 1881 and retired after Grover Cleveland was in office, March 6, 1885.

12 Thomas A. Bailey, op. cit., p 433.

Frelinghuysen was in office at the time of victory of the Italian liberals in the elections of 1882, which same year saw the establishment of the law of free suffrage for all male Italians.¹³ He was Secretary when the dean of the Roman diplomatic corps, the Honorable George P. Marsh, the American Ambassador, died. Sympathy of the president and department was extended to his family, and tribute was paid to his fame as a scholar and diplomatist in recognition of his long and faithful public service. Kind offices of the Italian official family were made, and high ecomiuns of the press, and all classes in Italy, were paid to his character and long service in Italy, since 1861.¹⁴

The death of Marsh followed only by a few days that of the Italian patriot Garibaldi, on June 3, 1882, and it was Marsh, appropriately enough, who wrote the note to the department concerning Garibaldi's death.¹⁵

The replacement for Marsh was William Waldorf Astor, a New Yorker, who was appointed to the post August 4, 1882.¹⁶ It was during his stay in Rome that tribute was paid to the memory of Samuel F. B. Morse, the inventor of electric telegraphy: He conveyed the thanks of the American people to

¹³ Foreign Relations, op. cit., Richmond to Frelinghuysen November 4, 1882, Volume 1883, p. 596

¹⁴ Ibid., notes of July 26 and July 30, Volume 1882, pp. 370-371

¹⁵ Ibid., Mr. Marsh to Frelinghuysen, June 4, 1882, Volume 1882, p. 368.

¹⁶ Thomas A. Bailey, op. cit., pp 873 ff.

the Italian government for this tribute, a tablet. In 1885, along with the change in presidents, came a change in Secretaries of State. Grover Cleveland Commissioned Thomas F. Bayard as his Secretary of State March 6, 1885.¹⁸ During Bayard's term of office foreign affairs were of secondary importance. Friendly relations with a great foreign power, Great Britain, were a minor consideration when compared to with a possible political advantage to be gained.¹⁹

One of the disputes arose in Bayards' administration, was the question of the successor of Astor. To replace Astor, Bayard unfortunately chose Anthony M. Keiley, of Virginia, to be the American Ambassador in Rome. The Italian Government objected to Keiley because of some remarks made fourteen years earlier at a meeting called by the Bishop of Richmond to protest the incorporation of Rome into the Italian Kingdom. Keiley saved the administration from embarrassment by resigning his commission,²⁰ but he was solaced by being offered the post to Austria-Hungary. As soon as this was known in Vienna, Count Kalnoky instructed Baron Schaefer, the Austro-Hungarian minister in Washington, to say that his government, like the Italian, had scruples against his reception, for, among other things, the position of a foreign envoy wedded to a Jewess "would be untenable and even impossible in Vienna," Bayard

18 Bailey, op. cit., pp. 873 ff.

19 Bailey, op. cit., p 428

20 Foreign Relations, op. cit., Dispatches of Fava, Bayard, Keiley, and the President, Volume 1885, pp. 549-552.

told Schaefer that such a reason could "not be assented to by the Executive of the Government of the United States, but is and must be emphatically denied." After some fencing, Schaefer came out definitely and said:

"Our objections to Mr. Keiley's appointment as Minister of the United States to the Imperial Court are founded upon want of tact evinced on his part on a former occasion, in consequence of which a friendly power has declined to receive him."

Despite this definite statement, the administration persisted in its stand until word came that Keiley would not be received. There was nothing to do but accept his resignation.²¹ It was at this time that Italy was a member of the Triple Alliance, the "friendly power" alluded to in the Austrian note.

Since Keiley was not acceptable, the appointment went to John B. Stallo, of Ohio, on June 17, 1885, and he remained for the rest of the presidential term, and into the next era, retiring from service March 13, 1889. When Harrison became president, he chose as his Secretary of State the former man in the office, James G. Blaine. He was commissioned March 5, and entered on his duties March 7, 1889, retiring from the office June 4, 1892. Blaine appointed Albert G. Porter, of Indiana, as the Envoy Extraordinary and Minister Plenipoten-

²¹ Samuel Flagg Bemis, The American Secretaries of State and their diplomacy (New York: Alfred Knopf, 1928) Thomas Francis Bayard, by Lester B. Shippee, Chapter 3, pp. 47 ff. The story of Keiley is told succinctly, briefly and well on pages 49 and 50.

tiary to Italy on March 13, 1889. After the retirement of Blaine, toward the end of Harrison's administration, William F. Wharton, who was Assistant Secretary of State, became the Acting Secretary for a few years.²²

Another short term appointee came them to the office. John W. Foster, who was commissioned and entered on his duties June 29, 1892 retired shortly after the start of the next year retiring February 23, 1893. During Foster's Secretaryship, Mr. William Porter, of Pennsylvania, was appointed to the post of Envoy Extraordinary in Italy, succeeding Porter on November 15, 1892. Wharton again took over the reins for a short time, from February 24, to March 6, 1893, when the administration changed from Harrison back to Cleveland, for his second term. Cleveland didn't have a Secretary for a full term, since his appointee, Walter Q. Gresham, was Secretary of State for only two years,²³ in the middle of Cleveland's term. In the meantime, Gresham had appointed Wayne MacVeagh, on December 20, 1893, to the post in Italy, with the higher rank of Ambassador Extraordinary and Plenipotentiary. Italy had by this time reciprocated, and raised the rank of her representative.²⁴

For a few days, until Cleveland was able to appoint a new Secretary, the Assistant Secretary of the Department²⁵ took

22 From June 4, 1892 to June 29, 1892.

23 From his commissioning in March 1893 to his death on May 28, 1893.

24 Thomas A. Bailey, op. cit., pp 873 ff.

25 Thomas A. Bailey, op. cit., pp 873 ff.

over the position. Cleveland's appointee was Richard Olney, appointed during a recess of the Senate June 8, 1895, recommissioned December 3, 1895, and retired from the office on March 5, 1897. McKinley, the new president, appointed John Sherman to the Secretaryship March 6, 1897, only to lose him as Sherman retired from the office within a year, on April 27, 1898. Sherman had appointed during his term of office Mr. William F. Draper, of Massachusetts, on April 5, 1897, to the Italian Ambassadorship. McKinley replaced Sherman with Mr. William R. Day, who entered upon his duties April 28, 1898, and left not quite five months later, September 16, 1898. Alvey A. Adee, the Second Assistant Secretary of State, acted in the capacity of the office from September 17 to September 29, 1898.

On September 30, 1898 a competent man took over the reins - John Hay, the first of the men in a long time to hold the office who had extensive diplomatic experience. He kept the office through McKinley's death, Roosevelt's accession, and on into the second term of Roosevelt, death releasing him from his position July 1, 1905, after nearly eight years of public service. ²⁶ Death intervened in the Executive branch of the two governments at the turn of the century-violent death. On July 30, 1900, Baron Fave notified Hay of the assassination of Humbert, King of Italy. Immediately the

26. Thomas A. Bailey, op. cit., pp. 873 ff.

president offered his condolences; Hay expressed his deep sorrow to Fava. Iddings, in Italy, notified the department officially of the death of the King, and Fava acknowledged the messages with thanks.²⁷ Later in the year, the President of the United States, in his annual message to Congress, made mention of the assassination, and thanks were again forthcoming for his kind remarks.²⁸

A year later it was possible for the Italian government to reciprocate, Carignani for Italy and Cardinal Rampolla for the Vatican telegraphed to Hay their condolences upon the assassination of McKinley. Hay telegraphed his appreciation and thanks for the expressions of sympathy both to the Ministry for Foreign Affairs and to the Italian Minister in Washington,²⁹

Hay appointed two ambassadors in his term of office. On December 14, 1900 he appointed George Von L. Meyer, of Massachusetts, and his successor on March 8, 1905, Henry White, of Rhode Island.³⁰

White had the honor of presenting to the King, upon the return of the court to Rome in November of 1906, a degree awarded to the King by the University of Pennsylvania.³¹

On April 6, 1906, a telegram from Mr. Bacon, undersecretary to Mr. Hitt, in Rome stated that

"... in response to an invitation just received from the Italian Embassy you (Hitt) are authorized to be present

27 Foreign Relations, Dispatches, 1900, pt. 2, pp. 734-5

28 Ibid., p. 736

29 Ibid., 1901, p. 311

30 Bailey, op. cit., pp. 873 ff.

31 Foreign Relations, op. cit., 1906, pt. 2, p. 962

at the Royal function in honor of Professor Guido Baccelli, of the Policlinico Humbert I, on April 8, to represent the department of education of the United States Government."³²

Signor Mayor expressed to Pierce, July 2, 1905, the condolences upon the death in office of John Hay, who, like Hamilton Fish, kept the Secretaryship for a long time.³³

While Roosevelt was selecting another Secretary of State, the Assistant Secretary, Francis B. Loomis acted for the Secretary from July 1, 1905 to July 18, 1905. Roosevelt chose Elihu Root, who was commissioned December 6, 1905 and retired from his duties January 27, 1909, a few weeks before Roosevelt's second term of office expired. Root replaced the Ambassador to Italy, White, with Mr. Lloyd G. Griscom, of the State of Pennsylvania, who received his appointment to the Ambassadorship December 19, 1906. Since Root did not remain in the office for his full term, Roosevelt replaced him after his retirement from the office with Robert Bacon, who was commissioned and entered on his duties January 27, 1909, for several weeks until March 5, 1909, when he retired.³⁴

When William Howard Taft came to the presidency in the year 1909, he appointed to his cabinet as Secretary of State Philander C. Knox, who entered upon his duties March 6, 1909 and retired only at the expiration of the term of his president, on March 5, 1913. Knox, in his term of office, appointed to Italy Mr. John G. A. Leishman, of Pennsylvania, on April

32 Foreign Relations, 1906, pt. 2, p. 910.

33 Ibid., p. 18, 1905.

34 Bailey, op. cit., pp. 873 ff.

1, 1909. His second appointment to this post, as Leishman's successor, was Mr. Thomas J. O'Brien, of Michigan, who received his assignment August 12, 1911. Woodrow Wilson, upon his election to the presidency, picked for his Secretary of State the famous and illustrious orator William Jennings Bryan, who remained his Secretary of State for a little over two years, from March 5, 1913 to June 9, 1915. Bryan commissioned the last of the appointees important to this study, Thomas Nelson Page, of Virginia, on June 21, 1913. After the outbreak of the war, Wilson appointed to the office of Secretary of State Robert Lansing, counselor, as adinterim appointee from June 9, 1915 to June 23, 1915, when he was commissioned during a Senate recess, and entered upon his duties. He was recommissioned December 13, 1915, and remained the Secretary of State throughout the first World War, retiring from the office February 13, 1920.

While mentioning the appointments of the various men to their respective offices, it might be well to give special mention one of the finest examples of the men in the diplomatic corps. George P. Marsh was appointed to his post as the American Minister to Italy by Lincoln's Secretary of State, the Hon, William H. Seward. He received his commission March 20,

³⁵ The information concerning the appointments of the men in office at the different times, has been obtained from Thomas A. Bailey, op.cit., in the Appendix to his work, but he has been used as the basic source for this material but not the sole source. Bemis, Malloy, Richardson, have been consulted.

1861, just after the presidential inauguration, when so many public offices are filled by new men appointed by a new administration. Marsh remained in Italy all through the American Civil War, maintaining a high plane of relations with the Italian Government, and successfully outstaying the Confederate representatives who sought recognition from the Italian Government. He was the representative to the Italian Kingdom from that day until his death in the service, July 26, 1882.

The dispatches of no other diplomat contain the varied comments on the political conditions of Italy, the relations between Italy and Rome, the Roman Questions itself, the occupation of Rome, the removal of the Capital, advantages and disadvantages, etc. of the subjugation of the Vatican by the Kingdom of Italy. Marsh sent very informative dispatches concerning the formation of the new ministry after the gov't had taken over the reigns from the Papacy. He commented on the elections as they were held, and "wisely evaluated" the attacks made upon the government by the clergy, and the efforts of some in the government to limit the license of the clergy to attack the policies of the government. Marsh observed in a detached manner the violent clerical opposition to the law of the government, noting that on some occasions it almost bordered on a resort to arms, and an attempt to restore the

civil supremacy of the Papacy in some quarters.

Marsh reported on the French influence in Italian affairs, and the general influence of all European questions on the contemporary Italian scene. By 1877, Marsh was reporting victories of the government in the tariff questions, the reforms of taxation, and the general improvement of the political situation, along with the internal growth of Italy as a nation.

37

Marsh, the seasoned observer, saw the change in the two governments present on Italian soil. Within weeks of one another, the two antagonists of the Roman Question died. On January 9, 1878, Victor Emanuele II died, and Humbert, became King of Italy. Marsh notified Evarts of the demise of the King and the accession of the successor, and in Washington, Italian memorial services were held for the dead king.

38

The other death was that of Pius IX, on February 8, 1878. There was no excitement in Rome, according to Marsh, and the new Pope was Cardinal Pecci, who took the name of Leo XIII. Marsh wrote a long dispatch, commenting on the policies of the new pope. Three years later, on July 15, 1881 as the remains of the late Pope were being removed from St. Peter's to San Lorenzo, anti-papal feeling flared up. Some

36 See the dispatches in Foreign Relations, Volumes for the years 1870-77, Sept. 6, p. 448; 9, p. 449; 12, p. 450; 21, p. 451; Nov. 3, 1870, p. 452; June 24, 1872, p. 516; 25, p. 522; July 10, 1873, p. 523; Nov. 24, 1874, p. 759; and 1877, p. 323 to 331.

37 Ibid., volumes 1877 and 1878, pp. 330, -333, 457, 466.

38 Ibid., volumes 1878 and pp. 467-469 and 479-480.

100,000 people observed the removal, and the occasion was marred by liberal demonstrations, which had to be broken up by troops. ³⁹ For all this, the church was not without friends in the world. Even after the Republicans had gained the upper hand in France, French foreign policy was still much influenced by the traditions of popular loyalty to the Pope; by 1881 Austria was again more inclined to clericalism; and, in Germany, Bismarck was seeking to conciliate the Catholics. Without allies Italy was hopeless outmatched; the Roman question might well range Germany and Austria, as well as France against her. "Italy is no friend of ours," said Bismarck when the Papal nuncio asked him in 1881 if he would oppose the restoration of the temporal power. It was the common belief in Italy that France sooner or later intended to restore the Pope or at least to raise the question of the Pope's position under the law of Guarantees. French occupation of Tunis seemed to confirm this suspicion of the Italians. ⁴⁰

Marsh, in a dispatch to Everts, concerning the treaty of Berlin, stated that the actual dissatisfaction with the treaty "is not so deep as was represented" by the British and French newspapers. He discussed the subject of the Trentino and mentioned that in his opinion the area was necessary to the defense of the country. The population and character of the Trentino is Italian, Marsh noted that the case of Trieste

39 Foreign Relations, op.cit., 1878, p. 470; 1881, p. 656
 40 Anderson and Hershey, op. cit., p. 460-461

was different; its territory was Austrian by five centuries of occupation.⁴¹ It might be mentioned here that Italians have always resented their treatment by the other powers of Europe. The Italians not only came away from the Congress of Berlin with empty hands, but, in the words of Crispi, they had been "humiliated at Berlin as the last people in Europe,^{***} slapped and despised."⁴²

From 1878 on to his death Marsh continued to send the political reports from Italy. They were most informative, and accurate, and sympathetic. There is nothing in these dispatches to indicate that Marsh was a callous, impartial observer of the Italian scene. His dispatches, his interpretations of the events in Italy, and in Europe affecting the Italians show him to be very sympathetic to the Italians, and it was probable this quality which made him such an excellent representative of the United States - indeed, by any standards from any country, an excellent, well-trained, intelligent, sympathetic ambassador.

We have seen that most of the secretaries of the department were political appointees with no previous diplomatic experience. Not all served their full term of appointment, which led to disruptions in policy and occasional vacancies in the highest office.

⁴¹ Foreign Relations, Marsh to Evarts, July 23, 1878, Volume 1878, p. 475

⁴² Chiaia, Pagine di Storia Contemporanea, II, p. 17, quoted in Anderson and Hershey, Handbook of Diplomatic History.

There was variety in their influence upon the office and the government. Some, like Blaine, were dominant and magnetic. A few, like Hay, were well-trained, experienced and capable diplomats. Others, like Frelinghuysen, were stodgy, traditional, and in general the very antithesis of the Blaines.

Let us turn to a consideration now of the binding treaties negotiated during the stewardship of these men.

CHAPTER III
TREATY RELATIONS

In Chapter I it was stated that international relations are conducted by states, and that those states engaged in the various activities which constitute diplomacy - making treaties arbitrating disputes, or going to war. The word treaties is generally taken to include all forms of international instruments, whether they be called by name treaty, convention, or protocol, or any other name.¹ These treaties can be divided into any one of three categories: those that have gone into force, and those that are pending. In some cases of recent date, it may be doubtful if a treaty is properly to be regarded as pending or as obsolete.² However, as this study has for its latest terminal date a treaty of some thirty-five or six years ago, the third point need not detain us. This chapter will briefly examine the different treaties, conventions and other international acts to which the United States and Italy were either partners in a multilateral treaty, or the sole partners to a bilateral treaty, together with import or provisions of those treaties.

International relations cannot be separated by arbitrary assignment of dates. It is necessary to mention the international acts entered into before 1870 on the part of

1 Department of State, List of Treaties Submitted to the Senate, 1789 - 1934. (Washington, Government Printing Office, 1935) p. 1

2 loc. cit.

the United States with Italy, either bilaterally or multilaterally, in order to understand the complete picture. In the 1860s, there were six treaties of importance. In 1864, the United States and Italy were both signatories to a multilateral convention for the Amelioration of the Condition of Wounded in Time of War. In 1868, both countries were signatory to the Geneva Convention.³

While not yet a completely united country, the Kingdom of Italy in 1868 and 1869 concluded important international agreements with the United States. In 1868, a Consular Convention was concluded on February 18, ratification was advised by the Senate on June 17, it was ratified by the President Andrew Johnson, June 22, and ratifications were exchanged September 17, 1868. This treaty was proclaimed February 23, 1869.⁴

This Consular Convention contained 17 articles, dealing with Consuls, Exequators, Exemptions, Consuls as witness-

³ Department of State, Treaty List, op.cit., p. 23; This was additional articles to the treaty of 1864, at Geneva, among several signatory powers.

⁴ Here, as elsewhere in this discussion, a treaty is deemed to have gone into force when ratifications have been exchanged, or deposited; for ordinarily, the exchange of ratifications imports the going into force of the treaty; but there are cases where it is provided that the effective date is made subject to a condition subsequent to the exchange; and such a condition subsequent may not be fulfilled, and the treaty may fail to become operative, despite ratification; an instance of this is the reciprocity treaty with Mexico, dated January 20, 1883. See Page 1 of the treaty list.

es, mutual respect for Arms and the Flag, Archives, provisions for death or absence of consuls, Vice-consuls, infractions of treaties, the powers of consuls, merchant vessels, the settlement of disputes, deserters from either ships of war, or merchant vessels, damages at sea, and the resultant salvage that might arise from damages at sea, the disposition of property of nationals, and the final article concerned the duration and ratification of the treaty.⁵ On January 21, 1869, an additional article to the Convention of 1868 was concluded, and ratifications were exchanged at Washington May 7, 1869. The treaty was proclaimed May 11, 1869. This article validated the 17th article of the original convention, and amended it.⁶

The Extradition convention of 1868, concluded on March 23, with ratification advised by the Senate June 17, 1868, ratified by the President June 22, and ratifications exchanged September 17, 1868, is a very important treaty considering the later diplomatic correspondence concerned with American requests for the extradition of Italians (both naturalized and alien) to the United States for punishment for crimes which they had committed in the United States, and fled from to the protection of the homeland. This was proclaimed September 30, 1868.⁷

⁵ Senate Documents, 62nd Congress, 2 Sess., Vol. 47, (Washington, Government Printing Office, 1910)

⁶ Ibid.

⁷ Ibid.

The extradition Convention of 1868 contained only 7 articles: provision for the delivery of the accused, extraditable crimes, political offenses, persons under arrest, the procedure, provision for expenses, and the duration and the mode of ratification of the treaty. Subsequently, in 1869, at the same time as the additional article to the consular convention was proclaimed, Article II, Section 8 of the extradition convention was amended.

The first of the treaty series within the scope of time of this study is the Treaty of Commerce and Navigation of February 26, 1871. Ratification of this treaty was advised by the Senate April 15, 1871; it was ratified by the president April 29; ratifications were exchanged November 18, of that year, and five days later it was proclaimed (November 23, 1871). This treaty contained some 26 articles, among which were provisions which entered into the consideration of the problem of the regulation of meat imports into Italy, the requirements of consular inspection of exports, and the other trade difficulties.

⁸ Revised Statutes, Volume XVIII, 43rd Congress, 1873-75, (Washington; Government Printing Office, 1875) p. 438

⁹ Revised Statutes, Ibid., pp. 439-445. The articles to the treaty were; Freedom of commerce and navigation, Rights of persons and property; Embargos; No shipping, export, or import discrimination; shipwrecks; completing crews; piratical captures; exemptions in war; blockade; regulation of blockade; contraband articles; rights of neutrals; free ships, free goods; proof of nationality of vessels; right of search; vessels under convoy; conduct of commanders of war vessels; protection in case of war; disposal of property rights; legal rights; most favored nation privileges; duration of the convention; and the provisions for ratification of the treaty.

In 1875 the United States became signatory to a multi-lateral convention to establish an International Bureau of Weights and Measures.¹⁰

On September 15, 1877, Count Litta notified Mr. Evarts of the desire of the Italian Government to terminate the Consular convention between Italy and the United States dated February 8, 1868.¹¹ The next day Wurts in Italy notified Evarts that Italy had denounced the convention of 1868, and was willing to renew the same with the exception of Article VI.¹² On September 18, Wurts explained to Evarts Italian objections to the treaty: it was felt hostile to the policy of Italy; its provisions of inviolability of consular dwellings secured by Article VI would neutralize treaties of Italy with other powers under operation of the "most favored nation" clauses.¹³ Mr. Seward acknowledged the notification of the denunciation in a note to Count Litta.¹⁴

The denunciation was followed by a renewal of the Consular Convention. It was concluded May 8, 1878, ratification was advised by the Senate May 28, and the President ratified it June 4; ratifications were exchanged September 18, and the convention was proclaimed September 27, 1878.¹⁵

¹⁰ Statutes At Large of the United States of America, 45th Congress, 1877-79, (Washington: Government Printing Office, 1879) p. 709

¹¹ Foreign Relations, Litta to Evarts, 1877, p. 334

¹² Ibid., 1878, p. 462

¹³ Ibid., 1878; p. 462

¹⁴ Ibid., 1877, p. 334

¹⁵ Statutes at Large, op.cit., p. 725. See also Senate Documents, 62nd Congress, 2 Sess., Vol. 47.

In 1878 the United States accepted an invitation to a monetary conference. Evarts notified Marsh that delegates had been appointed.¹⁶ In 1881, a convention supplemental to the consular convention of 1878 was concluded February 24, ratification was advised by the Senate May 5, the president ratified it May 10, and ratifications were exchanged June 18, 1881. This supplemental convention had only two articles: the first related to shipping disputes, and was a substitute for Article XI of the original 1878 convention; the second was the provision for ratification and effect. This was proclaimed June 29,¹⁷ 1881.

In 1883 the United States became a signatory to a treaty (multilateral) along with Italy for the International Protection of Industrial Property. In 1884 they both became signatory to a convention for the Protection of Submarine Cables.¹⁸ In 1886 Mr. Bayard instructed Mr. Stallo by telegram (#287) to attend an industrial conference on the Protection of Industrial property, which was to be held at Rome starting April 29, 1886. Mr. Stallo so did, and on June 19, 1886 he sent to Mr. Bayard notes on the conference. He noted the countries represented, commented on the proceedings, inclosed minutes,¹⁹ explained the objects of the union of 1883 (vide supra).

16 Foreign Relations, 1878, Marsh to Evarts, p. 474-77
 17 Senate Documents, 62nd Congress, 2nd Session, Vol. 47
 18 Ibid.
 19 Foreign Relations, 1886, Bayard, Stallo, p. 546-7

In 1886 the United States and Italy became co-signatory to four multilateral agreements: a Declaration Respecting the Interpretation of Articles II and IV of the Convention of March 14, 1884, for the Protection of Submarine Cables, a Protocol Providing for the Submission to the Signatory Powers for their Approval A Draft of a Declaration Interpreting Articles II and IV of the Convention of March 14, 1884, for the Protection of Submarine Cables, a Convention for International Exchange of Official Documents, Scientific, and Literary Publications, and a Convention for the Immediate Exchange of Official Journals, Parliamentary Annals, and Documents.²⁰

It may be well to note at this point, in connection with treaties, one of the innumerable cases that arise which touch the question of treaty stipulation. On June 4, 1887, in connection with the Barque Salome, Mr. Ferrara wrote to Mr. Bayard a note in reference to consular jurisdiction over affairs on shipboard. He complained that the question of wages of a seaman of the Italian Barque Salome at Savannah, was decided by the court instead of by the consular agent. He argued that the sentence by the court was contrary to the consular convention between Italy and the United States, and that the sentence ought to be corrected, He inclosed the interpretation of the consular convention by the district attorney of New York. On June 10, 1887, Mr. Bayard replied to Ferrara that the case had been

reviewed, and that the jurisdiction of the consul had been sustained by the court. The opinion of the judge in a suppositious case was that the jurisdiction of the consul might not have been exclusive, and he suggested that the Government of Italy request the correction of the verdict. Bayard went on to explain that the Department of State has no authority to interfere with the judicial proceedings of the courts. He was at pains to make the distinction between the Judicial and the Executive function of the government clear.²¹

As an example of how treaties sometimes do not become operative the Proprietary Right Convention, which was signed at Paris March 20, 1883 and the Protocol of which was signed at Rome May 11, 1886, and ratified by the president, is an excellent case. Bayard notified Stallo April 1, 1887 that the convention had been ratified by the president. In May, Stallo wrote to Bayard that the meeting for the exchange of ratifications had been postponed. Later in May he again informed Bayard that the ratification of the additional articles was postponed because of the disagreement of the contracting parties. A conference of the representatives was postponed until certain questions were answered by the disagreeing states. His last note on the subject, at the end of May, 1887 said that difficulties in the way of exchange of ratifications still existed; the meeting would not take place for several months, and when it did, the

²¹ Foreign Relations, 1887, Ferrara, Bayard, pp. 642-46

instruction of the department would be carried out.

From 1887 to 1891 the United States and Italy were co-signatories to four multilateral conventions: the Final Protocol of Agreement Between the United States of America and the other Powers Fixing May 1, 1888 as the date of the Effect of the Convention concluded at Paris, March 14, 1884 for the Protection of Submarine Cables (1887), the Convention Concerning the Formation of an International Union for the Publication of Customs Tariffs (1890), A General Act for the Repression of the African Slave Trade (1890), and a Supplementary Industrial Convention (1891). In 1892 a bilateral act was instituted by a Copyright Proclamation, dated October 31, 1892, specifying that Section 13, of the Act of March 3, 1891 then existing was fulfilled in respect to the Subject of Italy, signed by Benjamin Harrison, and counter-signed by John W. Foster.²³

In 1899 the United States and Italy were so-signatory to the multilateral conventions of the Hague Conference. The five agreements are: A Convention for the Adaption to Maritime Warfare of the Principles of the Geneva Convention of August 22, 1864; A Convention with Respect to the Laws and Customs of War on Land; A Declaration as to Launching of Projectiles

22 Foreign Relations, 1887, Bayard, Stallo, pp. 633-636

23 Senate Documents, 62nd Congress, 2nd Sessions, Vol. 47

and Explosives; A Convention for the Pacific Settlement of International Disputes; and the Adhesion of the United States to the Convention Signed at Brussels June 8, 1899, by the Plenipotentiaries of Certain Powers for the Regulation of the Importation of Spiritous Liquors into Certain Regions of Africa. In 1900, a bilateral agreement was concluded for a Reciprocal Commerical Agreement with Italy on February 8, 1900, and was proclaimed July 18, 1900. It comprised only two articles: the first was Concessions by the United States, and the second was Concessions by Italy; the third concerned approval and duration. In the next four years, another four multilateral agreements were adhered to by the United States and Italy. These included: An Additional Act Concluded at Brussels for the Protection of Industrial Property (1900); A Final Protocol Entered into Between the Plenipotentiaries of Various Powers at the Conclusion of the So-Called "Boxer" Troubles in 1900 (1901); A Convention Between the United States and Other Powers on Literary and Artistic Copyrights (1902); and An International Sanitary Convention.

Another method of binding two countries without making specific treaties is the exchange of notes. This came into use between the United States and Italy in 1903 for the protection of trade-marks in Marocco. This was effected by the exchange of four notes between Malmusi, the Minister from Italy to Mor-

occo, Gummere, the American Consul-General, Hoffman Philip, the Acting Consul General of the United States, Giantelli Gentile, the charge d'affaires, and Visconti Macchi di Gallere, to the Secretary of State. These authorized the men to say to the other government that the same protection would be accorded by the Consular authorities of the United States in Marocco to Italian trademarks duly registered in the United States in conformity with the laws, as that protection accorded to American trademarks under the same circumstances by Italian Tribunals²⁵ in Marocco.

In the years 1904 and 1905 Italy and the United States became signatories of a series of multilateral agreements over a wide range of subjects: An Agreement Between the United States and Other Powers for the Repression of the Trade in White Women (1904); A Convention Between the United States and Certain Other Powers for the Exemption of Hospital Ships in Time of War from the Payment of All Dues and Taxes Imposed for the Benefit of the State (1904); A Convention Between the United States and Other Powers for the Creation of an International Institute of Agriculture²⁶ (1905); An International Sanitary Convention (1905); and a new Agreement Between China and Certain Powers for the Whang-Pu Conservancy. In 1905 there

²⁵ Senate Documents, 62nd Congress, 2nd Sess., Vol. 47. See also Diplomatic Correspondence in Foreign Relations, 1904, pp. 407-408.

²⁶ See Diplomatic Correspondence in Foreign Relations, 1905, pp. 559-561; 1906, part 2, pp. 942-946; 1908, p. 483.

was another bilateral agreement effected by an exchange of notes December 18, 1905 regarding the protection of trademarks in China, between W. W. Rockhill, American Minister in China, and Carlo Baroli, Italian representative in China. In 1906, the United State and Italy were signatories to the General Act of the International Conference at Algeciras and the Additional Protocol; to the International Red Cross Convention for the Amelioration of the Condition of the Wounded of the Armies in the Field; to the Convention Revising the Duties Imposed by the Brussels Convention of June 8, 1899, on Spiritous Liquors Imported into Certain Regions of Africa; and to the Agreement Between the United States and Other Powers Respecting the Unification of the Pharmacopocial Formulas for Potent Drugs.²⁷ In 1906 also, Hitt, in Rome, reported a new commercial treaty signed the 11th of April and proclaimed the 28th of April between Austria-Hungary and Italy.²⁸

Near the time of the Second Peace Conference at the Hague, preliminary dispatches were already delineating the positions of the powers. On January 12, White reported to Root a conversation with the Minister of Foreign Affairs concerning the feeling in Rome respecting the discussion of the question of disarmament at the Hague. In regard to the Hague meeting, Root sent telegrams of instructions to White and others

27 Senate Documents, 62nd Congress, 2nd Sess., Vol. 47
 28 Foreign Relations, 1906, part 2, p. 910.

concerning the Peace Conference. White reported a conversation with a Professor Martens relative to the attitude of Russia as to the discussion of the question of disarmament at the Hague Conference, and said that Martens urged the United States of America or whatever nation introduced that subject, or the Drago Doctrine, to send a draft of the proposal to the Russian Government at an early date, in order that the delegates to the Conference might be prepared for its serious discussion and consideration. On March 26, Mayor wrote to Root giving the views of the Italian Government on the question of disarmament to be brought before that Hague Conference. He set forth certain proposals of the Italian Minister for Foreign Affairs in case the English proposals should encounter difficulties at the conference. In April, 1907, Griscom, telegraphed to Root that the Italian Minister for Foreign Affairs had told him that the Italian delegates to the Hague Conference would neither take part in the discussion nor vote on the question of the limitation of armaments. This was just an informal notification. On April 11, 1907. Root, in a note to Mayor, acknowledged the note from Mayor of the 5th of April (not printed) and commented on the proposals by the Italian Minister for Foreign Affairs. He stated that if difficulties should arise in the conference that the proposals of the Minister could be brought forward with entire appropriateness, and that the government of the United States would offer no objections to such a course, but

would feel at liberty to bring forward counter-proposals to a like end if the occasion offered.²⁹ Evidently the United States and Italy were in agreement on some items. However, all desires were not accomplished at the Hague Conference. The Kaiser stated to the British Ambassador in Berlin that if disarmament were to be brought up at the forthcoming Hague Conference, he should decline to be represented, saying that each state must decide for itself what forces it required. The new British Liberal Cabinet strove to arrest armaments by announcing that one of four battleships on the building program would be dropped, and by a promise to omit a second if other would do likewise. When this proposal was officially made, Germany, Russia, and Austria expressed a desire to postpone the question. Despite these objections, the British Representative at the Conference opened the question. The Resolution of 1899 to which he referred was: "That the limitation of military charges which weigh on the world is highly desirable for increasing the material and moral well-being of humanity." The achievement of the Conference consisted in the reform of the laws of naval warfare, and the approval of the establishment of an international prize court.³⁰

²⁹ Foreign Relations, Correspondence on the Second Peace Conference, 1907, part 2, pp. 1099 to 1106 incl.

³⁰ Cooke and Stickney, Readings in European International Relations, since 1879, (New York: Harper and Brothers, 1931) p. 119. This is reprinted in Cooke and Stickney from The Reports to the Hague Conference of 1899 and 1907, James Scott Brown, Editor, Carnegie Endowment for International Peace, 1917.

The Agreements which came out of the Second Hague Peace Conference to which Italy and the United States were both a signatory power were: A Convention for the Pacific Settlement of International Disputes; A Convention Relative to the Opening of Hostilities; A Convention Respecting the Customs and Laws of War on Land; A Convention Respecting the Rights and Duties of Neutral Powers and Persons in War on Land; A Convention Respecting Bombardment by Naval Forces in Time of War; A Convention Relative to the laying of Automatic Submarine Contract Mines; A Convention for the Adaption to Naval War of the Principles of the Geneva Convention; A Convention Relative to the Right of Capture in Naval War; A Convention Concerning the Rights and Duties of Neutral Powers in Naval War; A Declaration Prohibiting the Discharge of Projectiles and Explosives from Balloons; and the Final Act of the Second International Peace Conference. In 1907 also, both countries were signatory to An Arrangement Between the United States and Other Powers for the Establishment of the International Office of Public Health, and a Convention Respecting the Limitation of the Employment of Force for the Recovery of Contract Debts.

On October 4, 1907, Montagne, in Washington, addressed a note to Root in regard to the application to other countries of the administrative provisions of the commercial agreement

between the United States and Germany. He requested that the certificates issued by the Italian Chambers of Commerce relative to the value of merchandise for export be accepted by the competent American authorities as valid evidence and on the terms granted to the German Chambers of Commerce under the German-American commercial agreement. Adee acknowledged the note and informed Montagne that the question of the acceptance by appraising officers of the United States of certificates of value issued by the Italian Chambers of Commerce had been referred to the Treasury Department. On November 2, Root informed Montagne that the appraising officers had been informed that the provisions of the diplomatic note annexed to the German - American commercial agreement had been extended to the Italian Chambers of Commerce.³²

Griscom wrote Root on April 29, 1907 about a decision rendered by the supreme court of Cassation in Rome in a case which arose between Mr. DeCastro, the Consul-general of the United States, and a Mrs. Rebecca Dawes Rose.³³

Griscom and Hitt reported to Root the provisions and the complete text of the Italian - Russian Commercial and Navigation Treaty.³⁴

³² Foreign Relations, Correspondence of Montagne, Root, 1907, part 2, pp. 501-502

³³ Ibid., p. 750 See the correspondence for particulars.

³⁴ Ibid., pp. 748-750 Notes of Hitt to Root, November 20, 1907, reporting the treaty, and of Griscom to Root, January 3, 1908, transmitting copies of the official gazette containing the text of the treaty.

Griscom stated to Root that he was informed June 18, 1907 that Brazil had denounced the Agreement entered into with Belgium, France, Germany, Portugal, Spain, Switzerland, and Italy in regard to the powers of foreign consuls in Brazil, thus leaving the property of deceased foreigners in Brazil entirely at the mercy of the local authorities. On October 7, 1907 Bacon acknowledged Griscoms' note, and states that there is no consular convention in force between the United States and Brazil, as the Government (of the United States) declined to make an arrangement such as the referred to. He stated that as a matter of fact our consuls have not been able to exercise any jurisdiction in connection with such estates.³⁵

On December 3, 1907 a Memorandum from the State Department to the Italian Embassy concerned the International Commission for adjustment of damages growing out of disorders at Casablanca.³⁶

In 1908 the State Department published in its Correspondence the official text of the Arrangement between the United States and other powers for the establishment of the office of Public Health.³⁷

An important bilateral treaty, the Arbitration Conven-

35 Foreign Relations, 1907, part 2, pp. 117-118.

36 Ibid., 1908, p. 633.

37 Ibid., 1908, dated November 17, p. 493

tion of 1908, was signed at Washington March 28, ratification was advised by the Senate April 2, it was ratified by the president June 19, and ratifications were exchanged at Washington January 22, 1909. This treaty had four articles; the first provided that differences were to be submitted to arbitration; the second concerned the status of Special Agreement; the third article provided for the duration of the agreement; and the last one was the ratification provision. This treaty was proclaimed January 25, 1909.³⁸ Another important bilateral agreement was the Supplementary Commercial Agreement of 1909. It had only three articles, concerned with duty rates, assessment, and ratification. It was proclaimed April 24, 1909, and a very short life.³⁹ On April 30, 1909, six days later, Wilson notified Mayor des Planches of the termination of the commercial agreements between the United States and Great Britain, and gave notice of the termination under the new tariff law of the commercial agreement between Italy and the United States. Wilson communicated the same information to Leishman in Italy by telegram. On August 7, 1909, Knox gave formal notice of the termination of the commercial agreements to Marchese Montagliari.

³⁸ Senate Documents, 62nd Congress, 2nd Session, Volume 47. This treaty is also found in full text in the Foreign Relations Documents, 1909, page 383.

³⁹ Senate Documents, 62nd Congress, 2nd Session, Volume 47. This treaty is also found in full text in the Foreign Relations Documents, 1909, page 383.

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This meant a new treaty. In 1910 the United States laid before the Italian Government its views concerning the establishment of an International Prize Court and Courts of Arbitral Justice.⁴¹ Also, in the same year, relating to treaty matters, Montagliari inquired of Knox as to the duties of consuls in connection with the making and receiving of wills and Wilson duly informed him of the duties of consular officers in connection with the drawing of wills, In that same year, too, the Italian Consul at Denver was sued for libel. Knox transmitted a memorandum to Leishman relative to the violation of Article VI of the Convention of 1878. He also wrote to the Italian Embassy to Mayor suggesting the steps to be taken regarding the service in a libel suit of the Italian Consul-General at Denver.⁴²

A new convention for commerce and navigation was signed at Washington February 25, 1913, and ratification was advised by the Senate February 26, 1913. This treaty had only three articles, and was not a completely new treaty. This only amended the treaty signed in 1871 (Article III) had a second part concerning the security of persons and the protection of property, and the usual article providing for ratification of the treaty.⁴³

⁴⁰ Foreign Relations, notes of Wilson, Mayor des Planches, Leishman, Knox, and Marchese di Montagliari, 1909, pp. 389-390.

⁴¹ Ibid., notes of Knox, Leishman, and note of November 3 1909 to Vienna, 1910, pp. 597 and 618, 634.

⁴² Ibid., notes in January, June and July, 1910, pp. 673-676.

⁴³ Senate Documents, 62nd Congress, 2nd Sess., Vol. 47, and Foreign Relations, 1913, p. 611.

The last treaty of importance, yet, from the standpoint of the nearness of the world conflict, very important as an indication of the shifting of Italian sympathy away from the Triple Alliance and toward the countries with whom the United States was sympathetically allied. This treaty was entitled: "A Treaty Between the United States and Italy for the Advancement of General Peace." It was signed at Washington May 5, 1914, and ratification was advised by the Senate August 13, 1914, just after the first days of the war, but the president (Wilson) did not ratify the treaty until the next spring, in March, the 17th, 1915. Meanwhile, the previous fall, Italy had ratified the treaty November 29, 1914. Ratifications were exchanged immediately after American ratification, on March 19, 1915, and it was proclaimed five days later, March 24, 1915. This treaty only had four articles, but they were important: the first provided for the submissions of all the differences to a Commission for settlement; the second provided for the membership of the Commission; in case of total disagreement or deadlock, the third provided for submission to an International Commission, and the last provided for ratification. Two notes, Lansing to Macchi di Cellere, and Macchi di Cellere, extending ratification were attached September 15, 1915 instead of additional protocol.

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44 William M. Malloy, Treaties, Conventions, International Acts, Protocols, and Agreements Between the United States of America and Other Powers, 1776-1909 (Washington: Government Printing Office, 1920) A third Volume, covering the years 1910-1923, was compiled by C. F. Redmond, and published in the year 1923.

Our treaty relations with Italy show three trends and characteristics. The treaties were based in a large part on previous agreements with other countries, using those other treaties as models. This was not a true development of Italian-American treaties, but was an imposition of pre-arranged relationships. Because of this the treaties were not specific as to peculiar American and Italian problems.

Since the treaties were inadequate, and since they did not fully envision the particular relationships of the two countries, maladjustments, disputes, and disagreements arose over immigration, military service, extradition and economic problems.

Before examining more closely the specific problems connected with Italian immigration, her dictum of military service, and our mostly fruitless demands for extradition of criminals we must point out a third trend. Both Italy and the United States were a part of the great general trend toward international cooperation through adherence to multilateral international agreements of a practical and necessary nature such as the Postal Conventions, Sanitary Agreements, etc.

CHAPTER IV
IMMIGRATION, MILITARY SERVICE
AND EXTRADITION

The revolutionary outbursts of 1848 in Europe acted as a powerful stimulus to the new spirit of American nationalism which was growing in the United States. The traditional and welcome friendliness of the United States to the cause of liberty in other lands was intensified by the presence of tens of thousands of immigrants, most of whom started pouring in during the eighteen-forties, and had continued in an increasing flood-tide. There were two hundred thousand in the thirties, nearly five hundred thousand in the forties, far above seven hundred thousand in the fifties, over a million in the sixties and a million and a half in the seventies. In the eighteen-eighties, the figure had doubled itself; heretofore, the immigration was in large part German and Irish—now, the great numbers came from Southern and Central Europe, swelling the immigration to over three million; in the period 1900-1910, the figure reached 8,114,823.¹ A great many of these Southern Europeans were Poverty-Stricken Southern Italians and Sicilians. The standard of living in Italy, particularly in the south and in Sicily had been below that of the rest of Europe.² These immigrants created great problems, among which were the very

¹ Thomas A. Bailey, A Diplomatic History of the American People, (New York: F. S. Crofts, Inc., 1946) p. 284-285

² Institute of Economics, Italy's International Economic Position, New York, 1927, introduction.

vital questions of acquired citizenship, divided loyalties, protection of aliens, extradition, and military service.

Many of the destitute Italians of the southern part of the country wanted to come to America. In January of 1873 the United States, taking cognizance of that fact, posted a long notice concerning the speculation and promotion of emigration to the United States. This was done in an effort to suppress the illicit traffic, to prevent reprehensible operators from preying on the ignorance of the populace.³ Here, in the United States, this illicit traffic was also recognized as an evil. In the Senate, on January 8, 1874, Mr. Sumner presented a petition of Italians, now naturalized citizens of the United States, of different associations in New York, to suppress the illegal traffic in children. The petition was referred to the Judiciary Committee.⁴ In April of 1874, Italy asked the cooperation of the United States Government to prevent foreign vagrancy. On April 27, 1874, Count Corti in a note to Fish, informed him a Italian promulgation of a law concerning children under 18 years of age, and he submitted it to the United States for consideration. At the same time he mentioned the possibility of extension of the extradition laws to the situation. Fish, on May 4, indicated that the United States was willing to cooperate if any practical value were shown. Fish was at a loss: "...

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³ Foreign Relations, 1873-74, part 1, p. 519

⁴ Congressional Record, 43rd Congress, 1st Session, Vol. 2, part 1, January 8, 1874, p. 469.

any suggestion of proper mode of action will be considered..."⁵
 The petition for the protection of persons of foreign birth was passed. Mr. Cessna speaking for the bill protecting children from "involuntary servitude, forcible constraint" referred to the practice of buying, enslaving, selling and using Italian children, which was common in the large cities of the United States.⁶

In the next years not much of importance was done concerning the problem of immigration in the Italian sphere. In 1887, April 22, Bayard sent to Ferrara, the Italian minister, a circular prohibiting the importation of foreign laborers under contract.⁷ In 1888, Baron Fava wrote to Bayard concerning convict immigration, and complained of incorrect interpretation by the custom-house authorities at New York of the law. He asked new instruction for them, and inclosed a report of the Italian consul at New York. Bayard replied that the action of the collector at the Port of New York, protested against by the Italian consul-general, in holding the term "convict" to mean to apply to persons having served out their terms, "is in accord with the decisions of the Treasury Department."⁸ In 1895, after the discussions revolving around the Mileo and New Orleans incidents, which will be taken up later, Gresham informed MacVeagh, in regard to the evidence of ...

⁵ Foreign Relations, op. cit. 1874, pp. 629 and 632.

⁶ Congressional Record, Vol. 1B3 (43rd Cong., 1st Sess. Vol. 2, part 5) p. 4443, June 1, 1874.

⁷ Foreign Relations, notes of Fava and Bayard, 1887, p. 647 ff.

⁸ Ibid., 1888, part 2, pp. 1056-1057

citizenship, that a person born abroad to a father who was and had been since the time of birth a naturalized citizen should not be required to produce a certificate of naturalization of his parent nor to furnish any other evidence than that required of a person born in a foreign country to a native-born citizen of the United States.⁹

It had been the custom in Italy for all emigrants to be inspected by consular authorities as a routine measure. In 1898, improvements were made in this system. Draper, in Naples the inspection of the emigrants was proposed to be held in the government shed, and that the governmental and consular inspections be made at the same time. The Italian government promptly noted this, and requested that the examination of the emigrants luggage be actually made by an officer of the United States consulate, and that the system be extended to Palermo and Genoa. There was some opposition from other consulates. The simplification of the process proceeded nevertheless. The process seemed quite thorough—first the papers and passports were inspected by the Italian authorities to see that all was correct, that the persons had no criminal records, and that all had sufficient money to travel, since the United States wanted no beggars or paupers off the ships. Next, came the inspection of the ship by the officers, with

9 Foreign Relations, 1895, part, 2, p. 968.

the United States consul present at the inspection. Inspection was necessary to insure that there were the proper number of immigrants (no overcrowding) and to examine sanitary conditions. The third step was inspection under direction of the Consul or consular officers. This was designed to prevent too many perishable items to be taken aboard, and to comb out the obvious contagious diseases (This was done by non-medical personnel). Mr. Hector do Castro, of Rome, was instructed to visit the other consulates and regulate them in the same manner. DeCastro, in reporting to Draper, said that the plan should be recommended for extension by the Italian government or at least "move in accord with them."¹⁰

Because of the large numbers of Italian immigrants coming to the United States, and because of the unconscionable actions of those who took advantage of their ignorance, the Treasury Department in 1894 permitted a special room to be set up at Ellis Island to aid the emigrant and to circumvent the nefarious Padroni system. This bought and kept the soul of the ignorant immigrant, and fattened the politicians. In 1898 the Treasury Department decided to abolish the bureau, and set off a stiff diplomatic fight by the Italians to salvage the bureau. Whether the charges against the Italians were

¹⁰ See the correspondence, Draper, Sherman, Visconti-Venosta, Buington, DeCastro, Fletcher, Day, Cridler, Moore, Capelli, Hay, in Foreign Relations, 1898, February to October pp. 411 - 417.

true or not does not matter; despite all, the bureau was abolished. On March 21, 1898 Sherman, in a note to Count Vinci, inclosed a letter from Secretary of the Treasury Gage, stating that the Italian Immigration Bureau, which had been in operation for four years, had been judged as failing utterly in accomplishing the object for which it was designed, so it was decided to abolish it, On April 2, a telegram from Rome suggested the suspension of the order to abolish the bureau as Draper advised that it was not desirable to provoke "unnecessary feeling" in Rome. Visconti-Venosta was "surprised and disturbed" by the notice, with no definite reason, and without opportunity for modification or dismissal. The fact of abolition was not the objection - it was the unusual 15-day quit notice. Venosta was afraid of a "disagreeable" impression on the Italian public. He was not only under the impression that the system was working well, but he had suggested it to all the South American countries which had large numbers of Italian immigrants. So, the Treasury, for the time being, suspended the Ellis Island order, temporarily.

The situation erupted a year later with the unfortunate accusation, by the Commissioner- General of Immigration in New York. Fava, the Italian Ambassador, had founded the bureau, not to help Italian immigrants, but to aid Rossi, and the

11 Foreign Relations, 1898, pp. 406-408. This is the early negotiations.

Padroni in New York. The storm broke in Italy, when the Minister of Foreign affairs handed to Draper a note containing Powderly's offensive statements about Fava. Evidently sensing American action, the foreign office complained about the suspension of the Bureau, and Draper advised that, if the suspension of 1898 was to be renewed, it would be most wise to explain the action.

On June 20, 1899 Vinci officially deplored the accusations, and relied upon the "uprightness and impartiality of the United States Government." He pointed out how "disinterested" the actions of the bureau had been. Meanwhile this information had been communicated to the Treasury, and Adee in a note on August 14, sent Treasuryman Gage's reply to Vinci. He stated that the Bureau was instituted in 1894 at the request of the Italian Ambassador coupled with assurances that "what is proposed (was) only an experiment" for the avowed purpose of suppressing "the pernicious Padroni system" "which the Italian Government is very anxious to break up." He further stated that it had been in operation now five years; that the original reason for establishment, the Padroni system, had long since been abandoned. Now, Gage went on to say, the bureau acted as agents, appearing before boards as counsel in behalf of the immigrants, interviewed immigrants prior to the

landing, and disseminated information concerning methods of inspection and examination to the immigrants helping them to deceive immigration officials, and secure admission to the United States unlawfully. Fava requested the transcript of the testimony of Rossi, the New York consul. On October 31, 1899

Fava wrote Hay that the Government of Italy took exception to the remarks of Powderly, and he advanced additional information which he hoped would change American minds. Fava agreed with the establishment of the bureau, but disagreed that the goal had not been fulfilled. He remarked that the Bureau can not police the entire United States. The statement that the evil Padroni system was "imported" was resented, since it was the bankers, immigrants, and saloonkeepers of New York who were evil. For all his arguments, Fava came most near to the truth when he referred to the generally ignorant Sicilian farmer who was the average immigrant, saying "where there are lambs, there are always wolves to eat them up." Fava able refuted most of the charges.

Powderly's remarks to the point were mild compared to Mr. Faquhar, head of the legislative committee who questioned Rossi, who impugned "officers of the Italian Government, however great or small." Fava demanded either proof, in which case exemplary punishment would be meted out, or else a "severe admonition" to Faquhar, by the United States Government. Hay replied that the United States Government had no power

over a legislative tribunal charged with the duty of conducting an inquiry, but the Government would see to it that out of courtesy to the Italian Government the offensive matter would be stricken from the final records. On November 26, after Fava had unofficially called attention to a letter which did not go down through diplomatic channels, but straight to the agent in the Italian Immigration Bureau informing said agent that the life of the bureau was ended January 1, 1900, Fava was informed of the correctness of his information by the morning papers. To Hay he stated that this action abrogated agreements between the two countries, that there was no previous notice to the Embassy, that the decision was communicated to subordinate authorities without any reference to him (Fava) and then given to the press, that the action had no precedent in International Relations, that it constituted a lack of regard for Italy, and that the decision should have been suspended.

Fava did his best, and even Draper in Rome underscored the fact that great stress was laid on the Ellis Island matter. All through December, it seemed that Draper was on the side of Fava, but despite the threats from Italy that, combined with the Tallulah lunchings, Ellis Island was an "unfriendly act", Hay's final word was: "The Government doesn't think
12
it expedient to reconsider."

12 The entire correspondence on the questions is in the Foreign Relations, 1899, pages 411 to 439, inclusive, for the material on pages 57 and 58 as well.

On the question of citizenship, Adee wrote to Iddings in Italy in 1901 that the citizenship of a child born in the United States cannot, during its minority, be taken away from it by any act of its parents.¹³

In 1905, Mayor wrote to Hay, propounding certain questions concerning the immigration question which were hypothetical. He wanted to know if it were possible for those who wanted to go to a definite locality, with the intention of buying land, on long-range terms, but who had no down-payment as yet, to enter the United States; and he wanted to know if those who were destined for a definite locality to work some land as sharecroppers, or on a partnership basis, could be permitted to enter. The Department of Commerce and Labor, which received the query from the State Department, declined to answer hypothetical questions. On August 31, the reasons for this became clearer, as White reported to Root that the Italian immigrants from the United States cities to the rural districts serious attention. Considering the amount of activity of criminal elements like the Mafia and Camorra in the large cities, where most of the immigrants had settled, it was a sensible suggestion. On September 3, 1905, Mayor again wrote to Root, asking that his propounded questions be given reconsideration by the Department of Commerce and

13 Foreign Relations, Adee to Iddings, 1901, p. 303.

Labor. On September 18, Loomis transmitted the favorable answer to Mayor, and on September 26 sent White a copy of the answer of the Department of Commerce and Labor.¹⁴

On January 26, 1906, Bacon wrote to Hitt laying down the rules applicable in issuing passports to naturalized American citizens whose names have been incorrectly written or distorted in their naturalization certificates. This was quite easy and gave rise to some difficulties earlier in the proper identifications of lynched aliens, and naturalized citizens. In April, White, quoting Hitt, asked if the native born infant (born in Italy) of a naturalized father required a passport to return to the United States with his parent, Root replied to White on the 22 of March that officially a passport may issue to an infant upon application by the parent of the child or the guardian. Hitt had been wondering about the propriety of giving a passport to such a tender infant! In some cases difficult decisions had to be made. White, to Root, in May of 1906 recited the case of Giovanni Caprio, who had returned to and remained in Italy for a period of three years of the five that preceded his naturalization. He submitted the question for the consideration of the department. Bacon instructed White to obtain certain evidence and Caproni's naturalization certificate for submission to the court at which

14 Foreign Relations, 1905, pp. 18, 567-571

the naturalization proceedings had been held. These years in Italy would not have been compatible with continuous residence for five years prior to naturalization. If a person is absent from a place three years, under normal conditions it is not always considered that they are domiciled in that place.¹⁵

In 1911 an incident occurred illustrating the practical cooperation between the two countries in the field of Immigration. In February, Hilles requested of Knox that the arrangement be made with the Italian Government whereby the Italian surgeons detailed on emigrant vessels be instructed to report all details of any sickness occurring among Italian immigrants to the quarantine officers. Knox turned the correspondence and the problem over to Leishman in Italy (February 28, 1911), instructing him to take the matter up with the Italian Government. In July, Wilson inclosed a note to Knox on the matter stating that instruction "have been issued" by the Foreign Office instructing Italian surgeons to make the desired reports to the officers in quarantine.¹⁶

A long series of correspondence began in 1907 and lasted nearly to 1915 with regard to the status of naturalized Americans of Italian birth, or native-born Americans of Italian parentage. This was the question of duality of nationality, and was one of the major questions beclouding the relations.

¹⁵ Foreign Relations, 1906, part 2, pp. 910 to 910.

¹⁶ Ibid., 1911, 309 to 311.

Early in 1907, Root wrote to White instructing him to open negotiations for a naturalization convention, and outlined to him the argument to use. The Italian Government was favorable to such a move. Griscom informed Root in June, whereupon Adee instructed Griscom to express to the Foreign Office the gratification of the United States Government with the reception of its proposal. However, in June of 1908, a year later, the Italian Government notified Griscom that it would try to rectify the matter internally by amending the Italian Law, rather than by entering into a convention. In this way, all countries would receive the same treatment, and there would not be any necessity for multiple correspondence with all the affected countries. Adee replied through Garrett that it was hoped that the proposed legislation would clear up the confusion.¹⁷

Nothing was done. In 1911, Knox referred to the correspondence of 1907 and 1908 in a note to Leishman, and asked him to inquire whether or not the proposed legislation had ever been enacted. He additionally instructed him to use his discretion but to urge again the conclusion of a treaty, using the arguments set forth in the instruction first sent on the question February 11, 1907. The Italian Foreign Office merely

¹⁷ This was the early correspondence. Foreign Relations, 1914, pp. 389-396.

confirmed the former position and stated that the legislation
18
had not been enacted.

Two years later, in May of 1913, Bryan wrote to O'Brien inclosing the copy of a circular of 1901 entitled "Notice to Americans formerly subjects of Italy who contemplate returning to that country" and inclosing also a letter to the Department of State saying that the Italian military law had been changed as to age limit. He instructed O'Brien to ascertain the true age limit. After some correspondence the true age limit's were found to be from 16 to 32 years. Bryan sent an amendment to Page in Italy asking if the amendment seemed to be sufficient. Page replied that the amendment to the 1901 circular seemed comprehensive and correct. In the same letter he inquired whether he should sound the Foreign Office in regard to the possibility of concluding a naturalization convention similar to the convention of 1870 with Austria-Hungary. His was not the only voice on this question. The department had a letter from the Hon. Charles B. Smith regarding a proposed resolution by Congress asking the Department to negotiate for such a convention, and Bryan passed it on to Page. However, before anything could be done, Bryan wanted to know if there had been any changes in the Italian law since 1911,
19
which might make such a treaty more feasible.

18 Foreign Relations, 1914, pp. 396-397.

19 Ibid., pp. 398 to 402.

The situation was complicated in September, 1914, by a declaration by Italian emigration authorities that children born abroad of Italian parents are Italians unless the parents had become naturalized prior to the birth of the child. Otherwise they were declared liable to military duty. Here the principle of dual nationality was involved. Shank reported to Bryan of the case of one Macaluso, whose father was naturalized while the son was a minor. He further reported that nearly all naturalized Italian-American "are detained for military duty," even when they have been previously excused. Shank mentioned that he had protested against the detention of native-born subjects. In the same month, September, Page reported to Bryan that on July 30 the Foreign Office had replied that the new law was approved on June 13, 1912, and regulations for its application were promulgated August 2, 1912. This law abrogated all previous citizenship laws and provided that "loss of one's nationality" did not exempt from military service" except as provided by special laws." By this exception Italy reserved the right to negotiate treaties of naturalization of an Italian subject operated so as to exempt him from military service. It was an opportune time, thought Page, to introduce legislation with a view to opening negotiations for a naturalization treaty with Italy.

²⁰ Foreign Relations, Correspondence, 1914, pp. 398 to 405.

Despite the new law, Page reported to Bryan in September 1914 (after the war started) the case of three naturalized American citizens, all clergymen, Carra, Danchise, and Cassetta indiscriminately held for military service. In addition, there was a fourth, a certain Spediacci, American-born, whose father had been naturalized before the son's birth, who was also held for military service. In addition to these, Page reported that other cases were constantly being presented, but that the Embassy replied it was powerless to help them. He remarked that a naturalization convention ought to be apparently negotiated at the first opportunity. Lansing instructed Page to ask the Italian Government that arrangements be made for the release of these men, with permission to return to the United States. Also, he requested permission for the return of the numerous American citizens of Italian birth who were domiciled in the United States, and visiting in Italy. He instructed Page to cite to the Italian Government the expatriation act of 1907, and the naturalization act of 1906, mentioning at the same time the case of Ciappone. Page got quite nowhere. He pressed the matter repeatedly without receiving other than a verbal promise to investigate. Bryan instructed him to make a special appeal on behalf of the Reverend Dominic Cassetta.²¹

In October, Page telegraphed to Bryan for instructions, He had been repeatedly writing to the Foreign Office, had made

21 Foreign Relations, Correspondence, pp. 406-408.

personal visits, all without reply or other result than a promise to consider one case only. Bryan at this time wrote to Smith in reply to his query on congressional action, and to Page to tell him that "all he can do in the absence of a naturalization treaty is to express earnestly this governments's interest and its desire for their release."²² Then, Bryan wrote to Page telling him that the Government didn't regard the time (October, 1914) as a favorable time to approach the Italian Government on the subject of a naturalization treaty.²³ On October 8, 1914, Page telegraphed that the Italian War Office was requesting certain information concerning Ciappone. He mentioned that the Government was finding it very difficult to officially permit subjects with naturalizations in America to escape military service without granting similar privileges to certain other countries. Lansing expressed the views of the American Government quite well on October 14, 1914 when he replied to Shank's note of September 2, (page 65) and approved of his (Shank's) actions in protesting the detention of native-born subjects. He stated that it was the proper policy whenever it was clear that the persons involved were domiciled in the United States and had made practical election of American rather than Italian nationality.²⁴

22 Foreign Relations, Correspondence, 1914, 408-409

23 Ibid., p. 409

24 Ibid., p. 409

Lansing informed Page that the department was trying to get the information on Ciapponi which the War Office wanted. Page, on the same day, wrote that the Italian Government was showing some signs of cooperation and willingness to respond in certain cases, but it wanted specific information in each case. He again urged negotiations for a naturalization treaty. November 3, 1914 Page wrote citing facts to show that it was an opportune time to negotiate a treaty. Lansing wrote Page November 20, 1914, instructing him to forward all copies of correspondence with the Italian Government relating to the naturalized American citizens of Italian origin, who were held subject to Italian military regulations. He further stated that the Department's views coincided with those of Mr. Page as to the desirability of a naturalization treaty. Page did as instructed, but inclosed with the correspondence a report of an interview at the Foreign Office from which he concluded that in view of new conditions (unstated) the time December, 1914) was not a favorable time for urging treaty negotiations. There is only left to mention that the treaty was concluded later, and in 1914, on April 15, an arbitration agreement between the United States and Italy was signed extending the agreement on arbitration, the Convention of March 28, 1908.

²⁵
25 Foreign Relations, Correspondence, 1914, pp. 388, and 410 to 412.

Some interesting cases grew out of the question of the duality of citizenship. In 1877, Mr. Evarts instructed Marsh to look into the case of Largomarsino, a naturalized citizen who had been "impressed" into the Italian army, Mr. Wurts replied giving a history of the case, and stating the inflexible position of the Italian Government, which contends for the principle of inalienability of allegiance. Nevertheless, the Largomarsino case was submitted, and Wurts notified Evarts that the only exception to the Italian law of allegiance was made in the case of a son whose father had been naturalized abroad before the birth of the son. Largomarsino was not in that group. In September, nothing having been done, Seward instructed Marsh to again present the case, and make a friendly request for his discharge. In October, Marsh replied that there was no disposition to modify application of the local law. The case was solved March 31, 1879, when Marsh notified Evarts that the man Largomarsino was to be discharged soon because his term of service was over. This was the solution most satisfactory to the Italian government.²⁶

In 1884, Mr. Davis instructed Mr. Richmond to make an appeal for permission of the Italian Government to permit a priest, the Reverend Father V. T. Lanciotto, to revisit his native Italy which he had left in 1870. It was requested his native Italy which he had left in 1870. It was requested that

²⁶ Foreign Relations, Correspondence, 1878, pp. 458 to 464, and 1879, p. 600.

he be permitted to revisit Italy without molestation, but it was stated that he admitted he left Italy in 1870 with the intention to evade military service. He had since become a naturalized American citizen. This honesty was not taken note of in Italy, and the Italian reply was: "Permission refused." Further, it was stated, should the Reverend Lanciotto return to Italy, he would be enrolled in the Italian army to serve out his term of service.²⁷

It was during the period of "Spirited Diplomacy" in the time of Blaine's Secretaryship, that the most complete exchange of notes on the Italian and American positions in regard to the question of military service and the question of naturalization was made. This arose when Blaine communicated to Porter, in Italy, the claim of one Nicolino Mileo, a naturalized citizen of the United States, against Italy. In this situation, Blaine inclosed documents showing that Mileo was born in Italy in 1860; that he was brought to the United States in 1870 by his father who was an Italian subject; that he had resided in New York ever since 1870, and that he had been in business there for the last 15 years; that his wife, Gaetana, was an American citizen; and that his father had resided in the United States from 1870 to 1882, during which time he had

27 Foreign Relations, Correspondence, pp. 336 and 339

declared his intention to become an American citizen. Nicolino Mileo further stated that his father returned to Italy to reside in 1882. In 1889, sometime prior to April 1, 1889, one Albino Calasa, cousin of Mileo, and an Italian subject, died, leaving Mileo, by his will, certain real estate in the town of Spinoso, Italy, valued at eight hundred to \$1000. Mileo and his wife sailed for Italy on April 1, 1889 to take possession of the property, and arrived in Spinoso April 17, 1889. On the 22nd of April in spite of his protests, and the papers proving his American citizenship, he was pressed into the Italian army and the next day taken to Alessandria, where he has confined for 30 days, under great hardship, for having failed to return to Italy to perform his military duty. He served five and one-half months in the Italian army, and on a furlough he left Italy on a ship from Genoa bound for Zanzibar. From there he returned to the United States via Marseilles.

Mileo alleged in his letters that the Italian authorities would not permit his wife to join him, and threatened to detain her in Italy until he returned there. Blaine instructed Porter to ask for a prompt and thorough investigation, and to state the expectation of the United States Government that if the allegations of Mileo were substantiated, the action of the Italian authorities would be disallowed. Then he went on to a

discussion of the points involved. The action of the Italian authorities, said Blaine in his note, called for "earnest dissent," as on previous occasions, and strong protest. He regretted that Italy stood aloof from the repeated proposals of the United States to adjust the question of military service by a treaty on well-established bases. Blaine added, if it was true that Mrs. Mileo was being coerced into remaining in Italy, Porter was to make "instant and earnest" protest.²⁸

Porter replied that he would present the case to the Foreign Office, where he would urge the adoption of amendments to Italian-American treaties in relation to the subject of naturalization and extradition of offenders. Porter wrote and had an interview. It resulted in the Foreign Minister saying that the story of the detention of Mileo's wife would prove to "have no foundation in fact." In September, the Foreign Office answered that Mrs. Mileo had sailed for the United States on May 31st, with a passport issued the 6th of May, 1890. This reply went on further to state that in 1884, when Mileo acquired American citizenship, he was already guilty of contumacy, and that he presented himself voluntarily for enlistment May 22, 1889, and was enrolled. Then followed his military history charging Mileo with desertion. The Italian note ended with the flat statement that it was Mileo's duty to present himself for enrollment on reaching the age of conscription, and that by Article 12, of the Code, he was subject to military duty.

²⁸ Foreign Relations, Blaine to Porter, May 3, 1890, 1890, p. 536.

The note charged that Mileo was guilty of contumacy at the time that he had acquired his foreign nationality. It was the contention of the government of Italy that he was on the conscription rolls, and, in fact, enrolled.²⁹ Wharton was able to advise Dougherty though on September 19, 1890, that Signor Damiani had admitted that Mileo had been imprisoned one month prior to this service period, and his desertion. It was the official view of the United States that they could not but regard such punishment as harsh and unjust, under the circumstances. Damiani denied that the detention of Mileo's wife occurred but Wharton was of the opinion that the lateness of the date of her passport, which was in May, 1890, was not wholly inconsistent with the statement that her endeavors to obtain it - begun before the birth of her child, - had met with refusal.³⁰ In November, Damiani made a change in his previous statement, saying that Mileo had been sentenced to serve 30 days, but that it had not been inflicted, since he was sentenced to serve the 30 days at the end of his time. He further stated that the Italian Government denied that any obstacles were interposed to the departure of Mrs. Mileo to the United States. At this point, the case drops from the diplomatic files - perhaps it was dropped by mutual consent, since the whole discussion was academic rather than practical. Mileo³¹ was in America, and so was his wife and child.

²⁹ Foreign Relations, Correspondence, Dougherty to Blaine, September 1, 1890, Vol. 1890, p. 548

³⁰ Ibid., Wharton to Dougherty, Sept. 19, 1890, p. 552

³¹ Ibid., Porter to Blaine, November 7, 1890, p. 553

Another case which concerned military service was that of Vittorio Gardella in 1896. On October 22, 1896 MacVeagh wrote to Olney of his new efforts to obtain a new treaty covering the points of Military Service of those born in Italy, who had become naturalized Americans, and were visiting in Italy. Secondly he turned his efforts to the problem of the immigrants who commit crimes in the United States, and then escape punishment through flight and protection in Italy. There was no real extradition.³²

Gardella was born August 5, 1861, a native Italian, near Genoa, and came to the United States at the age of six. He was naturalized as a citizen October 18, 1884, having lived in the United States continuously from 1877 to 1895 (address: 123 Baxter Street, New York). He returned to Italy for a visit and was drafted December 10, 1895. MacVeagh asked that he be discharged.³³

Olney wrote to MacVeagh that the Mileo case was the "most important" and most "fully discussed" case in recent negotiations. He stated that the "just remonstrance" and the "logical contention" of the United States for an adequate naturalization treaty had been fruitless. He mentioned that there were earlier and similar cases to that of Mileo, with uniform insistence of the Italian government on the right to draft into the ranks any person of Italian birth returning to Italian jurisdiction, "whether he acquires foreign citizen-

³² Foreign Relations, 1896, p. 422

³³ Ibid., p. 422

ship or not". Remonstrances of the United States to afford relief had been unavailing. The Italian position, fumed Olney, was undistinguishable from the "obsolescent dogmas" of "perpetual allegiance." MacVeagh wrote to Olney in the month of October, showing great diplomatic tact. He stated that the United States had done the same thing in certain instances - not elaborating on the instances. - but we have never forced citizens of the United States to serve in the army. Also, he noted that Italy never receded from her Mileo claims, even if the case had been dropped by mutual consent as an academic and useless exchange of notes. Now, MacVeagh showed his tact. He outlined a course of action to Olney which he intended to follow. He felt that it would be desirable to suspend any dispatches to Italy on the Gardella case. Then he went personally to see Visconti-Venosta, handed him in person the communication, and explained the Mileo case in full. He requested the personal attention of Venosta to the case. He suggested to Venosta that Gardella might be released as an act of courtesy to the United States, thereby not relinquishing Italian claims, and reserving discussion for the future. The result was the pleasure of the Foreign Minister that the American had come to him first, before the "controversy" was acute. He "dwelt especially" on the suggestion of releasing Gardella as a friendly act, without any waiver of Italian right. Olney commended MacVeagh for this

diplomatic astuteness, and awaited the results. Gardella was released on an "unlimited furlough." Italy was not releasing him, actually, and the United States was achieving the very practical object of his liberty. Visconti-Venosta remarked on the law, showing an obvious difficulty in the Italian law. By Article 11, Section 2 of the Italian Civil Code, Gardella had lost his Italian citizenship, yet he was liable to military service as an Italian citizen under the next article (12).³⁴

In 1901, because of the liability of naturalized American citizens to military service in Italy, the United States sent out a circular informing all travelers of the fact that under the military and expatriation laws those citizens who formerly were citizens of Italy were subject to military service when they returned to Italy.³⁵

In 1902, the United States seemed to be tightening the immigration policy. On November 6, 1902, Meyer reported to Hay that he had refused to grant a passport application to one Antonio Basile, who was not yet 12 years of age, and who had never been in the United States, although his father was an American by naturalization. Hay approved the action.³⁶

About this time, there came to light some fraudulent naturalizations. For instance, one Guiseppe Divito was "forced" to turn over to the American Consul at Naples a fraudulent naturalization certificate for which he had paid a man \$4.00.

34 Foreign Relations, 1896, p. 423 to 425.

35 Ibid., 1901 p. 282

36 Ibid., 1902 p. 685

to secure for him. He did not remember the name of the man.

It appeared from the application that the Certificate had been obtained by Divito after a residence in the United States of only two years. The Department of State forwarded the papers to the Acting Attorney General of the United States, who then forwarded them to the Attorney General for the Northern District of Ohio, with instructions to investigate the case, and if the evidence was obtainable, to institute criminal proceedings against the persons involved.³⁷

In 1905, Iddings forwarded to the department the papers of one Ralph Girouda, which had been held by a person who was in all probability not Gironda (April 5). White inclosed to Hay the papers of one Rocco Gioffre (May 4). Loomis ordered White to investigate further. White, in September, transmitted the papers in the case of one Giuseppe Formica, which contained such discrepancies as to lead the department to believe that perjury had been committed in the application.³⁸

In the last part of this chapter some aspects of the problem of extradition will be considered, mainly in reference to a few actual cases of extradition proceedings.

In 1888, April, the first of these cases finds its way into the diplomatic dispatches. One Salvatore Paladini was charged with the passing of counterfeit money. The United

37 Foreign Relations, 1904, 406, 407

38 Ibid., 1905, 546-567.

States requested his extradition, and issued the President's warrant to receive him to Cano Casale. Stallo informed Bayard that the Italian Government reviewed the extradition proceedings, and denied its obligation to extradite Italian subjects to the United States. However, Paladini was arrested and the decision of the court at Messina was awaited. Meanwhile, said Stallo, Casale was in need of funds. He inclosed the correspondence with the Foreign Office concerning the matter. When Bayard answered (on August 20, 1888) he stated that the obligation of Italy under the treaty stipulations to extradite Italian subjects would demand immediate attention if the court in its decision should bring it up. On August 21, the procurator-general of the court of appeals at Messina moved the discharge of Paladini on the grounds that he was an Italian citizen. Bayard forwarded copies of the Italian treaties for the information of those in Italy, remarking that the action of the discharge of Paladini on the ground that the Italian Government cannot extradite its own citizens had not a basis in the treaties.

Rather extensive correspondence occurred in the case of Vincenzo Villella, and Guiseppe Bevivino. These men were on trial in Italy for criminal actions in the United States, and the Italian Ambassador requested letters rogatory relating to the trial. Blaine, the Secretary of State at that time, did

³⁹ Foreign Relations, correspondence, 1888, part 2, pp. 1037 to 1047.

send the letters rogatory. Blaine reserved the right, which he thought the United States possessed, to have the fugitives surrendered for trial in the place where their offenses were committed. He remarked that he had forwarded the letters only in order that the ends of justice might not be entirely defeated. He stated that the United States had demanded the surrender of the fugitives more than a year before (this was March, 1890) and Italy had declined to surrender them on the ground that they were Italian subjects. He stipulated that the treaty required the surrender of persons generally, and made no exception in favor of citizens or subjects.⁴⁰

Fava replied in a long note. He stated that it was for the very purpose of preventing the ends of justice being defeated that Bevivino and Villella were imprisoned in Italy and the letters rogatory asked for. Fava then went on to state that the question of the extradition of Italian subjects by Italy had been fully discussed and entirely settled between the Italian ministry of Foreign Affairs and the United States Legation in Rome. According to Italian law, no citizen can be removed from the jurisdiction of his national judges who are also his natural judges, those of his own country. Fava went on to say that the extradition of a citizen "was not permissible" under the Italian Penal Code. This principle had

⁴⁰ Foreign Relation, Blaine to Fava, March 21, 1890, Volume 1890, p. 554

not only become a part of the public law of Europe, but was recognized by the United States in its extradition treaties with other countries.⁴¹ Fava went on that it could not be claimed on the ground of the absence in a treaty between Italy and the United States of an express reservation in favor of the natives of the two countries that Italy had renounced a doctrine which was based upon her own laws and her own public laws. Fava declared that the Italian Government was therefor justified in declaring that neither the spirit of the Italian law, nor the text of the treaty would permit it to comply with the request of Bevivino and Villella. There was no ground for inference, continued Fava, from the foregoing, that the guilty parties would escape punishment. He stated that they were then in prison, and that by that time they would have been tried, and the trial ended if the Pennsylvania courts had forwarded the papers asked for in 1889.⁴² On June 5, 1890, Fava asked again for the papers. Blaine sent the papers to the Government of New York; the Governor sent them back, and Blaine sent them to the Italian consul in New York.

While the papers shuffled, Blaine replied to Fava, stating the American view of the situation. In his reply, he said that the question at issue was not one of Italian Law, but the question of an international compact between the U.S.

⁴¹ Austria-Hungary, Baden, Bavaria, Belgium, Haiti, Mexico, Netherlands, Turkey, Prussia, Germany, Spain, Sweden, Norway, and Salvador.

⁴² Fava to Blaine, April 20, 1890, Vol. 1890, p. 555

and Italy. Blaine also expressed surprise that the Ministry considered the questions closed between the ministry and the Legation, which had no power to close the question. As far as Blaine knew, he was under the impression that Stallo had protested the action of the Italian Government. He reviewed the negotiations, Further, he adduced the argument that the refusal of the Italian Government to extradite the two criminals, surrendering them to the United States, was not justified under the treaty of 1868, and could not be justified under the principles of international law. He quoted some different authorities to make the case in point. Blaine took the position that the situation seemed to require either the denunciation of the treaty of 1868 or the conclusion of new stipulations with regard to the subject of extradition of a citizen.⁴³

Several messages show the effort to get information and evidence in the course of events. August 8, 1890. Fava replied to Blaine, in regard to extradition and naturalization. He stating that in January, 1889, the American minister at Rome, Mr. Stallo, had commenced negotiations with a view to the adoption of an additional article to the extradition convention of 1868 between the United States and Italy. The object of this additional article was the prohibition of the surrender

43. Blaine to Fava, June 23, 1890, p. 559

by each state of its own subjects or citizens. Fava stated that the signing of the new article would be necessarily followed by a convention of naturalization, which the new article would render necessary. This would be similar to that existing between the United States and Belgium. The Italian Government had received the proposition favorably, and on the 27th of April 1889 had addressed a note to Stallo accepting his proposition in general but proposing a few modifications in Stallo's draft, and an addition to the article relative to extradition.⁴⁴

Late into November the District Attorney of Luzerne County, Pennsylvania was unable to locate the two witnesses necessary to the completion of the case against Villella and Bevivino, despite several notes from Fava asking for the information. On November Blaine wrote to Fava a long reply in which he set forth his views. The United States could not regard the note of April, 1889 as satisfactory, because the purport of the proposed article seemed to be that while citizenship was recognized as a ground for refusing extradition, the citizenship acquired by naturalization could not confer the right to demand it. This was important. The only effect which the Italians conceded to naturalization was that when it was joined with a subsequent residence of five years, it might have afforded a ground for withholding extradition. Blaine

⁴⁴ Fava to Blaine, August 8, 1890, Vol. 1890, p. 568

said that the United States could not assent to the stipulation that it should agree to the enforcement against its citizens of those provisions of the Italian Code which relate to the punishment of foreigners for acts committed outside of Italy if those citizens set foot in Italy. Blaine went on to say that the language of the note was not entirely explicit, as to military service, but it was not understood to mean that a person who, having been naturalized as a citizen of the United States owing allegiance and duty to the United States, was at the same time to continue to owe allegiance and duty as a subject of the King of Italy.⁴⁵ That impasse closed the discussion for the time being.

In 1905 Italy and Greece concluded an additional item to their extradition treaty and the United States thought that it would inquire as to what the text of it was, for possible incorporation into the Italian-American treaty system. However, upon discovering that it was merely for the extension of the time limit between the receipt of the papers and the surrender of the fugitive(s), Root decided that it was a minor point and that it was not "needful" for the United States to ask that it be incorporated into the Italo-American agreement.⁴⁶

In 1908, in searching for support for an intensified program of extradition treaty reform, Root wrote to Hitt in

⁴⁵ Blaine to Fava, November 18, 1890, p. 572

⁴⁶ Correspondence of Bacon, Hitt, Root, White, 1906, pp. 916 - 918.

March requesting a report on the cases occurring within the last five years in which request had been made by the department upon the Italian Government for punishment of Italian subjects who had committed crimes in the United States and had escaped to Italy. In May, Griscom inclosed a list of the cases, and where possible, their outcome. It was as follows:

- Vincenzo Adavasio (know as Nicola Adavasio)
wanted for murder in the first degree in Mahoning City, Ohio. No case- the accused was not in Italy
- Alfred Cavallaro
wanted for rape, assault, and abduction in New York State. Since there was no action brought in Italy by the injured party, there was no cause for action against him in Italy (Italics mine - G. Veith)
- Romeo Magnotti
wanted in New York State for murder. Escaped at Argentina.
- Stephano Bonnano
wanted for theft of diamonds in New York City. He was acquitted in Palermo
- Henry (Enrico) Pelizzari
wanted for Grand Larceny in the Second Degree in New York City was fined 175 lire and sentenced to 10 months in prison.
- Reverend Luciano Monda
wanted for homicide in Fayette County, Pennsylvania was discharged for lack of evidence.
- Giacomo Campbelli (Campoli)
wanted for embezzlement in Pennsylvania fined 175 lire and given ten months in prison.
- Francesco Luongo
wanted for murder in Massachusetts, convicted.
- Giuseppe Calante
wanted for murder in Pennsylvania, missing.
-

Nicola Leoni
wanted for murder in Massachusetts, to be tried.

Carlo Rossi
wanted for murder in New York State, warrant issued
in Italy, but missing.

Giovanni Labagnarra 47
charges by the American authorities were dropped.

Adee wrote to Griscom in July, saying that the department wanted to be finally informed of the outcome of the cases to which Griscom replied in August (to Root) giving the outcome of six of the twelve (which information is above included) and stated that the Italian Foreign had been asked to help get information in the other six cases.

The last item of importance in the cases of extradition in this chapter is an example of the other side of the question - the extradition of an American citizen, one Porter Charlton, to Italy, from the United States, in contrast to the other cases which have all been examples of attempts of the United States to extradite Italian citizens to the United States. Failing in extradition, the United States appealed to the Italian Government to try them, with the results as above being generally the case, according to the tenor of the noted exchanged.

The Marquis di Montagliari requested that a warrant be issued for the surrender of the fugitive on June 23, 1910, by telegram. Knox telegraphed that the warrant could not be issued. Montagliara wired back that it was the preliminary mandate that

he wanted. Knox wanted further information. Montagliari asked that the preliminary mandate be forwarded at once. Knox sent the preliminary mandate. Montagliari requested provisional detention until receipt of the extradition papers. In July Montagliari transmitted a copy of the warrant. Wilson, of the State Department, returned the warrant, and said that the papers should be sent to the court. Montagliari, meanwhile, sent Knox a copy of the proceedings at the court in Como, Italy. Wilson returned the papers and explained that all papers should be in the hands of the courts. In December, 1910, Knox transmitted⁴⁸ to Montagliari the warrant of surrender.

The actions of the United States and Italy in the matter of extradition proceedings were quite different. Italy is a relatively poor country, with a growing population, and limited room. Therefore, Italy was becoming an emigrant nation. The United States was a relatively rich country, with a growing population both by natural increase and as a result of immigration. The United States was an immigrant receiving nation.

The basic causes of our most serious disagreements with Italy concerned immigrants. When the immigrant left Italy he retained certain rights, duties, and a definite character in the eyes of the Italian Government. When the Italian immigrant arrived in the United States he automatically occupied a new position, and acquired a new set of rights and duties, how-

48 Foreign Relations, Correspondence, 1910, pp 649-657.

ever voluntarily. The clash occurred in the interpretation of these rights and duties. Both laid claim to the allegiance of the immigrant.

Since both laid claim to the immigrant as a subject, both demanded military service in time of necessity as the price of allegiance. Here, however, the picture becomes one-sided. The Italian Government demanded peace-time service, and refused to recognize legal naturalization as a valid reason for exemption from duty. All efforts to resolve this question prior to 1914 were fruitless.

Since both countries laid claim to the immigrant, both felt the right to demand this punishment for misbehavior. However, here again, the difference in attitude was observable in the actions of Italy and the United States. Italy sought to protect her subjects, to shelter them, and to whitewash them. The United States was interested in criminal extradition. Irrespective of national origin.

Let us see what violence these immigrants provoked and received.

CHAPTER V

VIOLENCE AND MALTREATMENT

It was stated in Chapter I that international relations are conducted by states. Encompasses in that idea is the relation of the individuals of different states, and the whole question of the positions of aliens in different states. In this chapter the more violent and lawless aspects of the material of diplomatic intercourse are indicated. In this unit the one rupture of American-Italian diplomatic relations that occurs in the forty-four years of the study will be examined at some length, and similar or related incidents will be indicated. The definitive work on this one break in relations is a dissertation done at the University of Minnesota in 1940 by J. Alexander Karlin, at the present time on the faculty of Montana State University in Missoula, Montana.¹ All of the lynching cases fall into the one pattern: Violent and unlawful acts resulting in death to Italian subjects, and Italian-born Americans by naturalization. This resulted in demands by the Italian Government for the apprehension and the punishment of the wrong-doers, and reparation for the acts, with the United States on the defensive diplomatically and morally in each case.

¹ J. Alexander Karlin, The Italo-American Incident of 1891 Dissertation. Unpublished. University of Minnesota, 1940. Karlin had access to Archival material of the Justice Department, the Navy and War Departments, the Senate, Manuscript material, and a great deal of other primary source material. Karlin stated in a conversation that he had been unable, even with political influence, to obtain permission to use Italian Foreign Office archival material.

The first of the troubles occurred on April 11, 1888 in Buffalo, New York. Baron Fava advised Bayard that three hundred and twenty-five Italians in Buffalo were arrested and searched and no weapons were found. Fava said that the action of the police was in violation of the constitution and international law. The Italian consul at New York had protested to Governor Hill of New York, and had not received what Fava considered a satisfactory reply. Fava charged that the penal code of the State of New York was falsely interpreted to justify the search. He requested the good offices of the Department in that the officers guilty of the incident might be censured, and a recurrence of the proceedings prevented. He inclosed a letter from the Italian consul transmitting the report² of the superintendent of police and the mayor of Buffalo.

Bayard replied that the arrests and searches were in consequence of repeated murders and affrays, but that the incident of the search itself was attended with no violence. He intimated that a previous publication of the order for the action of the police may have accounted for the fact that no weapons were found on any of those searched. However, he went on, the Department of State cannot decide upon the legality of the action of the police. If the search was without the authority³ of the law, and action in the courts will lie against them.

² Foreign Relations, 1888, part 2, p. 1050

³ Ibid., p. 1054.

In this early incident Fava did not appreciate the fact that was to be made more clear in the later years: the Federal government had no authority to intervene in the state affairs. Fava dispatched another note to Bayard stating that his former note had been based on the complaint of the Italians in Buffalo, and the report of the Italian consul, in order that such acts might be prevented in the future through administrative channels, so that the alarm of the Italian citizenry might be allayed. He again requested the good offices of the Department of State in this matter.⁴

Bayard replied that the Department could not express an opinion on the laws of New York, nor could it request that the Buffalo police be censured. He repeated that if their action in arresting and searching all the Italians they did, was illegal, then an action lay against them in the courts, to which the injured parties must have recourse. The State Department could do nothing...Baron Fava's letter was communicated to the governor of New York, and to all intents and purposes that closed the incident.⁵

The immediate cause of the lynching at New Orleans was the failure of a jury to convict a number of persons who had been arrested and placed on trial for their supposed connection with the murder of David C. Hennessy, the Chief of Police of New Orleans. Actually the cause was a long series of events

⁴ Fava to Byard, 1888, part 2, p. 1054

⁵ Ibid., Bayard to Fava, 1888, part 2, p. 1055.

growing out of nearly a hundred killings, over a period of years, of one kind or another. New Orleans had been the scene of assassination instigated for a number of years by a secret society imported from Sicily called the Mafia, or Maffia. As a general rule these mysterious killings seemed to be the result of planned concerted action. The victims were usually other Italians. Arrests had been made, but usually the accused escaped through perjury or alibi.

Henessy, the police chief, concentrated on the apprehension of these killers, and he in turn was killed for his actions. The failure to punish the people arrested for the murder of the chief was disappointing to many of the citizens of New Orleans. Public indignation vented itself in mob action, and on March 14, 1891, a mass of citizenry stormed the jail where the accused were held, and without interference on the part of the authorities put to death eleven of those who had been charged with the murder of the policeman. Of the persons thus executed, five had not been tried, three were awaiting a new trial, and the other three had been acquitted but not released. Three were Italian subjects. The rest were either naturalized citizens of the United States, or had made declaration of their intention to become citizens.⁶

The Italian consul at New Orleans immediately reported

⁶ Samuel F. Bemis, The American Secretaries of State and Their Diplomacy (New York: Knopf, 1928) Vol. VIII, pp. 146-155, Foreign Relations (Washington, Government Printing Office, 1891) Correspondence from October 21 to April 12, 1892, 1891, pp. 658 to 728.

the affair to Baron Fava. The consul was afraid that other acts of violence would occur. The same day Marquis Rudini told Fava to denounce the action of the mob, and to request that the Government of the United States take action to punish the criminals and protect the Italian colony in New Orleans. In a note the next day after the massacre, he repeated the request, and complained about the passive attitude of the police officers during the lynching. He reserved the right of the Italian Government to demand other reparation he invoked the aid of the federal government to the end that the regrettable incident might be speedily terminated. In a telegram to Governor Nicholls of Louisiana, Blaine called attention to the fact that a treaty between the United States and Italy guaranteed to Italian subjects "the most constant protection for their persons and property." He expressed the deep regret of the President that the citizens of New Orleans had so disparaged the purity and adequacy of their own tribunals as to transfer the questions that ought to have been settled by the rules of law to the passionate judgment of a mob. He declared that the United States should give foreign subjects within its territory the same security it demanded for Americans abroad. It was the hope of the President, he went on, that Nicholls would lend his cooperation in maintaining obligations to Italy.

7 Bemis, op. cit., and Foreign Relations., op. cit.,

He asked that all precautions be taken to prevent further bloodshed, and that all offenders against the law might be brought promptly to justice. A copy of this telegram was sent to Baron Fava, and its contents were cabled to the American Minister at Rome, Porter, to be delivered to the Italian Foreign Office. The next day Blaine received a telegraphic reply from Nicholls assuring him that everything was quiet in New Orleans, that the violence was directed against the individuals, race and nationality not being a factor in the disturbance. By a letter a few days later Nicholls confirmed this, and added that the whole affair was under investigation by the grand jury. The action of the United States was not sufficient to satisfy the demands of the Italian Government. Six days later, Rudini cabled Fava that it was necessary that the United States Government give official communication that the guilty of New Orleans had been brought to justice. Moreover, Fava was instructed to demand an indemnity. As soon as he received it, Fava delivered it with a note expressing the impatience of his Government. Blaine promptly stated that information from the Secretary of the Embassy, Imperiali, concerning the three Italian subjects murdered at New Orleans, had not been received. Rudini cabled that immediate action was necessary; he declared that the right of his government to demand and obtain punish-

⁸ Bemis, op. cit., pp. 146-155, and Foreign Relations, 1891 pp. 658 to 728.

ment of the murderers and an indemnity for the victims was unquestionable. Unless definite steps were taken at once, the Italian Government would find itself in the painful necessity of recalling its minister from a country where justice could not be obtained.⁹

In Italy the populace vented their wrath in heated meetings and in indignities to Americans. The shaky Italian ministry found it necessary to make some face-saving gesture, and finding Blaine powerless to do anything, abruptly withdrew Baron Fava from Washington.¹⁰ Before Fava left, he again stated the demands of his government, which, as now expressed, required that the United States (1) give official assurance that the guilty parties would be brought to trial and (2) recognize in principle that an indemnity was due to the relatives of the victims. This was a retreat on the part of the Italian Government. From an impossible demand for immediate punishment of the guilty and the instant payment of an indemnity, the Italian Government had retreated to a reasonable request that the guilty be brought to trial, and that indemnity be recognized as due in principle.

⁹ Bemis, op. cit., pp. 149-150.

¹⁰ Bailey, op. cit., pp. 450-451. Dr. Karlin, p. 93, states: "Italy would not take what it regarded as a back seat to any power when it believed that its honor was at stake." and "It cannot be emphasized too strongly that the shaky position of the Rudini cabinet and the political necessity of its adopting a strong attitude in foreign affairs were important factors in making the New Orleans outbreak of March 14th an event of international significance." Also, concerning Rudini, Dr. Karlin states on page 133 "...and little in Rudini's career would indicate that he would shrink from enhancing his personal prestige and from bolstering his weak position at the expense of-- the United States."

Blaine took advantages of the Italian Government's show of weakness to declare in a note to Marquis Imperiali that he had on various occasions impressed on Baron Fava the utter inability of the United States to meet the demands of the Italian Government as first made; even if the national Government had then the entire jurisdiction of the alleged murderers it could not give definite assurance it may foreign power that they would be punished. Inasmuch as the Constitution of the United States guaranteed trial by jury, it was not necessary to point out that any jury which was beforehand bound to render a verdict of guilty in promise to a foreign country was not an impartial jury. The Constitution of the State of Louisiana contained substantially the same provision so the Governor was unable to promise a guilty verdict if the leaders of the mob were tried. Blaine stated that the United States did distinctly recognize the principle of indemnity to those Italian subjects who had been wronged by the violation of the rights secured to them by treaty. In conclusion, he asserted that he had repeated assured Baron Fava that all the incidents connected with the unhappy tragedy at New Orleans would be thoroughly investigated. But in a matter of such gravity, the Government of the United States would not permit itself to be hurried; not would it make answer to any demand until every fact essential to a correct judgment should have

been ascertained through legal authority. "The impatience of the aggrieved may be natural," he said, "but its indulgence does not always secure the most substantial justice." ¹¹ In its reply the Italian Government affirmed that it had asked nothing beyond the prompt institution of judicial proceedings through the regular channels and it took note of the

"declaration whereby the Federal Government recognized that an indemnity was due to the families of the victims in virute of the treaty in force between the two countries."

The first assertion Blaine controverted. He gave at length his reasons for asserting that the first demand had been for punishment, not trial. On the second point, he maintained that his language had been misinterpreted as he had not recognized that an indemnity under the treaty. This left unsettled the important question of whether the treaty had been violated. The United States did not, argued Blaine, by that treaty become the insurer of the lives and property of Italian subjects within its territory. Blaine said:

"No Government is able however high its civilization, however vigilant its police supervision, however severe its criminal code, and however prompt and inflexible its criminal administration, to secure its own citizens against violence promoted by individual malice or by sudden popular tumult. The foreign resident must be content in such cases to share the same redress that is offered by the law to the citizens, and has no just cause of complaint or right to ask the interposition of his country if the courts are equally available to him for the redress of his injuries." 12

11 Bemis, op. cit., p. 152,
12 Ibid., p. 152.

The Secretary of State was well aware that the grand jury then investigating the affair in New Orleans might fail to present indictments. He promised, therefore, that if it should appear that among the victims of the mob there were Italian subjects, resident or domiciled in that city, and that public officers charged with the duty of protecting life and property connived at the work of the mob, or, upon proper notice of information of the threatened danger, failed to take any steps to bring the guilty to trial, the President would under such circumstances feel that a case was established that should be submitted to the consideration of Congress with a view to the relief of the families of those who had lost their lives by lawless violence.

Blaine's communication produced on Marquis Rudini, he declared in a telegram to Marquis Imperiali, "a most painful impression." He charged Blaine with a lack of conformity to diplomatic usages in making public his telegrams of March 24, which, he claimed, had been communicated in strict confidence. He maintained that his words "punishment of the guilty" in the brevity of telegraphic language actually signified that only prosecution should be commenced. He declared that the Italian Government was under the sad necessity of concluding that what to every other government would be the accomplishment of a simple duty, was impossible to the Federal Gov-

Government. "It is time to break off the bootless controversy" he said. "Public opinion, the sovereign judge, will know how to indicate an equitable solution to this grave problem. We have affirmed, and we again affirm, our right." He went on:

"Let the Federal Government reflect upon its side if it is expedient to leave to the mercy of each State of the Union, irresponsible to foreign countries, the efficiency of treaties pledging its faith and honor to entire nations. The present dispatch is addressed to you exclusively, not the Federal Government." 14

Marquis Rudini's dispatch was published by the Associated Press on May 4, 1891. Blaine took notice of only one point. He declared in a dispatch to Porter at Rome that the intimation that the telegram in question was delivered in strict confidence, and that he had committed a breach of diplomatic etiquette, was a total error. As the telegram expressed the demand of the Italian Government, it was impossible that the Marquis Rudini could transmit it in confidence. It was delivered by Baron Fava, in person, written in English, in his own handwriting, without a suggestion of privacy, and it bore not a single mark denoting a confidential character. To prove the error into which Rudini had fallen, facsimiles of the telegram were forwarded to Porter. Having the last word, Blaine was willing that the "bootless controversy" should end. 15

A year passed and passions cooled. Then suddenly the

14 Bemis, *op. cit.*, (Foreign Relations, 1891 712.) p. 154
 15 Ibid., p. 154.

incident was brought to a close on April 12, 1892. Blaine addressed a note to Marquis Imperiali admitting that the "lamentable massacre" at New Orleans was an injury for which it was the solemn duty of the United States to pay a satisfactory indemnity. He was instructed by the President, he said, to offer 125,000 francs to be distributed among the families of the victims. It was the hope of the President, he said further, that the transaction would efface all memory of the unhappy tragedy; that the old and friendly relations of the United States and Italy might be restored; and that nothing untoward might ever again occur to disturb their harmonious friendship. In the name of his Government Marquis Imperiali accepted the indemnity at once and declared that from that moment diplomatic relations between the two countries were full re-established.

16

The third incident occurred in Walsenburg, Colorado, in 1895. The first reports indicated that four Italian laborers had been killed by a mob at Walsenburg. Fava immediately asked for details and protection for the other Italian in the community. He expressed the belief the next day the Federal Government would not allow the crime to go unpunished. He had information that six were killed, four in jail and two outside the jail.

17

16 Bemis, op. cit., p. 155-156

17 Foreign Relations, 1895, part 2, p. 938-939

As in all the situations that arose in this manner, there was no racial prejudice. In Walsenburg, a local barkeeper had been slain, and, as in small communities, his friends and probable enemies were known. The posse was returning to the town with the suspects after the killing, and at a bridge, a band, according to the sheriff, "an armed mob held up the posses, killed the driver (one of the possemen) and one prisoner." The other prisoners took this chance and bolted. In frustration, the mob returned to town, and shot the men held in jail. Uhl, Assistant Secretary, assured Fava that "all rights and privileges of Americans shall be given the Italians. The guilty parties shall be brought to justice." Two days later the question of the citizenship of the men arose. ¹⁸ It should be noted here that in all these lynching cases it was important to determine the status of the men involved. If the men were actually alien Italians, subjects to the King, then the Embassy was involved in the affair. If the men were already naturalized American citizens, then the Embassy was not allowed to a claim. The difficult area came in the cases where the lynched men had taken out first citizenship papers, and were considered by the Italian government as yet Italian citizens, until their final oath, but by the American Government, as citizens by intention, although final papers had not yet, in some cases, been filed.

18 Relations, 1895, part 2, p. 939-942.

The governor telegraphed on March 16 that two of the men first had citizenship papers. He was not sure about a third. Two days later he told Washington that he had offered one thousand dollars reward. By March 20 it was ascertained that two of the men, Vittone and Ronchietto had taken out first citizenship papers, but no information was forthcoming concerning the third, Danino. Two others, who had escaped by fleeing during the shooting on the bridge, by name Giacobino and Gobetto, were safe.¹⁹

Fava notified Gresham that the consul at Denver had written that the local authorities had made no attempt to halt the crowd, and he believed them responsible for the outrage. He presented definite information that Lorenzo Andonino was not naturalized, and that Stanislao Vittone and Vincenzo Ronchietto had taken out first papers, but they were not yet American citizens. In April, Gresham requested clarification of the status of the Italians from Colorado authorities. In June Olney was informed that the Grand Jury would be called in the month of October to consider the case. Later, Olney could inform Fava that none of the involved men had taken final naturalization oaths, and the man Danino had not even first papers. He informed Fava that time was especially necessary²⁰ because of the sparsely settled nature of the country.

19 Foreign Relations, 1895, part 2, p. 942-944.

20 Ibid., pp. 944-950

In was October before Fava sent to Olney information about the families of the men who had been killed and injured in the fray. Uhl, in a note to Governor McIntire, submitted the documents to him for inspection, saying that Fava mentioned no sum of money, but was trusting that a high sense of justice would determine a suitable amount of indemnity for the family of each. In November, Fava reminded Olney that punishment brooks no delay, and asked that Olney urge the Colorado authorities to act against the lynchers. On the 29th of November, Fava impatiently stated that a considerable amount of time had elapsed with no communication about the indemnity. He said that Uhl had not directly answered his earlier notes on the subject. The families of the men were destitute and in need of relief. Olney reported to Fava a confidential communication from the Governor to the effect that the criminal proceedings were being postponed. On December 27 Olney wrote the Governor that the Ambassador felt that the grand jury convened from the county would be prejudiced. He inquired about a change of venue, suggesting an impartial grand jury from outside the county. The local judge, quoting the Encyclopaedia of Law, p. 14, paragraph 5, stated that any grand jury outside the county would be unlawful. He stated that the "powers are coextensive with and limited by the jurisdiction of the court" and that the "grand jury had no greater power than the court."

21 Foreign Relations, 1895, part 2, p. 950-955.

Early in 1896, the President sent to the Congress a message from the Secretary of State together with the correspondence in connection with the Walsenburg lynchings urging that some pecuniary reparations be paid to the families of the deceased men, Lorenzo Andenino, Francesco Ronchietto, and Stanislao Vittone, and the injured men, Pietro Giacobino, and Antonio Eusebio Cobetto. Finally, on June 12, 1896, over a year after the affair, Olney was able to send

"to the Italian Government for full indemnity to the heirs of three of its subjects who were riotously killed, and to two others who were injured, in the State of Colorado, by residents of that State, ten thousand dollars."

This provision was made "out of humane consideration, without reference to the question of liability therefore."²²

Two months after paying the indemnity for the Colorado killings, trouble eruped in Louisiana again. The fourth incident occurred at Mannville, Louisiana on August 11, 1896. Fava telegraphed to Olney that three Italian had been taken from the prison and lynched. Rockhill answered Fava that he had wired the Governor for information, but that the Governor knew only what was in the newspapers. Fava relayed the information of the Italian consul confirming the news to Olney. The newspapers were correct in the facts, namely, that the Italians had been taken from under American custody in the jail and lynched. Fava this time was explicit in his language, probably remembering New Orleans, requesting information

²² Foreign Relations, 1895, part 2, p. 955-956, 938, and 1896, p. 426.

as to the measures taken for "pursuit and trial" of the guilty persons, and prevention of the repetition of such outrages against Italian citizens. On August 12, the next day, Pappini telegraphed to Fava the information that the three lynched men, Lorenzo Salardino, Salvatore Arena, and Giuseppe Venturella, were all Italian citizens. Rockhill informed Fava that he could notify the Minister of Foreign Affairs "that as soon as the United States can ascertain, through the usual channels" the desired information, "such action as justice demands" would be taken. On August 19, Fava sent to Olney authenticated affidavits affirming the Italian citizenship of the lynched. By the 25th of August Fava was impatient. His note that day reviewed the notes of the 11th, 13th, and 19th, asking for assurances of punishment and protection, and called attention to the fact that replies of a satisfactory nature had not been received by him. On the 28th, Adee sent to Fava the report of the Judge of the 21st Judicial District, and the District Attorney, for that district. One Jules Gueymard was ambushed and killed, and six Italians were confined on a charge of suspicion of murder. The sheriff placed extra guards but removed them when the excitement had died down. Between 11 and 12 at night (August 8) according to R. Piene, a body of unknown men forced the jail, took three men, and lynched them. The frightened jailer did not tell the sheriff until the next morning.

23

Adee informed Governor Foster that the men probably were Italian citizens, and came under article three of the treaty guaranteeing them protection. He told Foster that he had told the Italian Ambassador that the guilty parties would be found, and that the men were killed because they were murderers, and not because they were Italians. September 26 Fava repeated his thanks to Olney for his assurances of all efforts to be made in the interests of justice, and stated that the Government of His Majesty felt quite confident that the United States would make "suitable indemnity" to the large families left without means of support. Rockhill then answered saying

"The Government of the United States is glad to take notice of the statement of confidence felt by His Majesty's Government that the judicial authorities of the State of Louisiana will make a vigorous effort to detect the guilty parties and bring them to trial." (p 406)

This statement is notable following Fava's note, in that the American note takes no notice of indemnity. Fava could only reply with thanks.²⁴

The importance of this case lies in the following condensations of dispatches between Fava and Olney. The American had sent a special representative to Louisiana to make an independent investigation for Olney, and he recited the findings and his opinions to Fava, in the case of Salardino,

24 Foreign Relations, 1896, pages 396 to 406

Olney stated "He had been arrested and imprisoned on the charge of murdering a citizen of the community named Gueymard," and recited the circumstances of the kill. Venturella and Arena were "confined on a charge of murder committed by them jointly upon one Roxino, "and the circumstances that also were given. Olney's argument embraced these points. The men were killed because they were murderers, not because they were Italians; (2) there was no collusion between the lynchers and the authorities; (3) the Italians were not temporary residents in the United States; they were not contributing to the wealth of Italy; they took no part in Italian Government; and they were definitely without intentions to return to Italy. (4) The Italians voted at elections in Louisiana, showing the intention to become citizens of the United States; (5) the participation of them in one government estops them from complaint to another government for protection; and then his last argument. Sixth; This does not resemble the New Orleans and Walsenburg lynchings because there was no proof in those cases that those men took part in the United States Government. Olney reminded Fava that he himself had never adopted the position of the Italian consul in those cases. The settlement of those was by a lump sum, distributed by the Italian Government. ²⁵

On December 31, 1896 Fava handed to Olney his rebuttal to Olney's note. His point was first the suspicion of murder

was not an acceptable basis for rejecting the demands of the Italian government. All law holds a man innocent until proven guilty. Secondly, Fava interpreted the sheriff's actions of removing the guards after things had quieted down as an "abandonment of the victims to the ...assassins who were on the watch." The sheriff "prudently retired." Fava then turned his attention to the weaknesses in Olney's argument. Fava wanted to know about the question of voting in Louisiana elections, which Olney had brought up. Was there a state citizenship as over and against American (federal) citizenship? Fava quoted: "Mere declaration of intention does not confer citizenship," according to the laws of the United States. Salardino, Arena, and Venturella were not citizens, he said, quoting section 2165 of the Revised Statutes and the cases of *Chirac vs. Chirac* (2 Wheaton 269) and *Osborn vs. United States Bank* (3 Wheaton 287). Fava then quoted Chief Justice John Marshall; "The power of naturalization being exclusively in Congress, ought not be controverted." Therefore, Fava concluded, they voted illegally. Because of this argument, it was like 1891 (New Orleans) and 1894 (Walsenburg) and the three men were Italian citizens. The entire solution, thought Fava, lay in the treaty in force. He wanted the guilty punished, repetition prevented, and just and adequate compensation.

26 Fava to Olney, December 31, 1896, p. 412.

Fava offered additional arguments January 27, 1897. He inquired of Olney how men could become citizens of the State of Louisiana so as to be able to vote in elections, and he quoted: "according to the constitution and laws of Louisiana as interpreted by its supreme court," (Olney's note of November 27th, 1896) without becoming citizens of the United States? He noted that Article 185 of the Constitution of Louisiana said that "any foreigner (emphasis by the author) may vote who has taken out his first papers", which in itself admits that those who vote are foreigners, therefore aliens, therefore not citizens of the United States, therefore (in this case) Italian subjects. Fava added "additional considerations" to the Secretary of State for his "enlightened and impartial examination" to convince Olney of the "justice" of his request for compensation.²⁷

On March 17, 1897 Sherman notified Fava that he had recommended to the President that Congress be advised of the facts, and "without reference to the liability of the United States appropriate six thousand dollars. On May 6, He inclosed Document number 37, House of Representatives, 55th Congress, First Session, the message of the President to Congress, in a note to Fava. On July 30, Adee notified Fava that six thousand dollars was paid to the Italian government "out of humane consideration and without reference to the question of liability therefore."²⁸

²⁷ Foreign Relation, Fava to Olney, January 27, 1897. 1896, p. 421

²⁸ Ibid., 1897, p. 353

The fifth incident marring relations occurred in 1899 again in the State of Louisiana, at Tallulah. Vinci telegraphed to Hay July 22, 1899 that the Royal consul in New Orleans had reported five Italians lynched by a mob, so Hay immediately telegraphed Foster, asking immediate information as to whether the persons were Italian subjects or naturalized Americans. Hay then informed Vinci that he knew about it, had telegraphed the Governor, had notified Rome that "no proper course of action would be neglected", and he stated his regret at the occurrence. On July 25, Vinci, incensed, informed Hay that the Grand Jury of Madison Parish had declared itself unable to ascertain the names of the person involved in the lynching. He felt that this would create a disagreeable and painful impression in Italy. It was an atrocious outrage, he went on, and it is "not conceivable that the guilty parties cannot be identified." Hay thereupon duly reminded Foster of his duty and the treaty right of Italy. Correspondence between Italy and the United States via the American legation in Rome merely brought forth ardent wishes for justice. By July 27 it had been determined, said Hay to Vinci, that three of the men were naturalized American citizens. Due to the absence from his post the Italian consul was not available, so in his stead the Italian Government appointed the Marquis Camillo Romano, Hay telegraphing the information to Foster in Louisiana, and asking that the Marquis be given every consideration.

Before continuing, it might well be best to consider at this stage, the views of the Italians. In 1891, there was heated discussion, and indignities to Americans (page 92). Iddings sent to Hay a clipping from the newspaper L'Italie of July 25, 1899, which indicated a shift in Roman public opinion to a more tolerant attitude. Excerpts are:

"Unhappily this detestable form of administering justice is one of the customs of the Americans of the United States.

"...reparation cannot go beyond a pecuniary indemnity to the families of the individuals lynched..."

"...this (indemnity) only if they had not taken first steps toward naturalization..."

"The Constitution of the United States gives the President no power over the internal affairs of the different states.."

"The Governor of Louisiana had no account to render to the Presidency of the Confederation..."

"Should President McKinley (seek to intervene,) he would raise up against him the whole public opinion of America."

"The American Constitution is an anomaly from the European point of view..."

"We ought to examine and determine just how far the protection of the Italian Government should be extended to its emigrants. For our part we maintain that it is absurd to wish to protect two million men scattered to the four corners of the earth, and who expatriated themselves solely for their own personal benefit."

On August 1, 1899, Vinci notified Hay that the royal consul in New Orleans notified him that all five men were Italian citizens, and that all were put to death by mob fury

without any attempt at protection by the proper authorities. Vinci said "His majesties Government recalls that perpetration of similar crimes have never heretofore been brought before the competent authorities and tried." Adee immediately wired Foster that Vinci was getting documentary evidence from Romano that all five men were Italian subjects, and that three did not take part in the attack which preceded the lynching. He wanted immediate proof of the citizenship of the three previously stated to be Americans. August 2, 3, and 4th were consumed in requests for information from all interested parties, such as Vinci to Adee, August 4th, "Excuse me, but I am anxious," Foster telegraphed Hay, that three of the men were naturalized: Charles Difatta, Syha Deferach, and Frank Difatta. He enclosed certificates showing their naturalization. ³¹

Vinci sent to Adee, August 8, 1899 Romano's report. His information on the men was as follows:

Francesco Difatta applied for citizenship November 8, 1895.

Carlo Difatta (real name: Pasquale Difatta) applied for citizenship June 28, 1899.

Syha Deferach (real name: Giuseppe Difatta) applied for citizenship June 28, 1899.

Giovanni Cerami - newcomer to the United States, here only a few months.

Rosario Fiducia - in the United States many years, but had never applied for citizenship.

He noted that the Difatta brothers had never taken out second citizenship papers, so that they were not citizens of the United States, but all five were Italian citizens. ³²

31 Foreign Relations, 1899, pages 446-450
 32 Ibid., pages 450-455.

Romano sent the details of the lynching as he saw the results of the investigation. At the time of his report, on August 8, 1899, the Grand Jury was in session; so he included the report of the jury in this note. Excluding the colored population, there were about 60 to seventy whites males in the town. The Difatta brothers had two stores. They were persons of good behavior, of "vivacious temperament." The cause of the incident, was a goat which climbed repeatedly to the porch of one Doctor Hodges, who, becoming impatient of the animal shot it one day. Francesco remonstrated. Carlo was mad; later when the Doctor came by Carlo spoke harshly to him and hit him. The Doctor drew a gun and shot Carlo in the forehead. He then proceeded to stand, one foot on Carlo, to reload and fire again. Giuseppe saw what was happening and shot the Doctor with birdshot. Giuseppe and Carlo hid. The story spread that the Doctor was dead; a crowd gathered. Francesco, Gerami, and Rosario were arrested and taken to jail. Giuseppe and Carlo were found and hanged. The crowd then came to the jail, released Francesco and Rosario, and hanged them. Not "satiated", they returned for Cerami and hanged him. This was the theatrical recital of Romano.

Adée informed Vinci on August 9 that the papers he had sent along as first papers were in reality final citizenship papers. He noted that the forms are entirely different. But

Adee had some important questions for Foster. Romano had sent three Certificates of Naturalization which he had erroneously regarded as "first papers - declaration of intention." In regard to those, of Frank Difatta, which were dated November 8, 1895, Giuseppe Diffina, a witness in the case, testified that Difatta had been in the United States about six years. It could mean that he was naturalized within one and one-half years after he came here. In regard to Charles Difatta, again there was a discrepancy of four years. It is undetermined whether his name is Carlo or Pasquale. Romano's report admits that Siha Deferach is naturalized. He wanted to ascertain the date of immigration, the place and date of preliminary investigation and declaration of intention, their respective ages, and the definite identification of Siha Deferach as Giuseppe Difatta. Adee wanted to prevent, if possible, an attempt to impugn the naturalizations on the grounds of ineligibility, false swearing, or simulated identity, with the consequent fraud upon the naturalizing court.

On August 20 Vinci presented his arguments to Adee. He mentions that Adee had alluded to the weight and import of the documents which Romano had sent. He said that it appeared that the Difatta brothers were "full and final" "citizens of the United States" by a decision of a competent court. He then referred to section 2165, et. seq. of the Revised Statutes of

the United States: (1) a foreigner must make a declaration under oath two years before definite admission to citizenship that it is his intention; (2) at the time of admission, two years after his first declaration, he must make a second declaration renouncing all allegiance to any other sovereign; then he noted that the Difatta documents appeared to be irregular. Vinci thought that they must be regarded as first papers, in which case the action of the District Court was irregular and void. Therefore, concluded Vinci, the embassy felt that the papers were proof that the men were not United States citizens, but Italian citizens.³⁵

On September 1, 1899 Hay replied to Vinci. He stated that careful consideration had been given to his objections, arguing that the judgments "do not appear to be strictly regular, or such as to confer full citizenship." Hay stated that either they were first papers, "or they must be regarded as second and final papers, and the irregularity is here evident likewise, because it appears from the documents themselves that the first declaration of intention was not made until the very day in which the said court "rendered the judgments of citizenship.

Hays rebutted Vinci's arguments quoting the second clause of article 2165, of the Revised Statutes of the United States, which prescribed what shall be declared; "which proceedings shall be recorded by the clerk of court". In this case, the

³⁵ Vinci to Adee, 1899, p. 457

proceedings were recorded. The judgment of the court, that the applicant "is declared to be a citizen of the United States and of the State of Louisiana" was also recorded. This judgment was in conformity with the statutes. In *Stark vs. Chesapeake Insurance Company* (7 Cranch 421) there was the same contention, said Hay as was in Vinci's note, and the decision of the court was adverse. In the *Mutual Benefit Life Insurance Company vs. Tisdale* (91 U. S. 238) the decision was that the court record on proper proof of residence is valid. In *Campbell vs. Gordon* (6 Cranch 179) it was decided that it was not necessary to the validity of naturalization of show proof of the moral character of the applicant. Therefore, the papers said Hay, were sufficient proof of naturalization.³⁶ On September 11 Adeo informed Fava that the law concerning suits for damages by aliens in United States courts was section 629, of the Revised Statutes, amended by the act of August 13, 1888, stating that suits are admissible against United States citizens in the District Court where the alien resides. (See the note of April 14, 1891, Blaine to Imperiali, 1891, page 682) In the meantime the report of the Governor was awaited. On September 14, Foster reported the findings of the Sheriff.³⁷

The victims were fruitvenders, Sicilians or Italians. The men had a goat, which Hodge shot. Frank Difatta threatened

³⁶ Hay to Vinci, September 1, 1899, p. 458

³⁷ Compare this report with the highly colored story of the consul given above, page 112.

Hodge. That evening, as Hodge passed the shops of Charles and Joe, Charles struck with a knife, Hodge dodged, drew a pistol and clubbed Charles. Joe unloaded both barrels of a shotgun into the Doctor (stomach, arms, hands) at close range. The sheriff appeared, disarmed Frank, Syha, and John Cyrano, arrested them, and placed them in jail. The sheriff then got a posse together, broke into Charles' store, and arrested the other two, Charles and Joe, who were hiding in the store. As he took them to jail, an angry mob, over his protests, took the prisoners and hanged them. The crowd then took the keys from the jailer and hung the other three. The sheriff noted in his report that the character and reputation of the Sicilians was bad in the community; that Joe Define (probably Giuseppe Defina) had already ambushed and killed a citizen with a shotgun prior to the lynching. Frank Difatta had shot and killed a negro earlier for no reason, apparently; the day of the fray the stores of the Sicilians had been closed all day (unusual) and the Doctor's friends had warned him about the Sicilians. The sheriff added one note to his report - which must have vexed the Italian embassy - saying that the night was cloudy and dark and "I was unable to identify any of the perpetrators." ³⁸

Adee wrote to Fava that the details did not match; the whole thing was a "fruitless controversy over unessential details". Fava declared that the first duty of the sheriff was

³⁸ Report of the sheriff, Foster to Hay, Adee to Fava, 1899, p. 461.

to apprehend the guilty ones. Adee impressed on Fava that if a special investigator did go down, there would be no Federal jurisdiction, and the investigator could only report to the Department of State. The Grand Jury was not going to meet until the next January, nearly four months later. Evidently Foster and Romano did not get along too well, for Fava hoped that the special agent would get better cooperation. In January of 1900 Fava asked that the authorities be moved to take action. Hay passed the note to the Governor, and by March no answer had been received. In April the Governor finally notified the Department of State that the District Attorney could not find evidence to implicate anyone. By May, Fava wanted to know what was to be done by the Federal Government in fulfilling its obligations. Hay notified Fava in June that the question of indemnity would be laid before Congress. In October of 1900 Fava agreed and asked that the two bills increasing federal jurisdiction for the protection of aliens be first considered by Congress. At the same time, he sent Hay information showing that Giuseppe Defina had to flee for his life, and leave all his property. He suggested an indemnity. In November, Fava requested that the situation be mentioned in the President's message to Congress and reparation be asked. Hay replied that the matter would be appropriately treated in the message. Fava thanked Hay December 4, 1900 for the President's words.³⁹

On December 3, 1900, President McKinley spoke to the Congress:

The assassination of King Humbert called forth sincere expressions of sorrow from this Government and this people, and the occasion was fitly taken to testify to the Italian Nation the high regard here felt for the Italian ruler.

In my last message I referred at considerable length to the lynching of five Italians at Tallulah. Notwithstanding the efforts of the Federal Government, the production of evidence tending to inculpate the authors of this grievous offense against civilization and the repeated requests set on foot by the authorities of the State of Louisiana, no punishments have followed.

Successive Grand Juries have failed to indict. The representations of the Italian Government in the face of this miscarriage have been most temperate and just.

Setting the principle at high issue above all other consideration of merely pecuniary indemnification, such as this Government has made in the three previous cases, Italy has solemnly invoked the pledges of existing treaties, and asked that the justice to which she is entitled shall be meted in regard to her unfortunate countrymen in our territory with the same full measure she herself would give to any American were his reciprocal treaty rights contemned.

I renew the urgent recommendations I made last year that the Congress appropriately confer upon the Federal Courts jurisdiction in this class of cases where the ultimate responsibility of the Federal Government may be involved, and I invite action upon the bills to accomplish this which were introduced to the Senate and House. It is incumbent upon us to remedy the Statutory Omission which has led, and may lead again, to such untoward results. I have pointed out the necessity and precedent for legislation of this character. Its enactment is a simple measure of previsory justice toward the nations with which we as a sovereign equal make treaties requiring reciprocal observance.

While the Italian Government naturally regards such action as the primary, and, indeed, the most essential element in the disposal of the Tallulah incident, I advise, that in accordance with precedent, and in view of the improbability of that particular case being reached by the bill now pending, Congress make gracious provision for indemnity to the Italian sufferers in the same form and proportion as heretofore.

Lynching must not be tolerated in a great and civilized country like the United States; courts, not mobs, must execute the penalties of the law. The preservation of public order, the right of discussion, the integrity of courts, and the orderly administration of justice must continue forever the rock of safety upon which our government securely rests.

This I most urgently reiterate and again invite the attention of my countrymen to this reproach upon our civilization.

40

Seven and a half months later Carignani notified Hay of the lynching of some persons of Italian origin at Erwin, Mississippi. Carignani gave the names of the victims asked that the necessary steps be taken for an official investigation and prosecution of the offenders. Hay referred the case to the Governor of Mississippi, and instructed Iddings, in Italy to inform the minister for foreign affairs that the case was under investigation by the governor of Mississippi and that all will be done by the United States Government to secure justice; the governor promised an immediate and early report. On July 22, a week after the killings, Carignani deprecated the findings of the inquest, and asked that detectives be sent by the Federal Government. Two days later Carignani turned over to Hay the information from the Italian consulate New Orleans that the crime had been planned by the people of a little town near Erwin called Glen Allen. Hill, the assistant, was in the meantime transmitting all messages to and from the Governor and the Embassy. On July 27 Carignani introduced evidence to show that the victims had not been naturalized in the United States. On July 30th, Adee informed Carignani that the United States could not employ detectives for the prosecution of the offenders but only for its own information. That same day Carignani transmitted the results of the investigation conducted by the agents

40 Message of the President, pages XXII and XXIII, Presidential Messages and Foreign Relations, 56th Congress, second session, 1900-1901.

of the embassy, and urged that the Mississippi authorities be advised to take energetic action. Iddings reported that in Italy the sentiment was expressed in the Foreign Office that nothing would be done in this case, as in the previous cases. On August 9, Carignani asked that a report be called for from the Governor of Mississippi on the action taken by him. Hay passed all these notes to the Governor of Mississippi. In the month of November, Carignani protested against the alleged denial of justice and the flagrant violation of treaty obligations and denounced the systematic impunity enjoyed by crime. Meyer, in Italy, inclosed a note in his dispatch of December 23 containing an account of a discussion of the affair in the Italian Senate. Hill informed Mayor de Planches on January 2, 1902, that the embassy's note of November 14 would be forwarded to the appropriate committees of the Senate and House of Representatives with appropriate recommendations. No longer were there any discussions on a high theoretical level. The principle of indemnity had been set, and the indemnity was paid.

In connection with the death of Italians in the United States, Montagna complained to Root on March 19, 1906 that the authorities of the states of Pennsylvania, Virginia, and West Virginia fail to comply with the provisions of the 1878

⁴¹ In the other thesis on this subject Chersi states that there was a lynching in Erwin, Mississippi, in 1910, "details of which are unknown". The details were given in Foreign Relations, 1901, 57th Congress, 1st Session, Washington: Government Printing Office, 1902, p. 283-299. Since Chersi used this series of volumes, the details should not have been unknown to him. His error in date, 1910 instead of 1901 was in all probability a typing error.

Consular Convention provisions notwithstanding the assurances given in the Department of State note of June 30, 1893. Root replied acknowledging the note, stating that on July 14, 1893 the Department of State in a circular letter called attention to the matter and that another circular letter (to all the Governors of the States and Territories) of the same nature would now be sent out.⁴²

On June 20, 1906 Montagna sent to Root a memorandum in regard to the treatment of Italian laborers employed by the Spruce Pine Caroline Company, asking that the matter be investigated and measures taken to insure the safety and protection of his fellow-countrymen. On June 26, he called attention to further instances of ill-treatment and reiterated his request made in the former note (June 20). On June 30 Root stated that the notes had been sent to the Attorney-General for his information, and to the Governors of Virginia and North Carolina for such action as in their opinions that facts seemed to require. Montagna, on July 5 sent to Root a report of the New York City Commissioner of Licenses referring to the ill-treatment of the Italian Laborers in North Carolina and asked that pending the result of the promised investigation, Italian laborers in construction camps be permitted to collect wages due them and to leave. Bacon inclosed a letter to Montagna from the Governor of Marion, Virginia, but Montagna replied that the town was the

⁴² Foreign Relations, 1906, part, 2, p. 964.

town of Marion, North Carolina, and not Marion Virginia, as previously reported. On July 21 Montagna stated that the trial of certain Italian laborers would take place at Marion, North Carolina, and in view of the conditions there, he would like the Government order the competent judicial authorities to make a careful examination of the facts, and to proceed where necessary to a severe punishment of the crimes perpetrated, On July 25 he complained of the obstacles placed in the way of the attorney employed by the embassy in the matter, and asked that the Governor of the State be requested to issue official orders for the prompt investigation of the incidents complained of. Adee passed the note on to the proper state officials. Bacon later informed Montagna on July 30 that the Governor had been requested to extend courteous consideration to the attorney employed by the embassy. By August 24, Montagna was able to inform Adee that "It gave (Montagna) pleasure to inform him (Adee) that a specified agreement had been reached between this embassy and the representatives".....

"of the Carolina Company which settles all the questions arising from the known controversy in North Carolina. Accept my best thanks for the kind interest you took in the matter. High regards."

On August 25, Montagna recited the details of the settlement which was effected with representatives of the Carolina Company outside of the courts, and expressed thanks again to Adee.

In 1908, Baron des Planches complained to Root about discrimination against Italian subjects by the city council of Richmond, Virginia. He protested against the ordinance in Richmond prohibiting Italians from dispensing or selling liquors. Adee informed him on August 18, 1908 that the Department would give consideration to the matter. On December 7, 1909, sixteen months later, Knox reviewed the laws of the State of Virginia relating to the question and pointed out that the Italian subjects, as such, were not discriminated against.⁴⁴

In 1909, another series of notes commenced alleging discrimination against Italian subjects by the courts of Pennsylvania. In a memorandum from the Italian embassy on October 25, 1909, the decision of the court in the case of the Italian Maiorano vs. the Baltimore and Ohio Railroad was protested as a violation of the treaty. On November 4, 1909, a memorandum to the Italian embassy discussed the case and pointed out that there was no discrimination involved. A memorandum for the Italian embassy November 6 gave the views of the embassy regarding the rights of non-resident aliens. On November 16, the State Department said in a memorandum to the Italian embassy that it did not think it advisable to give greater rights to Italian subjects by amending the treaties. On January 12, 1910 it reiterated its views set forth above.

44 Foreign Relations, 1909, pages 386 and 387.

On February 19, 1910 a memorandum from the Italian embassy reviewed the case, and asked the Department of State to give the matter further thought. On March 1, 1910 the State Department merely again stated its views. Montagliari, on March 21, 1910 submitted proposals of his government regarding the rights of Italian subjects to recover indemnity for the death of relatives. Adee on October 1, 1910 sent the final decision of the Department of State regarding the rights of resident non-aliens to recover indemnities for the death of relatives.⁴⁵

On September 20, 1910, the last of the lynching cases occurred in the United States involving Italian subjects which are within the scope of time of this study, 1870 to 1914. In Tampa, Florida one Angelo Albano, in the process of being taken under custody of officers from one place of imprisonment to another, was driven in a conveyance by a circuitous route, in the course of which, on a lonely road, he was taken from the custody of the officers by force, and killed. On April 13, 1911, the Solicitor for the Department of State sent a memorandum to the Department of State concerning an indemnity for the lynching, inclosing a complete history of the case, from September 20, 1910 to April 13, 1911.⁴⁶

⁴⁵ Foreign Relations, 1909, pages 391 and 392; 1910, pages 657 to 664.

⁴⁶ The complete correspondence on this lynching is not given until 1913. For some reason, Chersi does not include in his chapter on lynchings the killing of Albano, but refers to it in another chapter. On page 152, Chersi states: "The five lynching cases caused the severest strain the diplomatic relations of the two countries has experienced, culminating in the New Orleans episode of 1891, which actually caused a suspension of diplomatic relations." Error in Chersi: there were six cases of lynching, and they did not culminate with the New Orleans killings: they did start with them.

On June 24, 1912, Marquis Cusani recapitulated the case and insisted on an adequate indemnity. On December 31, 1912, Catalani requested of Knox a reply to the June 24 note. Knox regretted officially that under the circumstances the United States could not take the course desired by Italy. On April 16, 1913, Cusani renewed the demand for the indemnity. The next June he again demanded an indemnity, mentioning the sum of six thousand dollars which was verbally stated at the time of the presentation of the note of April 16. On June 26, 1913 the President sent a message to Congress transmitting the report of the Secretary of State recommending the payment of the indemnity demanded "as an act of grace and without reference to the liability of the United States", presenting the necessary proof of the Italian citizenship of Albano. The United States paid the six thousand dollars August 15, 1913, Bryan inclosed a warrant for \$6,000 to Cusani on November 14, and on the 18th Cusani returned a receipt showing the payment to the mother of Albano.⁴⁷

The Federal government was responsible for the conduct of foreign affairs, which included treaty making. Because the Federal government was the negotiating and concluding power, the duty of treaty enforcement was obligatory for the Federal government.

The State governments were responsible for the protection of citizens within the state borders, and the punishment of all crimes within State borders.

The actually resulted, in the case of aliens and immigrants, in an anomalous situation. The State governments were placed in a position of assuming the responsibility for the protection of people within their borders in accord with international agreement which they neither formulated nor to which they were signatories.

Because of this constitutional defect, the Federal government was powerless to act decisively, and was forced to rely upon local justice. The position of local juries and citizens was never in complete agreement with the spirit envisioned in the treaties.

In the early controversies, the Italians seemed unable to grasp the reason for the hesitant and apparently procrastinating policy of the United States. Later there was mutual acceptance of the position of both countries.

Italy made formal demands for pursuit of the guilty and indemnity. The United States government repeatedly urged local authorities to action, and when results were not produced the United States was forced to pay indemnities.

From the domestic scene, let us now turn to the international scene.

CHAPTER VI

THE INTERNATIONAL SCENE

In their dealings with each other, governments frequently refer to rights and duties as established by international law.¹ In the present chapter the major interests of Italy and the United States as members of the family of nations will be examined in relation to the other nations of the world, in which they were jointly interested during the scope of time of this study, 1870 to 1914.

In 1872, Mr. Fish wrote to Mr. Marsh asking him to remind the Italian Government that according to certain treaties between European states the Italian Government was the protector of the Hebrews in Moldavia and Wallachia. Mr. Wurts wrote back that the Italian and the British Governments were communicating in the matter, which was a delicate affair. He thought that a convention of the protecting powers would be needed for settlement. It was suggested by Wurts that the most efficacious means would be to make representations to the courts at Saint Petersburg. No more was written on the question until the year 1902 when Hay wrote to Iddings concerning the condition of helplessness to which the Jews in the two provinces were reduced, and the objection of the United States to the immigration of such persons. In connection with the pending naturalization treaty with Rumania at that time, Hay discussed at length the principles laid down in the Treaty of Berlin for the ameliora-

¹ Hill, International Relations, p. 123

tion of the said conditions, asking that Iddings present the dispatch to the Minister of Foreign Affairs. Iddings left a copy of the dispatch.²

During the difficult Alabama conferences, Italy was represented among the arbitrators by Count Scdpis, who had been appointed to the position by the King. Mr. Fish requested that Marsh express his gratitude to the Italian Government for the services of the Count, remarking on his high character and his eminent services. The citation stated that he contributed in an essential degree to the satisfactory arbitrations and set an example of delicate conduct.³

In 1874, Foreign Minister Visconti-Venosta stated that the Italian Government was complimented by the request of the American Government that the Italians undertake the safety of their nationals in Spain. The Italians acquiesced to the request most graciously. This was during the time when Spain was reacting to her years of unstable government under Isabella, and fighting her colonial war in Cuba drawing sharp protests from the United States.⁴

In 1874 Marsh was able to reciprocate the good offices of Italy in the Alabama claims dispute by umpiring an Italo-Swiss border dispute. This concerned the small alps high in

² Foreign Relations, 1872-1873, p. 319 and 320; 1902, p. 42, 184;

³ Ibid., 1872-1873; p. 320

⁴ Ibid., 1874, p. 627

the mountains on the border. The Swiss admitted Italian usage of the alps, and the customary and traditional occupation in the summertime. Italy wanted to protect her subjects. The Swiss wanted to protect their water and forest reserves. The matter was given over to arbitration. The Swiss finally admitted Italian title to the soil of the Alps of Cravairola, so Marsh was able to award the title to the Italians.⁵

In 1874 Italy informed the United States that she would not act alone in Japan in any matter which the Christian powers have in common interest; there, however, was one possible exception: special and separate action concerning silk-worms.⁶

In 1881 Italy officially notified the United States that she had taken possession of the Bay of Ussab. It was to be garrisoned and a line of steamers between it and Zanzibar was to be established.⁷

Mr. Wurts reported an interview with the Italian Foreign Office in relation to the position of the United States in regard to the neutrality of the Isthmus of Panama on July 27, 1881.⁸

In 1887, Italy announced the blockade of the Abyssinian coast, which Bayard acknowledged to Fava. This was the period of the deepest Franco-Italian animosity, which was made more severe by the Italian suspicion that the French were aiding

5 Foreign Relations, 1875-76, part second, Sept. 25, 1874

6 Ibid., September 27, 1874

7 Ibid., 1881, p. 653

8 Ibid., 1881, p. 658

the Abyssinian King, Menelik.⁹

In 1888 Fava wrote to Bayard requesting whether the American delegate to the Madrid Conference concerning Morocco had been instructed not to renounce the right of protection in Morocco. Bayard informed him that the American delegate had been merely informed to ascertain whether the right of foreign protection was abusively exercised, and, if so, to suggest a remedy.¹⁰ Also in 1888, Fava wrote to Bayard thanking him for the good offices of H. C. Hall in effecting a suitable arrangement in the matter of the claim of Italy against Salvador.¹¹

The same year, in August, Fava announced to Bayard that Italy had assumed the protectorate over Zoula at the request of the natives. This was a confirmation of the pre-existing state of things, and the first evidence of the actual possession of any government. Bayard, in considering this Italian protectorate over Zoula, Africa, stated that the United States not having acceded to the General Act of the Conference of Berlin, could not determine the proper weight to be given to the announcement of the protectorate.¹²

At this time, out of the Colombian revolution came one episode dealing with which Bayard displayed something of his Latin-American policy and incidentally his interpretation of

9 Foreign Relations, 1887, p. 650

10 Ibid., 1888, part 2, p. 1049

11 Ibid., p. 1050

12 Ibid., p. 1057-8.

the Monroe Doctrine. Cerruti, an Italian subject, was arrested for complicity in the insurrection and was subsequently rescued by Italians and placed on a war vessel. The Columbian government tried to institute legal proceedings but the Italian Government denied their jurisdiction and demanded an indemnity for Cerruti's arrest. This the Colombians refused to pay, whereupon the Italian Minister demanded his passports and left Bogotá, announcing that war vessels would visit Atlantic and Pacific ports of Colombia to enforce the payment. As soon as Bayard knew about the affair, he sought the cooperation of Great Britain and France in urging upon Italy and Colombia the submission of the controversy to the arbitration of Spain, and said that "the United States cannot view with indifference a resort to armed force by a European power upon a government with whom as to a part of its territory we have a special convention guaranteeing neutrality, which means freedom from obstruction."¹³

When the two countries consented to submit the issue to arbitration by Spain, Bayard reiterated this sentiment in an instruction to the minister at Bogotá: "we are sincerely glad of a mode of settlement which will not excite the serious concern of the United States, were a European power to resort to force against a sister republic of this hemisphere. as to the sovereign and uninterrupted use of a part of whose territory we are guarantors, under the solemn faith of a treaty."¹⁴

On February 6, 1895, MacVeagh notified Gresham that the Italian government wanted the President of the United States to umpire the claims of Ernesto Cerruti against Colombia. The participants were Monsieur Hurtado for Colombia, and Baton Blanc of Italy. The President accepted the joint invitation. On March 1, each country received a formal note accepting. In regard to this award, on August 18, 1894 the following conditions were set down: Both sides agreed to submit the matter to arbitration; the arbitrator, in accepting the office, would have full power to act; the claims were presented not before six months nor after seven months after the acceptance of the office by the President; each individual was to pay his own expenses, and the expenses of the President were to be borne by both the parties equally; and lastly, they both agreed to accept the decision, Cleveland fulfilled the office.

In 1895, Fava notified Gresham that there was some question of the observance of the Brussels Act of July 2, 1890 providing for the prohibition of the introduction of arms and ammunition into Ethiopia. On June 29 Olney replied that the United States had no territorial interests, and that on December 4, 1893, the President had asked that Arms and Intoxicating Liquors not be sold in the prohibited zone by American citizens, but Congress has not yet acted on the resolution.

15 Foreign Relations, 1895, part 2, p. 957-960. 1898, 403

16 Ibid., 1895, part 2, 960-964.

In 1900 both Italy and the United States were interested in the restoration of order in the Far East, following the Boxer outbreak. Iddings informed Washington on July 4 that the Minister of Foreign affairs said that the course of Italy would depend largely on that of the other powers. On August 13 Fava inquired about the views of the United States. Adee answered that the query was answered by the American memorandum to Rome. Italy took no independent action, but waited for indications from other countries for her answer to the German and Russian proposals for withdrawal of troops from Peking. On November 7, Iddings notified Hay that the views of the Italian Government coincided with the views of the United States. In January of 1902, Hay wrote to Meyer concerning the restoration of Tientsin to Chinese authorities. He inclosed a note from the Chinese minister applying for the good offices of the United States in securing this action. He instructed him to ascertain the views of the Italian Government. The Italian Government temporized; they stated that the Italian Government was not opposed to the restoration of Tientsin to China in principle, but would await the action of the other powers. A note in 1905 indicates that the Italians never did change their policy; Meyer to Hay, January 14, 1905 states the Italian Government "is in accord with the United States policy".¹⁷

On July 31, 1901, Adee instructed Iddings to investigate and report on the question of the sovereignty of Italy over the

¹⁷ Foreign Relations, 1900, pages 359-361; 1902, pages 26, 189, and 185; 1905, page 4; and 1906, part 2, p.232.

African territory of Somoliland. Iddings reported that the Sultan Osman Mahmud had recognized the extension of Italian sovereignty to his land. Hay wanted a copy of the Convention, which Meyer sent to him December 11, 1901.¹⁸

In 1902, Meyer reported that Italy had assented to the protection of Cuban interests by United States consular officials.¹⁹

Italy was involved in the Venezuela incident. This unhappy country was at that time under the domination of the dictator, Castro. Almost perpetual civil war had been ruinous to foreign investments, particularly British and German. The Powers of Europe were tempted to intervene but they were very reluctant to challenge the now powerful Monroe Doctrine. President Roosevelt did not regard mere intervention without territorial designs as a violation of the Doctrine, and he felt that irresponsible Latin-American nations should not hide in the folds of the skirts of the United States. In 1901 Germany proposed arbitration of her Venezuelan claims by the Hague Court, but Castro refused; then the British, whose stake was five times bigger than the Germans, took the initiative in proposing collection at the cannon's mouth. Germany and Great Britain instituted a blockade of the coast of Venezuela in December, 1902.²⁰ On December 16, 1902, Hay telegraphed Meyer

18 1902, 683

19 Foreign Relations, 1901, 299-300

20 Bailey, p. 550-551.

of the desirability of arbitration. On December 18, Meyer reported that Italy was going to be governed in her actions by those of Germany and Great Britain. That same day, Hay telegraphed that Venezuela had conferred on him full powers to negotiate to settle the differences existing between Italy, Britain, Germany and Venezuela. Prinette replied that he was appreciative of the action of the United States, and that the Italian Government had placed itself in communication with London and Berlin, with whom they were associated, concerning the matter. On December 21, Meyer telegraphed that Italy had decided to join the blockade. On the 24th, Italy, again appreciative of the offer of Roosevelt to arbitrate, stated that if Roosevelt was "unwilling" to act, Italy had no objection to the presentation of the case to the Hague, under two conditions: (1) that Italy shall receive precisely the same treatment as other powers, and (2) that the arbitration include all the Italian claims in Venezuela. Hay replied that the Hague was preferable to Roosevelt. Meyer recorded a sidelight to all this: the Socialist party in Italy was going to raise the question in the Italian Parliament. On January 8, 1903, Hay telegraphed that Venezuela had accepted the British and German proposals. The blockade was causing certain distress, and Hay inquired if the Italians would consent to raising the blockade prior to the set time, on the sufficiency of Venezuela. Prinetti had to consult with Berlin and London before he could make up his mind. On May 7, 1903, was signed a protocol between Venezuela

and Italy, to which the United States and other powers were parties, respecting the reference of the question of the preferential claims treatment to the tribunal at the Hague. The Emperor of All the Russias was to name the judges.²¹

On February 10, 1904, Hay instructed Meyer by telegram to consult with the Government of Italy in regard to the possibility of an arrangement between the neutral powers to use their good offices to induce Russians and Japanese to respect the neutrality and administrative entity of China as far as possible, and to try to "limit and localize" the area of hostile operations. Tittoni approved "heartily" of all the United States proposed. Iddings reported a memorandum from the Italian Foreign Office to the effect that the Royal Government was disposed to act for that purpose with the other powers, stating that there should be no weakening of the principles of the sovereignty of China over her territory. America instructed her representatives in that manner generally, and cooperated with the Italians by informing them of the instructions which had been sent to the Ministers in St. Petersburg, Tokyo, and Peking.²²

In 1905, the Italian embassy requested that in connection with the control of the Dominican customs by the United States, arrangements be made for the payment of the obligations entered into by the Dominican Government with Italian creditors.²³

21 Foreign Relations, 1902, p. 683; 1903, 601-611.

22 Ibid., 1904, 405-406.

23 Ibid., 1905, 315.

Root commissioned White to be a delegate to the Morocco Conference on November 28, 1905.²⁴ In regard to the renunciation of extraterritorial rights in Zanzibar, Adee reported to Montague the copies of correspondence with the British Embassy, and a copy of the treaty between the United States and Zanzibar.²⁵

Griscom reported on September 12, 1907 of the signing of a declaration between Italy and Denmark at Rome on the subject of the protection of industrial designs and models.²⁶

On October 20, 1908, Root reported to Griscom the recognition of Manley Hafid as Sultan of Morocco, and two days later sent him instructions.²⁷

In 1909 and 1910 the United States and Italy were interested in the Opium Question in the Far East. Bacon invited Baron des Planches to send delegates to a joint international Commission for the investigation of the question. Knox, nine months later, sent to Montagliari a copy of a circular proposing an International Opium Conference at the Hague. In 1910 on February 12, Baron Mayor accepted the proposal, and made some suggestions relative to the suppression of the hashish trade. Knox appreciated this, and Leishman, in Rome, sent word that the Italian Government would send a delegate.²⁸

24 Foreign Relations, 1905, p. 677

25 Ibid., 1907, part 2, p. 575

26 Ibid., 1907, part 2, p. 745

27 Ibid., 1908, pages 649 to 651.

28 Ibid., 1909, pages 97 and 112; 1910, pages 296, 301, 305, 325, and 327.

On September 30, 1911, a memorandum from the Italian embassy informed the United States of the declaration of war between Italy and Turkey. Adee sent copies of the American proclamation of Neutrality to Cambiasso on October 27. A full year later, October 18, 1912, Catalani advised Knox of the conclusion of the Treaty of Peace at Lausanne, and requested recognition of Italian sovereignty over Tripoli and Cyrenaica. Adee replied to Catalani that the United States was very much "gratified". Knox, in 1912, stated that the Department of State would instruct him later in regard to the question of its extraterritorial rights in Tripoli and Cyrenaica.²⁹

In 1913, Catalani in regard to Italian sovereignty over Libya, announced cessation of the special rights formerly enjoyed by foreigners under the Capitulations of the Ottoman Empire, and the consequent application of the General Law of 1912 with certain reservations. O'Brien reported a conversation with the Minister of Foreign Affairs concerning recognition by the United States and other countries of the sovereignty of Italy in Libya. The United States on February 28, 1913, issued instructions to conform to the present legal situation in Libya and to subordinate the Consulate at Tripoli to the Consulate-General at Genoa. This information was also communicated to the Sublime Porte at Constantinople.³⁰

²⁹ Foreign Relations, 1911, p. 308; 1912, pp. 632-633.
³⁰ Ibid., 1913, pp. 608 to 611.

It is evident that the early years were a time of friendly cooperation. However, it is seen also that Italy was not disposed to act alone in many matters.

Italy was definitely following a policy of aggrandizement in Africa, about which the United States cared little. It should be noted that Italy notified the United States of its territorial acquisitions.

Although Italy was not a world power, she associated herself with the great powers. She was always a follower, never an initiator of policy. The Venezuela incident is typical of her attitude of mimicing the pronouncements of the greater powers.

It is important to note here that both Italy and the United States were part of the international trend toward international cooperation of questions of major importance. This has been previously remarked in chapter three.

The next problem to consider is the matter of some of the more important Italian-American commercial relations.

CHAPTER VII

COMMERCIAL MISCELLANY

The relations between the seventy or more states which comprise the modern world community have grown constantly more complex. The industrial revolution increased their dependence on each other for raw materials and other commodities, so that trade, investments, and economic matters generally have become vital subjects of diplomacy. As travel has grown much easier, the international regulation of such matters as health, passports, citizenship, the sale of opium, and the extradition of criminals has been demanded. Trade and travel have both given a new significance to ports, canals, and rivers of international concern, so that it is necessary to assure free access to them by international action.¹ Let us now appraise the general commercial problems faced by the United States in its relations with Italy from 1870 to 1914. We have already examined the other subjects generally suggested above.

In 1871, Marsh informed Fish that the Italian duties on petroleum produced in the United States had been raised, and some vessels and shipments which had been on the high seas at the time of the action did not know of it until their arrival at Italian ports. Nothing could be done. Hunter told Marsh to argue in favor of a compromise. He thought that such actions might have the effect of abrogating the French treaty of 1863.

¹ Hill, International Relations, pp. 4-5.

Marsh replied in October of 1871 that maybe something would be done. The question had been put to the Minister of Foreign Affairs, when it should have been put to the Minister of Finance. No relief was afforded by the Italians because time would be needed to change old laws, and that would need an act of the Parliament. Marsh noted that there were influential people who thought that the American duty on Italian marble was too high, so that any measures introduced in the Italian parliament for the relief of the Americans would be defeated.²

In 1874, Count Cortis forwarded to Fish for American inspection a table of the relations between the Italian ton and other foreign units of measurement. The Italian ton was almost exactly equal to the American ton according to the table, having a ratio of 1.00 plus. Fish notified Corti that the table had been received and sent to Mr. Bistow of the Treasury Department, who had written back that the information would be forwarded to the Port Officers to reciprocate. On December 16, Corti wrote that until an international method of measurement was adopted, the Italian government requested that Italian vessels would be admitted to the United States under the Moorson or English system, without being measured again, since the tonnage was nearly the equivalent of the United States tonnage.³

In 1878 Wurts informed Evarts that at the port of Livornia

² Foreign Relations, 1872-73, pp. 306, 312, 131.

³ Ibid., 1874, pp. 628, 633, 635; 1877-78, Appendix.

called Leghorn, customs regulations as to the entry of merchandise required that the merchandise be accompanied by two bills of lading, and a consular certificate of origin.⁴

One of the most important of the commercial subjects concerned the Italian importation of American meat, and the attendant rules and regulations. In 1881, Marsh wrote of the correspondence had with the consulate in Genoa in regard to affairs relating to the importation of American port into Italy. There was no further correspondence on the matter, so in 1888, Bayard wrote to Dougherty concerning the admission of Austrian swine products into Italy, and mentioned that in 1881 there had been instructions sent to Marsh, but that no reply was ever sent back. He again sent the instructions of 1881 and asked that a full report of the present situation be made. He told Dougherty to call the attention of the Italian government to the arguments of the American government, and the right of the United States to the same treatment as other nations under the most-favored-nation clauses of the treaties. He included the information that trichinosis is due to the eating of raw pork. Again nothing seems to have happened to the Pork situation until in 1887, when Fava again opened the question by transmitting to Olney the copy of a Royal decree from the Ministry of Agriculture, Industry, and Commerce which provided for the regulation of importation into Italy by sea, of cattle " and

⁴ Foreign Relations, 1878, p. 478.

by land and sea, of preserved swines' flesh." Sherman wrote to Fava in regard to a copy of an agricultural bulletin, that the Secretary of Agriculture said according to the decree meats from the United States must be accompanied by a certificate of origin vised by the Italian consul, or consular official in the vicinity. This was not necessary in the other countries. The "reason for this discrimination was not apparent". He then went on to emphasize that meats in the United States for export are subject to federal inspection. Mr. Wilson stated that he was not aware of any other government at that time which had a program of federal inspection of meats for export. There could be no reasonable ground for "the least discrimination". On March 15, 1897, Sherman instructed Anderson that the decree on hogs, etc., appeared to discriminate against the United States as compared with European nations. Anderson was told to use every effort to accomplish the removal of that discrimination. In April Anderson went personally to see Visconti-Venosta.

In May, Fava informed Sherman that the question of American Pork would be submitted to the zootechnic and epizootic board for examination at their next meeting. In addition, he said His Majesties Government wanted to be friendly and forewarn the United States that "in no case could it be induced to modify the decree "if (emphasis mine - G.Veith) the United States persisted in retaining the new customs tariff with its

"exorbitant duties" to which Fava "had called attention" in preceding "verbal communications". On June 22, Sherman wrote to Draper enclosing the note from Fava, and asked him to make clear to the Italian government that the Italian regulation applies and discriminates against the United States only; the American tariff applies equally to all countries and is for revenue, primarily. Draper needed to know which European countries required no consular vise with their meat shipments, and Day informed him July 16, 1897 that Italy and Greece were the only ones who did require it, and that the United States was objecting to the Italian discrimination. Draper inclosed all of the negotiations with a history of the correspondence in a note to the Minister of Foreign Affairs, and stated that he was instructed to make further representations on the subject, expressing the hope that Fava's views on the matter were not those of the Minister of Foreign Affairs.

On September 10 Draper notified Sherman that the zootechnic council had met and expressed an opinion favorable to the abolition of the requirement of the consular vise. Also, the Minister of Agriculture and Commerce would shortly provide for modification of the debated decree, article three, of January the twenty-sixth, 1897 in "conformity with the request of the United States." In November, in the year 1897, Draper later wrote to Sherman that three months had then passed with no further formal communication from the Foreign Office on the

subject, so he wrote the Foreign Minister to ask when the promised modifications could be expected, and Visconti-Venosta said that time would extend to the end of the year. On January 19, 1898, Draper wrote to Sherman again stating that the promise which had been given to modify the decree requiring a consular vise on the last November 26 had not been kept. The Di Rudini cabinet had resigned, and the formation of a new cabinet took two weeks.

A new man, Signore Coccu-Ortu, was the next minister of Agriculture and Commerce. The January crisis of 1898 delayed the modification notice to Draper. On January 6, Draper called on the Minister to ask why the order had not been rescinded. On January 12 he reminded him of the conversation of January 6. On January 17 the minister's second son died. On January 18 Draper went to see Mr. Malvano. He said that it would take a few days. Finally on February 3, 1898, Draper telegraphed to Hay that the consular vise on pork-meats had been abolished as of January 28, 1898. That, however, did not end the situation. The United States received formal notification of the cancellation, but Sherman in March sent a note to Count Vinci inclosing some correspondence from the Armour Packing Company stating that the Italian consular agent who was at Kansas City had no such instruction and that consular vises were still required. In a short time the lag caught up and instructions were circularized to all Italian consuls.

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⁵ Foreign Relations, 1878, p. 478; 1881, p. 654; 1888, part 2, p. 1047; 1897, 359-365.

In March of 1898 Sherman transmitted to Draper a copy of a letter from the American Armour Packing Company of Kansas City asking whether there were any restrictions on the importation of freshmeat into Italy, and whether they could be sent into Switzerland through Genoa. They also wanted information on Italian duties. Draper replied that there were no restrictions, the duty was 12 francs gold per one hundred kilos, and that meat could be sent through Genoa to Switzerland. He said, however, that he had no information about Swiss duties - they can ask the Swiss embassy in Washington. In November Draper informed Hay that an attempt was about to be made to reimpose the restrictions on the importation of American meats to Italy. He stated that he had made protests and representations to the government both verbal and written. Carnevaro assured him however later that month that the present ministers at that time would not take steps in that direction.⁶

In 1886 Fava protested the shipping act of June 26, 1884. He stated that there were discriminating duties in favor of countries named therein and he asked that the same privilege accorded to them be enjoyed by Italy under the most-favored-nation clause of the treaty of 1871. Bayard thought that the discrimination was purely geographical in character, inuring to the advantage of any vessel of any power. In 1887, the question of discriminating tonnage dues arose again, and

⁶ Foreign Relations, 1898, pp. 405-422.

Ferrara requested that there be reciprocal abolition of the tonnage dues; he pointed out that United States vessels in Italian ports are required to pay only the same duties as any Italian vessel. Bayard replied that there was a suspension on dues on vessels from the Netherlands and certain Dutch East Indian ports. Vessels from a country in whose ports the charges imposed upon United States vessels are in excess of those charges imposed upon vessels of that country are excluded from the benefits of the suspension. If Italy makes no discrimination at all against American vessels, the Department would be glad to have a statement to that effect. So, Ferrara stated in writing that American vessels receive the same treatment in Italian ports as Italian vessels in Italian ports. Thereupon, Bayard declared that Italian vessels coming from ports of the Netherlands and certain Dutch East Indian ports would be admitted free of charge.⁷

In 1887, Bayard wrote to Stallo saying that the Italian customs officials refused to admit flags for the consul at Palermo free of duty. The United States admitted free entry of official supplies. He instructed Stallo to explain the practice of the United States and to ask for a reciprocal exemption by Italy. Stallo wrote back that owing to changes in the foreign office, and ill-health of the Minister of Foreign Affairs, nothing definite had been done by July 29, 1887. By August 20, however the desired reciprocity had been granted.⁸

⁷ Foreign Relations, 1886, p. 556-7; 1887, 651-3
⁸ Ibid., 1887, pages 633, 639-40.

In the year 1897, Sherman reported to Draper that the Ansonia Clock Company of New York had complained that Italy refused to admit clocks as clocks fitted with American movements and business was stymied. They sent to Draper samples of the clocks and sworn declarations. Sherman asked that the "strange impression" that the clocks are not American movements be cleared up. Draper, wrote in November of that year, that it seemed wise to him to first reconnoitre, to learn privately and exactly what attitude (toward clocks generally and American clocks specifically) existed in the customs houses. De Castro investigated. Draper reported that the trouble lay in the very simple fact that the idea "sistema Americana"⁹ was not closely defined in the commercial treaty with Austria-Hungary and Germany, which were the bases for the Italian commercial treaty. The American manufacturers meant one thing, and the Italian authorities meant another. At the time that the treaty was being considered, the Italians decided that "sistema Americana" was the "cheap, round, nickel-plated American clock with an alarm-bell on top, which had been examined and exhibited...". Because of the treaty now, he wrote, nothing but that one kind of clock can come in under it, and the clocks simply "must look like the picture" or pay the higher duty. To give anything but the narrowest interpretation to the treaty would have meant throwing the Italian market open to large importations of a different outside appearance. It was simply a matter of shutting the door to competition.

⁹ Translated: American system.

¹⁰ 1897, p. 354-55, in Foreign Relations.

In 1906, Montagna communicated to Root a list of articles for which certificates must be produced upon their importation into Italy.¹¹

In March of 1906, Montagna requested the good offices of the Department of State with the executive department of Ohio to obtain the withdrawal of an order issued by the food commissioner of that State prohibiting the sale of Paste colored with saffron. He stated that the order was not justified by the provisions of the law on which it was based, nor by the nature of the coloring matter. The Department communicated his views to Ohio. Bacon in April informed Montagna that the Governor of Ohio had stated that the domestic manufacturers had complied with the order, and he saw no reason why the same compliance by foreign manufacturers would work a hardship. Then Montagna sent Root a petition from New York importers asking for a delay in putting into effect the decision regarding the coloring matter in Italian Pastes. The Secretary of Agriculture¹² regretted that he was unable to grant a delay.

In May Montagna represented another list to Root of the items regarding importation into Italy. This listed the articles¹³ for which no consular certificates of origin were needed.

In 1906, Bacon notified White of a letter received from the Department of Agriculture in regard to the commencement of meat inspection and the marking of meat so inspected, directing

¹¹ Foreign Relations, 1906, part 2, 908-909

¹² Ibid., 1906, part 2, 953 to 967.

¹³ Ibid., 1906, part 2, 909

White to make a formal notification thereof. White telegraphed in August that Italian consuls had been instructed to discontinue their examination of meat products and to confine themselves to authenticating the certificates issued by the American Department of Agriculture under the new act. In September Montagna advised Root that in regard to the operation of the law regarding inspection of meat for exportation, thereafter the American certificate of microscopic examination would be required of all shipments of Pork to Italy, and that other meats would continue to need the certificate required by the Italian order of 1898. Adee sent that to the Secretary of Agriculture. Hitt telegraphed to Root on October 25 that the Genoa agent of Swift and Company complained that the customs authorities were still requiring certificates of microscopic examination and he gave the grounds upon which the requirement was made. Bacon informed Montagna that microscopic examination had been abandoned by the Department of Agriculture and in lieu thereof White certificates were issued under the act of June, 1906, which was a "most rigid" act, Bacon expressed the hope that these certificates would be accepted by the Italian government. Bacon then instructed Hitt to explain the situation to the Italian Government, and seek assurances of the acceptance of the new certificates. The United States was accommodated in the matter and Italian consuls were so notified on the question.

In November of 1906 Mayor wrote to Root mentioning that recent regulations by the United States barred certain items of Italian origin, and inclosed a certificate stating that all Tuscany sweet oil is known as Lucca oil, and asked that the products of S. Rae and Company of Leghorn, labelled "Lucca oil" be admitted to the United States as before, although the product is neither made nor exported from Lucca. Root reported to Mayor that the Department of Agriculture stated that pending further inquiry, no objection would be made to Tuscan Olive Oil branded as Lucca Oil.¹⁵

The last to be considered is the correspondence in 1906 concerning the destruction of tobacco owned by the Italian Government. Mayor requested protection on December 6, 1906. He sent Root a clipping showing that there was no improvement in the situation by the 18th, and gave a list of factories working under the Italian monopoly. Root replied that inasmuch as native citizens seek and obtain redress in the courts, on this question the Italian Government could also seek redress in the courts of justice. Later, in early 1907, Bacon wrote Mayor that the Governor of Tennessee was doing everything possible to uphold the laws of the State, and rights of the Italians under those laws. About a year later, in December 1907, a memorandum from the Italian Embassy reported the destruction of tobacco belonging to the Italian Government at Hopkinsville, Kentucky and invoked protection. Ammeno to the Italian embassy stated that the

Governor of Kentucky believed that there was no danger of the recurrence of the disturbances referred to. In February of 1908, a memorandum from the Italian asked that the alarming conditions of the State of Tennessee be called to the attention of the Governor of Tennessee. In November of 1908, Mayor sent to Root a list of the factories engaged by the agent to pack tobacco for the Royal Italian Regie, and asked that special protection be afforded both the goods and the storehouses where the purchased goods were kept. However, the Governor of Kentucky felt that no harm would come to the warehouses.

Most commercial disputes were minor phases of the larger picture. The only dispute of any major importance was the American Pork Controversy. However, Italy was not a sole prohibitor of the importation of American Pork.

The correspondence reveals only minor disagreements resulting from attempts to clarify every-day commercial regulations or to gain commercial advantages for national business-houses.

16 Foreign Relations, 1906, part 2, pages 949, 951, 952.
1907, part 2, pages 745 to 748
1908, pages 490 to 493

CHAPTER VIII

DIPLOMATIC MISCELLANY

The diplomatic agent abroad is generally expected to interpret to the accrediting country the national ideals of his people and the policies of his government. As "the eyes and ears" of his government he sends back his observation on the conditions, trends, and policies of the country in which he is working. It is his duty, too, to see to it that the persons and property of his fellow nationals are protected, to ask for the extradition of criminals, and to perform innumerable other tasks in behalf of his country. Some of this work he shares with consular officials, whose main business is to promote trade, however, and to perform the clerical and routine duties which are incident to it. In this chapter all the space will be devoted to those myriad of varied details which were a part of the Italian-American diplomatic scene from 1870 to 1914, and cannot be brought together in a homogenous chapter.

First consideration will go to some affairs of the sea. in 1871 Mr. Fish stated to Mr. Marsh that Italian naval officers had cooperated handsomely with the American Navy in repairs to the American warship *Guerriere*, which Marsh passed on the Minister of Foreign Affairs from the American Secretary of State. In 1872, Fish told Marsh that the American Brig Shamrock had been lost due to the negligence of the port authorities at the port of Genoa. Marsh remarked that the testimony was incomplete

1 Hill, International Relations, p. 152

and many points were insufficiently explained. He noted some time later the Italian Ministry of Marine would not concern itself with the problem, and that probably some part of the trouble was the lack of an English interpreter at the port in Genoa. Fish instructed him to at least make a complaint because there wasn't an interpreter nearby! If the captain wants to sue the Port Officer, Fish continued, tell him to go ahead, but that the United States Government can't help him.²

In the year 1900, The U. S. S. Dixie arrived in Italian ports on a cruise, and arrangements were made for courtesies to be extended to the ship, which courtesies were greatly appreciated by the United States.³ Similarly, in 1905, the U. S. S. Minneapolis as the flagship of a squadron on tour was ordered to Genoa during the visit of the King and Queen of Italy to that city as a gesture of our friendly manifestations of goodwill.⁴

In 1906, Bacon sent to Montagna a copy of the enactment of the Phillipine Commission in regard to seamen who deserted from foreign vessels in the Phillipines.⁵

In 1872^a Marsh advised Fish of a bill to regulate the religious corporations in Italy, He predicted that it would

2 Foreign Affairs, 1872-73, pages 314 to 319.

3 Ibid., 1900, p. 733

4 Ibids., 1905, p. 571

5 Ibid., 1906, part 2, p. 941

strong opposition in the chamber from the extreme parties. An extension of the law concerning religious corporations was made however, and the king allowed representatives of the religious orders occupancy of localities certainly necessary for residence and the discharge of their duties. The legal construction of this move was open to question, thought Marsh. The French "Observations" on the law tended to alienate Italians from their former friendly feeling toward France.⁶

In 1872 in December Marsh reported that the suppression of American Charity Schools, operated by a Mrs. Gould and a Mr. Van Meter, who were United States citizens, excited attention in Europe. There was dissention in Parliament. Mrs. Gould and Van Meter were unfamiliar with Italian law. They had no permission of the authorities, and no Italian teacher's certificates. The Gould school was unsatisfactory because the room was confined and unhealthy, both sexes were instructed together after the age stipulated by law that they should be separated, and no provisions of the law were obeyed in respect to public schools. Marsh added that there was no cause for complain~~h~~^e the authorities acted in good faith.⁷

In 1874 commenced some extensive correspondence on the subject of marriage, about which Marsh wrote enlightenly and at length. He wrote in 1874 that the Italian law provided that any foreign woman marrying an Italian man acquired Italian citizen-

⁶ Foreign Relations, 1873-74, pages 517-522.

⁷ Ibid., 1873-74, p. 517; 1874, p. 626.

ship even as a widow. He also mentioned that any marriage is valid to all intents and purposes in that was witnessed by a consular officer. Fish instructed him that the purpose of a consul at a wedding was to secure official witness to the marriage, who would record the marriage in his own archives, and was not a legalizing agent. In 1875, Marsh remarked that no two Americans had ever applied to register a marriage. There were some marriages between Italian men and American women, and a few Italian-American marriages of both sexes in Switzerland, but Marsh was uncertain about the legality of the Swiss marriages between foreigners in Switzerland. There was in this question some doubt, because the marriages of Americans to others in foreign countries could not be held to be valid according to the "laws of the United States" since there was no federal law on the subject, and it would refer to the conflicting laws of the several states. Marsh recommended that in all marriages between Italians and Americans the partners execute pre-nuptial settlements, and then comply strictly with the Italian civil code for the performance of the ceremony.

He realized that the compliance with this recommendation was not always possible. He stated that there was great uncertainty as to the attitude of the Italian courts respecting marriages not performed in accordance with Italian law. He remarked that the Italian local civil authorities are alone authorized to celebrate marriage, and then only when all the requisites of the civil code have been complied with and fulfilled. He said that

the present regulations are insufficient, and suggested that the subject be made the matter of treaty stipulation between the two governments. In 1887, Bayard wrote to Stallo concerning the fact that in 1887 the Italian authorities refused to permit the ceremony of marriage without the certification of United States consuls that there was nothing in the laws of the United States that would make such marriage invalid. He said that the consuls cannot issue such a certificate, giving the reasons for it, chief among them being that there were no federal marriage laws. Bayard asked for the Italian marriage laws. Stallo, writing concerning the marriage of Americans in Italy said that the Italian law does not require a consular certificate but that the competent authority of the place where the foreigners intending to contract marriage are domiciled, must certify that there was no legal obstacle to the marriage. The Italian courts have decided, continued Stallo's report, that the latter certificate ought to be received in lieu of a consular certificate, and that upon the refusal of the proper officials to so certify, a copy of the law of the state may be received. The subject was never committed to treaty stipulation.

In 1906, Bacon wrote to Montagna, inquiring about the validity of marriages certified by an Italian consular officer, and at the same time requesting information about the position of a nobleman marrying an American woman. Montagna wrote that any marriage in this country is valid in Italy if it was solemnized

in accordance with the laws of this country and Italy, that the certificate must be authenticated by an Italian consular officer, and recorded in the home town of the husband. He added that there was no distinction made because of the status of nobility.⁸

In 1877 Evarts inquired of Marsh about the prevailing practice of billeting troops upon foreigners in time of peace, but no reply of Marsh is recorded.⁹ In the same year, the Italian government offered a prize of 500 francs on the occasion of the fourth congress of orientologists at Florence in 1878 for the best work on the subject: "Aryan Civilization in India."¹⁰

Wurts reported that in 1879 he had brought to the attention of the Italian Government the department directive concerning Mormon emigration. He commented that there seemed no prospect of Mormonism making headway in Italy. He wrote of the singular and interesting instructive career of Dava Lazzarette at first a devoted servant of the church, and then her opponent, the attempted founder of an antagonistic religious system,¹¹ and his death.

Evarts wrote to Marsh in 1880 about the intended monopoly by the Italian National Museum of Pompeian curiosities by the destruction of duplicate specimens for which that institution had not room. He proposed reception of them by the United

⁸ Foreign Relations, 1875-76, part 2, # 354; 1875-76, p. 761-64; 1878, 465; 1887, p. 637-640; 1906, part 2, p. 962-3.

⁹ Ibid., 1878, p. 464.

¹⁰ Ibid., 1877, 332-333.

¹¹ Ibid., 1879, 610-644.

State National Museum in exchange for "a series of specimens of Pueblo pottery and other aboriginal objects". Wurts replied that the law in force prohibits the sale of works of art, antiquities, or duplicates of them. The only way for the United States is to make overtures to that end, and a law might be passed by Parliament granting permission.¹²

In 1883, the United States provided prompt and efficient aid in the manner in which it could to aid the sufferers of the earthquake on the Island of Ischia. This earthquake, according to contemporary reports, destroyed the towns of Lacco, Ameno, Forio, and Casamicciola, with an estimated loss of life amounting to nearly five thousand. The generosity of the American Government was appreciated by the Government of Italy.¹³

In 1887 in regard to the debts of Archbishop Purcell, Bayard instructed Stallo to reply to the request of his creditors to present a memorial to the Pope through the United States Minister at Rome that the United States, when seeking redress for its citizens, was limited to appeals to the king of Italy and could not address the Pope personally, besides not being able to press for the collection of private debts.¹⁴

In July of 1892 shortly after the New Orleans trouble, a celebration under the direction of State and Municipal

12 Foreign Relations, 1880, p. 651, 1882, p. 370

13 Ibid., 1883, pages 598 to 600

14 Ibid., 1887, p. 641

authorities was planned in commemoration of the discovery of America in 1492 by Christopher Columbus, complete with a naval review. The Navy Department was instructed to extend a cordial welcome to the Italian navy vessel that was expected. In due course appreciations and courtesies were exchanged by the sending of the Italian ship Bausan. Fava invited the Navy to participate in the celebration to be held in Genoa. A statue of Columbus was presented by the Italian-Americans of the City of New York, and was brought to the New World by the Italian ship Gerigliano, which was accorded free entry. In August it was decided that the American ships Newark and Bennington would attend the affair in Genoa. On October 23, the flag of the United States was saluted with 21 guns at La Spezia, for which the United States was properly grateful. The statue arrived¹⁵ and was duly dedicated.

In 1895 Fava wrote to Gresham on a point of law. In regard to the Louisiana Inheritance Tax, which provided a ten percent tax on any inheritance by a foreigner not domiciled in the United States to be paid to the Charity Hospital was unconstitutional. Fava argued that this came under the 22nd article of the treaty of February 26, 1871, which was the¹⁶ with no record of the outcome.

15 Foreign Relations, 1892, pages 349 to 354.

16 Ibid., 1895, part 2, pages 966-7.

In 1898 Draper wrote to Day inquiring about the use of the Italian Flag for advertising purposes, stating that the Minister of Foreign Affairs had said that no Italian law did expressly forbid the use of Flags as such. The minister said however, that the flag represented the Nation, and as such no use was understood to be the rule.¹⁷

In 1899, Draper wrote to Hay detailing the statement of the Reverend William Burt of the Society of the Methodist Episcopal Church (duly incorporated by law in New York, and recognized by Italy under the decree of June 5, 1850) whose office was at Via Firenze, 38, Rome; he had difficulties of obtaining a legacy left to him, as elder of the church, by one Giovane Carlo, for the purpose of building an evangelical school at San Marzano, in Italy. The case involved a considerable sum of money, the right of duly incorporated American bodies to exist in Italy, and the legality of the titles of these bodies to their property. This was the interesting story: Giovane left 7000 lire to Burt by will, and died. Burt sued the heirs to collect. A Tribunal of Asti ordered the sequester of assets of the heirs until the heirs paid; this was confirmed by the court of appeals in May, 1895. Then clerical influences entered the picture. There were religious processions, planting of crosses, visits by a Bishop, forcing of the people to swear oaths, etc. to prevent the acquisition of the money by Burt. The case was again brought before the Asti Tribunal,

17 Foreign Relations, 1898, 409.

and there it was stated that the money was not left to Burt personally but to the society which was not an Italian legal body, and therefore could not receive the money. The decision was upheld by the court of appeals. The Society of the State of New York obtained A Royal Decree (emphasis mine- G. Veith) authorizing them to receive the bequest. The Tribunal of Asti thereupon absolved the heirs of the duties of the will, and charged the court costs to Burt. Burt appealed to the Italian Government, which said that the Royal Decree was all that he needed. The case was heard again, at Casale, and the Court upheld the former decisions stating that the Society had no judicial rights in the country. The Italian Foreign Minister Malvano told Iddings that there were two opinions about the status of corporations established abroad. The first was the civil recognition is indispensable to the conduct of business in the country, and the second was that new recognition of a foreign establishment is useless and contrary to international law. Italian jurists have generally followed that later idea, said Malvano. On June 8, 1884, according to a decision, A foreign corporation was fully recognized when Italian Government permitted it to buy land in Italy. According to the law of June 5, 1850, said Malvano, the society could receive the money and had every right to do so. If the court of Cassation would not correct the situation, Malvano assured that the Ministry of Grace and Justice would take exception to the law and rectify

18
the situation.

In 1898 Draper wrote to Sherman that the question of presentation caused proper embarrassment. There were sixty names on the list, and the American Ambassador was limited to sixteen. The numeral limitation applied only to Americans because in other countries royal blood was a limiting factor. Every American considers himself or herself eligible! The rules set down by the Italian court were that no Americans would be presented without the recommendation of the Ambassador, and that those presented ought to be of high character and position. Draper made up some additional rules for his own aid: preference was given to gentlemen in official positions in the American Government, and their families. Those having a letter from the Secretary of State, and only ladies desiring presentation who were accompanied by a gentleman of their family.¹⁹

In 1901 a suit by a Mrs. Ferrara, an Italian subject, in Colorado courts was dismissed because of the nationality of the plaintiff. Carignani thought it contrary to the treaty of 1871. Hay replied that she had not exhausted the judicial remedies. Carignani stated that she had exhausted her legal means of redress. Hay, however, refused to change his position, and did nothing.²⁰

In 1901 Iddings didn't know if it was proper for him to appear against a pickpocket. He finally compromised by going to

18 Foreign Relations, 1899, 408-410

19 Ibid., 1898, 410

20 Ibid., 1901, 305-310.

the police and signing a statement to court, which was more
 in keeping with his dignity as an Ambassador, thought Hay. ²¹

In the Mount Vesuvius eruption of 1906 we again extended our sympathy and aid to the people and the King of the Kingdom of Italy. It was received and appreciated. ²²

In 1906, there was some discussion about the criminality of counterfeiting the American Consular Seal. In Italy, the law stipulated only criminal action of the seals were made in Italy, The case was carried to the highest courts, and the Italian ministry said that if the Italian law was found not to cover the situation, an exchange of notes would take care of it. Since no exchange of notes was printed, it is assumed that the Italian law did cover the case in some aspect. ²³

In 1908, we extended sympathy and aid in the great earthquake which killed nearly 100,000 people according to contemporary estimates, among which was the American consul at Messina, Cheney, and his entire family. ²⁴

The Italian Embassy notified the department that travelers might do well to have their passports in French because the Italian postal authorities do not know any other languages generally than the French. The department complied and suggested to travelers that they obtain "livretes d'identite". ²⁵

21 Foreign Relations, 1906, part 2, 913-16; 1901, 312;

22 Ibid., p. 934, 913-915

23 Ibid., p. 934-941

24 Ibid., 1908, p. 499-501.

25 Ibid., 1908, p. 482.

In 1909, Garrett, in Italy, reported that the American Flag had been used in advertising. He inclosed a note from the foreign office relative to the use of foreign flags in Italy.²⁶

In 1911, Congress appropriated \$130,000 for the participation of the United States in the International Exposition which was held in 1911, on the 50th Anniversary of the founding of the Italian kingdom, 1861-1911.²⁷

The minor phases of diplomacy between Italy and the United States were varied and illustrate well the underlying friendliness and cooperation between the two countries throughout the whole period.

Now it is time to bring all the varied threads together.

26 Foreign Relations, 1909, 394.

27 Ibid., 1911, 312-314.

CHAPTER IX

SUMMARY

The first important consideration that presents itself is the relative position of Italy and the United States in the realm of prewar diplomacy. Essentially, the countries were in two different spheres. American diplomacy was concerned primarily with the great powers of Europe, particularly Great Britain, with the Latin American nations, and with Far Eastern questions. Italy was primarily concerned with European diplomacy, particularly with reference to France in Europe and North Africa, and with the Triple Alliance in Central Europe.

Italy and the United State were not neighbors, they had no common frontiers, they had no interest in the same colonial areas, they were not trade rivals in the same areas, so they did not come into that type of conflict which gives rise to diplomatic problems. Italy did not "intrude unnecessarily" in South America, and did not in any manner commit a breach of the Monroe Doctrine. Conversely, the United States had no desires for colonies in North Africa, so the Italian imperialists were not excited to wrath. In short, except for the normal crises of a monotonously minor nature, Italy and the United States remained on friendly international terms for the most of the period. The evidence presented is of a negative nature, indicating that no diplomatic crises of an actually major scale had disturbed Italian-American relations. The positive evidence presented indicates that the period of 1870 to 1914 in

Italian-American relations was a period of treaty development, a period of commercial expansion and interpretation of commercial treaties, and an era of increasingly closer cooperation among the nations of the world, of which both Italy and the United States became a part. Italy took part in this because she was a new nation in Europe and thrust herself into the ranks of the first powers; The United States partook of this international trend as a result of her international stature gained in the Spanish-American War,, together with her interests in the Far East. Italy was not a world power properly speaking the United States was a world power, after 1898. Let us see how this evolution stands in relation to American diplomacy toward Italy.

We have already seen that the American Secretaries of State for this period were political appointees rather than career diplomats. The office of Secretary of State, considered socially as the foremost position of the cabinet, was a reward for party service, rather than a post for experienced and able public servants. In some cases those who held the post of the Secretary of State were able men who influenced American foreign policy for the betterment of the International position of the United States. The best example of those were Blaine and Hay. At other times, the foreign policy of the country was developed by strong personalities in the presidential chair, who led the Secretary of State.

An examination of the legal bonds by which the Secretaries of State bound the United States internationally to Italy has shown three characteristics. The first characteristic of these treaties is the common and universal character which they bore. They were written as forms into which Italy and the United States could channel diplomatic, commercial and social contracts. At no time were the treaties especially written to specifically solve diplomatic, commercial, or social problems. Since they were not properly molded to the relationships of the two countries, but simply superimposed, readjustments, disagreements, and disputes arose over immigration, military service, and extradition. Not included in this category of bilateral and mostly inadequate treaties were those international multilateral agreements which were part of the general trend of all nations to align themselves in agreements of a practical and humanitarian nature (with many other nations of the world.)

The disputes over the immigration difficulties with Italy appear to be the most important phase of Italian-American relations. A great number of Italians were coming to the United States. Few Americans were going to Italy to live. The United States, which was an immigrant-receiving nation, wanted to take these newly arrived immigrants into the legal fold of the United States as soon as possible, and made adequate provision for the voluntary acceptance of citizenship by foreigners. The kingdom of Italy, which became in this period an emigrant-

sending nation would not recognize the right of the United States to absorb as citizens Italian emigrants. This conflict of legal ideas gave rise to innumerable difficulties. Naturalized Italians who were legally Americans were still subject to Italian military duty, and were punished if they returned to their mother country for a visit. Italian citizens who had criminal records took advantage of the lax criminal provisions of the immigration laws, to come to the United States to continue their criminal activities here. They were assured many times of sanctuary in Italy because of the fact that Italy did not and would not extradite her citizens for crimes committed in the United States.

The United States federal system of delegated powers to a central government by the states was defective. It was found in this period that the states had delegated to the federal government the power to make treaties which included clauses for the protection of aliens within the United States, but did not give the United States government the federal authority to enforce competently the protective clauses of the treaties. To relieve itself of the obligation incurred the United States government turned to the principle of indemnity. The correspondence after each lynching episode shows the development of this principle only after long and sometimes bitter diplomatic debate.

On the international scene, Italy was not a leader among

nations. It can be seen that Italy was disposed to act always in concert with the great nations. In pursuing this course, she usually followed a concurring path with the United States. The Italian government only rarely in an important matter did follow a policy which ran contrary to that of the United States.

On the international scene also, it must be noted that the United States was notified of Italian expansion in Africa. The location of American consulates in the newly acquired Italian colonies required this diplomatic gesture so that the United States could conform with the changing provisions of the local and international laws. It must be emphasized that United States interest in the African colonies extended only to conformity with the provisions of Italian law.

Commercial relations were of a minor nature. Italy was not a major importer of American exports, nor was she a major exporter of American imports. Here again the evidence is of a negative nature, tending to show that the period of 1870 was a period of commercial and economic development to 1914. Treaty development was quite slow. Most of the correspondence was limited to governmental intervention for the protection of domestic industries in each country exporting goods to the other country.

The minor phases of the diplomatic relationships show a basic international friendliness. Salutes to the flag, courtesy calls of friendly navies, international participation in humanitarian and cultural activities, token gifts of international friendship, all exemplify the underlying spirit of general international cooperation throughout the whole period from 1870 to

BIBLIOGRAPHY

A. BIBLIOGRAPHICAL GUIDES

Bemis, Samuel Flagg, and Griffin, Grace G. Guide to the Diplomatic History of the United States, 1775 - 1921. (Washington: Government Printing Office, 1935) 700 p.
Useful as a starting point.

B. COLLECTIONS OF DOCUMENTS

Bartlett, Ruhl J. The Record of American Diplomacy: Documents and Readings in the History of American Foreign Relations (New York, Alfred Knopf, 1947) 950 p.
Not much concerning Italy of the pre-war I period.

Foreign Relations of the United States: Diplomatic Papers. (formerly entitled Papers Relating to the Foreign Relations of the United States, with the Annual Message of the President to Congress.) Annual volumes published by the Department of State for the 1861-1933 (excepting 1869) (Washington: Government Printing Office, 1862 to 1915).

The 134 or so pertinent volumes possessed by the library of Montana State University form the basis for this study. A record of every diplomatic dispatch from 1861 to 1914 has been made, and from these the thesis was written.

Malloy, William M. Treaties, Conventions, International Acts, Protocols, and Agreements between the United States of America and Other Powers, 1776-1909 (Washington: Government Printing Office, 1910) Two volumes. (A third volume, covering the period 1910-1923, was compiled by C. F. Redmond and published in the Government Printing Office in 1923. A fourth Volume covering the period 1923-1937 was compiled by Edward J. Trenwith and published by the Government Printing Office in 1938)

These were indispensable to this study.

List of Treaties submitted to the Senate, 1789 - 1934. A Department of State publication. (Washington: Government Printing Office, 1935) 138 pages.

A necessary adjunct to Malloy.

C. GENERAL HISTORIES

Albjerg, T. L., and Albjerg, M. H. From Sedan to Stresa, Europe Since 1870. Third Printing (New York: D. Van Nostrand Co., 1937) 1187 pages.

A Good general history.

Albrecht-Carrie, Rene. Italy From Napoleon to Mussolini (New York: Columbia University Press, 1950) 314 pages.

Albrecht-Carrie is one of the foremost scholars in Italian history in the United States. His third chapter on Italy as a National State is excellent. He views the era prior to World War I as a time of steady, peaceful economic progress.

Anderson, F. M., and Hershey, A. S., and others. A Handbook for the Diplomatic History of Europe, Asia, and Africa 1870 - 1914 (Washington: Government Printing Office, 1918)

This book is almost indispensable as a quick, easy reference for this period of time.

Benns, F. Lee., European History Since 1870. (New York: F. S. Crofts, 1938) 919 pages.

A good general reference. Chapter 5, pages 139 to 163 is excellent.

Cooke, W. H., and Stickney, E. P., Readings in European International Relations, Since 1879. (New York: Harper and Brothers, 1931) 1059 pages.

Some information was obtained from this work.

Croce, Benedetto. A History of Europe in the Nineteenth Century (New York: Harcourt Brace and Co., 1925)

Chapter IX, The Liberal Age, covers the time of this work. He sees no change in Europe, using the War of 1914 as a dividing line, except that the national tendencies are a little sharpened after the war. Good for background.

Croce, Benedetto, A History of Italy, 1871 to 1915. Translated by Cecilia M. Ady. (Oxford, Clarendon Press, 1929) 300 p.

Good work. All stress laid on European affairs.

Cilibrizze, Saverio. La Storia Parlamentare, Politica, e Diplomatica D'Italia, 1848 to 1918. 7 Volumes. (Roma: Iose Editore, 1949)

This is a thorough, complete work on Italian parliamentary, political, and diplomatic History. Not too difficult reading.

Crispi, Francesco. Memoirs. 3 Volumes (London; Hodder, 1912)
The emphasis is on the Triple Alliance in the second volume, and Germany and England in the third.

Chersi, Livito. Italia e State Uniti - Relazioni Diplomatiche 1861 - 1935. (Trieste: ed. l'Alabarda, 1937) in 80, 205 pp.
This is the Italian printing of the Master of Arts Thesis from the University of Louisiana in 1936 by Chersi. The main emphasis on the period after the first World War, and some inaccuracies render this work not of the best. Dr. Karlin has referred to the thesis as "useless", stating that it was based almost wholly on Moore and Tyler with a reference to foreign relations.

Hazen, D. D. Europe Since 1915. 2 Volumes. (New York: Henry Holt and Co., 1910) 1200 pages.
Good reference.

Hill, Norman, International Relations, Documents and Readings. (New York: Oxford University Press, 1950) 536 pages
Excellent compilation of readings, introductions of which were admirably suited to the use of the writer.

Holt, L. D., and Chilton, A. W. The History of Europe from 1862 to 1914. (New York; MacMillan, 1917) 611 pp.
Not too useful. Devotes only two pages to Italian Foreign Policy.

Olschki, Leonardo. The Genius of Italy. (New York: Oxford University Press, 1949) 479 pages.
The whole book is an excellent background. Dr. Olschki was an instructor of the author at the University of Oregon in the year 1943-44, in the field of European History.

Salvemini, Gaetano. La Politica Estera Dell'Italia dal 1871 al 1915. II Edizione riveduta e accresciuta (Firenze: G. Barbera, Editore, 1950) 291 pages.
An excellent short History of Italian Foreign Politics. As all others, stresses the Triple Alliance and Europe.

Sprigge, Cecil J. S. The Development of Modern Italy. (New Haven: Yale University Press, 1944) 212 pages.
Chapter two of this work is decidedly unfavorable to the Italians. It stresses the action of the left wing. Pictures Italy as disillusioned, and her government inefficient and prosaic.

Ward, A. W., Prothero, G. W., and Leathes, S. The Cambridge Modern History (New York: The Macmillan Company, 1934) 13 Volumes.
The eleventh and twelfth volumes of this work provide good background for specific subjects.

D. AMERICAN WORKS

Bailey, Thomas A. A Diplomatic History of the American People
Third Edition (New York: G. S. Crofts and Company, 1946)

Great reliance has been placed on Bailey as an auxiliary to the State Department diplomatic Documents. Bailey was recommended by Professore Ettore Rota, of the Università degli Studi, of Pavia, Italia as one of the best starting points for a study of American Diplomacy. Professore Rota gracious enough to answer a letter sent requesting such information last year.

Bemis, Samuel Flagg, and others. The American Secretaries of State and Their Diplomacy. (New York: F. A. Knopf, 1927-1929) 10 Volumes.

Volumes VII, VIII, IX and X. The information contained in this work has been used as the basis for the part on the important diplomatic rupture in 1891.

Bemis, Samuel Flagg. A Diplomatic History of the United States
Revised Edition (New York: Henry Holt and Company, 1942)
934 pages.

Used for background.

Dennett, Tyler. John Hay, from Poetry to Politics. (New York: Dodd, Mead, and Company, 1933) 459 pages.

Good for the History of the 1900's. Hay was our most experienced Secretary of State.

Hamilton, Gail. Pseudonym of Mary Abigail Dodge. Biography of Blaine. (Norwich, Connecticut: Henry Bill and Company, 1895) 709 pages.

In regard to the New Orleans incident (p. 672-674) the fact of no technical federal responsibility is stressed, with the structural weakness in the Constitution, which no dexterity can remedy. The actions of the Italians are interpreted as not reading understanding our internal relations, thinking that our necessary constitutional processes were only dispositions to delay and defeat justice.

Johnson, Willis F. America's Foreign Relations, 2 Volumes.
(New York: Century Co., 1916)

Diplomatic Miscellany, Chapter 26, in pertinent.

Jones, Robert L. History of the Foreign Policy of the United States. Revised Edition. (New York: Henry Holt and Co., 1933)
Background.

Latana, John H., and Wainhouse, David W. A History of American Foreign Policy, 1776- 1940. Revised edition. (Garden City: Doubleday, Doran, and Company, 1941) 725 pages
A Good general work.

Sears, Louis M. A History of American Foreign Relations. Third Edition. (New York: Thomas Y. Crowell Co., 1938) 643 pages.

This is the second book recommended by Professore Rota.

Tansill, Charles Callan. The Foreign Policy of Thomas F. Bayard. (New York: Fordham University Press, 1940) 799 pages.
A large work.

Tyler, Alice Felt. The Foreign Policy of James G. Blaine. (Minneapolis: University of Minnesota Press, 1927) 411 p.
Chapter 12, in relation to the American Pork Controversy is good. Covers the New Orleans incident on pages 284 to 291. Views the United States as trying to assuage its conscience and rectify its treaty obligations by a money payment.

E. UNPUBLISHED WORKS

Karlin, Jules Alexander. The Italo-American Incident of 1891. Dissertation. Unpublished. University of Minnesota, 1940.
Excellent!

F. PERIODICAL REFERENCES

Karlin, Jules Alexander. "The Italo-American Incident of 1891 and the Road to Reunion." Journal of Southern History, 1942 VIII, 242-246.

Coxe, J. E. "The New Orleans Mafia Incident" Louisiana Historical Quarterly, 1937. XX, 1084.

APPENDIX A

AMERICAN PRESIDENTS OF THE PERIOD
PREVIOUS DIPLOMATIC EXPERIENCE
AND DATES OF THEIR SERVICE

Ulysses Simpson Grant
No previous diplomatic experience.
March 4, 1869 to March 4, 1877

Rutherford Birchard Hayes
No previous diplomatic experience.
March 5, 1877 to March 4, 1881

James Abram Garfield
No previous diplomatic experience.
March 4, 1881 to September 19, 1881

Chester Alan Arthur
No previous diplomatic Experience.
September 20, 1881 to March 4, 1885

Grover Cleveland
No previous diplomatic experience.
March 4, 1885 to March 4, 1889

Benjamin Harrison
No previous diplomatic experience.
March 4, 1889 to March 4, 1893

Grover Cleveland
No previous diplomatic experience.
March 4, 1893 to March 4, 1897

William McKinley
No previous diplomatic experience.
March 4, 1897 to September 14, 1901

Theodore Roosevelt
No previous diplomatic experience.
September 14, 1901, to March 4 1909

William Howard Taft
Diplomatic Experience: Special Envoy to the Pope, 1902
March 4, 1909 to March 4, 1913

Woodrow Wilson
No previous diplomatic experience.
March 4, 1913 to March 4, 1921

APPENDIX B

AMERICAN SECRETARIES OF STATE
 PREVIOUS DIPLOMATIC EXPERIENCE
 AND DATES OF THEIR SERVICE
 1870 - 1914

Hamilton Fish
 No previous diplomatic experience
 March 17, 1869 to March 12, 1877

William G. Evarts
 No previous diplomatic experience
 March 12, 1877 to March 7, 1881

James G. Blaine
 No previous diplomatic experience
 March 7, 1881 to December 19, 1881

Frederick T. Frelinghuysen
 No previous diplomatic experience
 December 19, 1881 to March 6, 1889

Thomas F. Bayard
 No previous diplomatic experience
 March 7, 1885 to March 6, 1889

James G. Blaine
 Former United States Secretary of State, 1881
 March 7, 1889 to June 4, 1892

John W. Foster
 Previous diplomatic experience:
 1873 to 1880 in Mexico
 1880 to 1881 in Russia
 1883 -- in Spain
 1889 -- Special mission to Spain
 June 29, 1892 to February 23, 1893

Walter Q. Gresham
 No previous diplomatic experience
 March 7, 1893 to May 28, 1895

Richard Olney
 No previous diplomatic experience
 June 10, 1895 to March 5, 1897

John Sherman
 No previous diplomatic experience
 March 6, 1897 to April 27, 1898

APPENDIX B (con't)

William R. Day

No previous diplomatic experience

Former Assistant Secretary of State, 1897 to 1898

April 28, 1898 to September 16, 1898

John Hay

Previous diplomatic experience:

1865 Secretary of Legation, Paris, France

1867 Secretary of Legation, and Charge d'affaires,
Vienna, Austria

1869 Secretary of Legation, Madrid, Spain

1879 to 1881, First Assistant Secretary of State

1897 to 1898, in Great Britain

September 30, 1898 to July 1, 1905

Elihu Root

No previous diplomatic experience

July 19, 1905 to January 27, 1909

Robert Bacon

No previous diplomatic experience

January 27, 1909 to March 5, 1909

Philander C. Knox

No previous diplomatic experience

March 6, 1909 to March 5, 1913

William Jennings Bryan

No previous diplomatic experience

March 5, 1913 to June 9, 1915

Robert Lansing

No previous diplomatic experience

June 24, 1915 to February 13, 1920

APPENDIX C
 THE REPRESENTATIVES TO THE KINGDOM OF ITALY
 UNITED STATES ENVOYS EXTRAORDINARY AND
 MINISTERS PLENIPOTENTIARY
 1870 - 1892

George P. Marsh	Commissioned March 20, 1861
William Waldorf Astor	Commissioned August 4, 1882
John B. Stallo	Commissioned June 17, 1885
Albert G. Porter	Commissioned March 13, 1889
William Potter	Commissioned November 15, 1892

UNITED STATES AMBASSADORS
 EXTRAORDINARY AND PLENIPOTENTIARY
 1892 - 1914

Wayne MacVeagh	Commissioned December 20, 1893
William F. Draper	Commissioned April 5, 1897
George Van L. Meyer	Commissioned December 14, 1900
Henry White	Commissioned March 8, 1905
Lloyd C. Griscom	Commissioned December 19, 1906
John G. A. Leishman	Commissioned April 1, 1909
Thomas J. O'Brien	Commissioned August 12, 1911
Thomas Nelson Page	Commissioned June 21, 1913

APPENDIX D

ITALIAN SOVEREIGNS 1870 - 1914
AND DATES OF THEIR REIGN

VITTORIO EMANUELE II	1870 to,1878
UMBERTO I	1870 to 1900
VITTORIO EMANUELE III	1900tot(1946)

APPENDIX E

ITALIAN PRIME MINISTERS, 1870 - 1914

Lanza, Giovanni	1869-1873
Minghetti, Marco	1873-1876
Depretis, Agostino, first ministry	1876-1877
Depretis, Agostino, second ministry	1877-1878
Cairoli, Benedetto, first ministry	1878
Depretis, Agostino, third ministry	1878-1879
Cairoli, Benedetto, second ministry	1879
Cairoli, Benedetto, third ministry	1879-1881
Depretis, Agostino, fourth ministry	1881-1883
Depretis, Agostino, fifth ministry	1883-1884
Depretis, Agostino, sixth ministry	1884-1885
Depretis, Agostino, seventh ministry	1885-1887
Depretis, Agostino, eighth ministry	1887
Crispi, Francesco, first ministry	1887-1889
Crispi, Francesco, second ministry	1889-1891
Di Rudini, Antonio, first ministry	1891-1892
Giolitti, Giovanni, first ministry	1892-1893
Crispi, Francesco, third ministry	1893-1894
Crispi, Francesco, fourth ministry	1894-1896
Di Rudini, Antonio, second ministry	1896-1897
Di Rudini, Antonio, third ministry	1897-1898
Pelloux, Luigi, first ministry	1898-1899

APPENDIX E (con't)

Pelloux, Luigi, second ministry	1899-1900
Sacco, Guisepe,	1900-1901
Zanardelli, Luigi,	1901-1903
Giolitti, Giovanni, second ministry	1903-1905
Tittoni, Tommaso,	1905
Fortis, Alessandro	1905-1906
Sonnino, Sidney, first ministry	1906
Giolitti, Giovanni, third ministry	1906-1909
Sonnino, Sidney, second ministry	1909-1910
Luzzatti, Luigi,	1910-1911
Giolitti, Giovanni, fourth ministry	1911-1913
Giolitti, Giovanni, fifth ministry	1913-1914
Salandra, Antonio,	1914-

APPENDIX F

ITALIAN FOREIGN MINISTERS, 1870 -1914
AND DATES OF THEIR SERVICE

Emilio Visconti-Venosta	December 14, 1869 to March 25, 1876
Luigi Amedeo Meleguari	March 25, 1876 to December 26, 1877
Agostino Depretis	December 26, 1877 to March 24, 1878
Count Luigi Corti	March 24, 1878 to October 24, 1878
Benedetto Cairoli	October 24, 1878 to December 19, 1878
Agostino Depretis (ad interim)	December 19, 1878 to July 14, 1879
Benedetto Cairoli	July 14, 1879 to May 29, 1881
Pasquale Stanislao Mancini	May 29, 1881 to June 29, 1885
Agostino Depretis (ad interim)	June 29, 1885 to October 6, 1885
Carlo Feloce Nicolis di Robilant	October 6, 1885 to April 4, 1887
Agostino Depretis	April 4, 1887 to July 31, 1887
Francesco Crispi (ad interim)	July 31, 1887 to February 6, 1891
Marquis Antonic Starabba di Rudini	February 6, 1891 to May 15, 1892
Benedetto Brin	May 15, 1892 to November 28, 1893
Baron Alberto Blanc	December 15, 1893 to March 10, 1896

APPENDIX F (con't)

Oncrato Caetani di Sermoneta	March 10, 1896 to July 11, 1896
Emilio Visconti-Venosta	July 11, 1896 to June 1, 1898
Marquis Raffaele Cappelli	June 1, 1898 to June 29, 1898
Count Felice Napoleone Canevaro	June 29, 1898 to May 14, 1899
Emilio Visconti-Venosta	May 14, 1899 to February 15, 1901
Giulio Prinetti	February 15, 1901 to April 22, 1903
Costantino Morin	April 22, 1903 to November 3, 1903
Tommaso Tittoni	November 3, 1903 to December 22, 1905
Marquis Antonino Di San Giuliano	December 24, 1905 to February 8, 1906
Count Francesco Guicciardini	February 8, 1906 to May 27, 1906
Tonnaso Tittoni	May 27, 1906 to December 10, 1909
Count Francesco Guicciardini	December 11, 1909 to March 31, 1910
Marquis Antonio Di San Giuliano	March 31, 1910 to October 16, 1914
Antonio Salandra (ad interim)	October 17, 1914 to November 5, 1914
Baron Sidney Sonnino	November 5, 1914 to June 23, 1914

APPENDIX G

ITALIAN ASSISTANT SECRETARIES OF STATE
AND DATES OF THEIR SERVICE

Abele Damiani	August 7, 1887 to February 6, 1891
Count Antonio D'Arco	February 6, 1881 to May 15, 1892
Count Luigi Ferrari	May 15, 1892 to November 28, 1893
Count Pietro Antonelli	December 15, 1893 to June 21, 1894
Giulio Adamoli	June 21, 1894 to March 10, 1896
Count Lelio Bonin-Longare	March 10, 1896 to June 29, 1898
Professore Guido Fusinato	May 14, 1899 to February 15, 1901
Giacomo De Martino	February 15, 1901 to August 3, 1901
Doctor Alfredo Baccelli	August 6, 1901 to June 22, 1903
Professore Guido Fusinato	November 3, 1903 to December 22, 1905
Marquis Alfredo Capece Minutolo di Bugnano	December 24, 1905 to February 8, 1906
Prince Pietro Lanza di Scalea	February 8, 1906 to May 27, 1906
Doctor Guido Pompilj	May 27, 1906 to December 10, 1909
Prince Pietro Lanza di Scalea	December 11, 1909 to March 19, 1914
Marquis Luigi Borsarelli di Refreddo	March 21, 1914 to June 23, 1919

APPENDIX H

ROYAL REPRESENTATIVES TO THE UNITED STATES

ITALIAN ENVOYS EXTRAORDINARY AND
MINISTERS PLENIPOTENTIARY
1870 - 1893

Count Luigi Corti	Appointed February,	1870
Baron Alberto Blanc	Appointed July 17,	1875
Baron Saverio Fava	Appointed August 28,	1881

ITALIAN AMBASSADORS EXTRAORDINARY
AND PLENIPOTENTIARY
1893 - 1914

Baron Saverio Fava	Appointed May 21,	1893
Edmondo Mayor de Planches	Appointed August 9,	1901
Marquis Luigi Gerolamo Cusani Confalonieri	Appointed January 27,	1910
Vincenzo Macchi di Cellere	Appointed November 30,	1913

APPENDIX I

ITALIAN CONSULS IN VARIOUS CITIES OF THE U.S.
 INFORMATION AVAILABLE ONLY FOR
 1886, 1887, 1890, 1903, 1909

1886

New York : Consul General Giovanni Battista Raffo
 Philadelphia : Vice Consul Nicola Squitti
 New Orleans : Vice Consul Mario Compagnoni Marefoschi

1887

New Consulates established : Chicago and San Francisco
 New York : Consul General Giovanni Battista Raffo
 Philadelphia : Vice Consul Nicola Squitti
 New Orleans : Vice Consul Carlo Serra
 Chicago : Consul Camillo Bertola
 San Francisco: Consul Francesco Lambertenghi

1890

New Consulates established: Denver and Boston
 New York : Consul General Giovanni Paolo Riva
 Philadelphia : Consul Annibale Raybaudi Massiglia
 New Orleans : Consul Camillo Bertola
 Chicago : Consul Paolo Bajnotti
 San Francisco: Consul Francesco Lambertenghi
 Denver : Consul Francesco Bruni
 Boston : Vice Consul Carlo Serra

APPENDIX I (con't)

1903

New Consulate established: Pittsburgh

New York : Consul General Giovanni Branchi

Philadelphia : Consul Gerolamo Naselli

New Orleans : Consul Giuseppe Saint Martin

Chicago : Consul Antonio Ladislao Rozwadowski

San Francisco: Consul General Serra, Carlo

Denver : none known

Boston : Consul Onorato Gartani d'Aragona di Castelmola

Pittsburgh : Vice Consul Giacomo Fara Forni

1909

New Consulate established: Washington

New York : Consul General Annibale Raybaudi Massiglia

Philadelphia : Consul Giacomo Fara Forni

New Orleans : Consul Aldrovandi Luigi Marescotti

Chicago : Consul Guido Sabetta

San Francisco: Consul General Salvatore Luciano Rocca

Denver : Consul General Adolfo Rossi

Boston : Consul Gartano Paccardi

Pittsburgh : none known

Washington : Reggente Antonio Ravajoli

APPENDIX J

BILATERAL TREATIES (BETWEEN THE UNITED STATES AND ITALY)
SUBMITTED TO THE UNITED STATES SENATE, 1870 - 1914.

- No. 263 Dated February 26, 1871. Submitted on March 31, 1871
Subject: Commerce. Class 1: accepted by the Senate without amendment.
- 291 Dated May 8, 1878. Submitted on May 10, 1878
Subject: Consuls. Class 1: accepted by the Senate without amendment. Executive D, 45th Congress, 2 Sess.
- 304 Dated February 24, 1881. Submitted February 25, 1881
Subject: Consuls. Class 1: accepted by the Senate without amendment. Executive E, 46th Congress, 3 Sess.
- 312 Dated June 1, 1882. Submitted February 11, 1884
Subject: Trade Marks. Class 1: accepted by the Senate without amendment. Executive B, 48th Congress, 1 Sess.
- 327 Dated June 11, 1884. Submitted June 16, 1884
Subject: Extradition. Class 1: accepted by the Senate without amendment. Executive L, 48th Congress, 1 Sess.
- 478 Dated December 14, 1904. Submitted December 14, 1904
Subject: Arbitration. Class 2: accepted by the Senate but subject to amendment (including reservation, or condition, or qualification of any kind) Executive N 58th Congress, 3 Sess.
- 530 Dated March 28, 1908. Submitted March 31, 1908
Subject: Arbitration. Class 1: accepted by the Senate without reservation. Executive Y, 60th Congress, 1 Sess.
- 604 Dated February 25, 1913. Submitted February 25, 1913
Subject: Commerce and Navigation. Class L: accepted by the Senate without amendment. Executive E, 62nd Congress 3 Sess.
- 606 Dated May 28, 1913. Submitted June 2, 1913.
Subject: Arbitration, extending no, 530. Class 1: accepted by the Senate without amendment. Executive C 63rd Congress, 1 Sess.
- 634 Dated May 5, 1914. Submitted July 24, 1914
Subject: Advancement of Peace. Class L: accepted by the Senate without amendment. Executive Y, 63rd Congress, 2 Session.