

of redress may be asked. It is understood that the State grand jury is now investigating the affair, and, while it is possible that the jury may fail to present indictments, the United States cannot assume that such will be the case. The United States did not, by treaty with Italy become insurer of the lives or property of Italian subjects resident within our territory. No government is able, however high its civilization, however vigilant its police supervisor, 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 contented in such cases to share the same redress as is offered by law to the citizen, and has no just cause of complaint or right to ask the interposition of his country if the courts are equally open to him for redress.

The treaty, in the first, second, third and notably in the twenty-third, article, clearly limits the rights guaranteed to the citizens of the contracting powers in the territory of each to equal treatment and to free access to the courts of justice. Foreign residents are not made a favored class. It is not believed that Italy would desire a more stringent construction of her duty under the treaty.

Where the injury inflicted upon the foreign resident is not an act of the government or of its officers, but of individuals or of a mob, it is not believed that claim for indemnity can justly be made, unless it shall be made to appear that the public authorities charged with the peace of the community have connived at the unlawful act, or, having timely notice of threatened danger, been guilty of such gross negligence in taking the necessary precautions as to amount to connivance. Therefore, it should appear that among those killed by the mob at New Orleans, there were some Italian subjects who were residents of, and domiciled in that city, agreeably to our treaty with Italy and not in violation of our immigration laws, and who were abiding in the peace of the United States and obeying the laws thereof, and of the State of Louisiana, and that the public officers charged with the duty of protecting life and property in that city connived at the work of the mob, or upon notice of information of threatened danger failed to take any steps for preservation of public peace, and afterwards to bring the guilty to trial, the President would, under such circumstances, feel a case established that should be submitted to the consideration of Congress, with a view to relief of the families of the Italian subjects who lost their lives by lawless violence.

Accept, sir, renewed assurances of my high consideration.

(Signed) JAMES G. BLAINE.

ROME, April 16.—Marquis di Rudini in the chamber of deputies today was questioned in regard to Blaine's answer to the last communication received from the Italian premier on the subject of the New Orleans lynchings. The Marquis, in the course of his reply, said that Italy could not admit the irresponsibility of the United States in regard to the acts of the single States of the Union. This was a question,

he added, which interested every civilized government as well as Italy. In conclusion the Marquis said, he did not fear any political difficulties between Italy and the United States, but it was a matter of regret that so highly civilized a country as the United States should not fulfil the duties of justice and morality. This concluding remark of the Marquis di Rudini was greeted with applause.

NEW YORK, April 16.—The Italian papers which reached New York yesterday contain, among many interesting comments of the press upon the departure of Baron Fava from Washington, the official version of an interview which took place at the Italian foreign office, between United States Minister Porter and Count d'Exarco, who, during the absence of di Rudini, had charge of the foreign office. The interview lasted for two hours, runs the official Italian version, and was most interesting.

Minister Porter defended at length the conduct of the United States Federal Government and sought to secure a delay. Finally Count d'Exarco turned and put to the American minister the following question in pressing terms: "Suppose," said he, "a dozen Americans accused of treason and assassinated in some Italian city; suppose our government should claim that it was unable to proceed against the guilty parties, not having power to interfere with local judicial authorities in the discharge of the duties which are incumbent upon them, what would you do? What would the federal government of the United States do?"

At this demand Minister Porter let it be clearly seen that in such a case he would be prepared "to overthrow half the world."

"What would the civilized world—what would the United States of America, think of this action, or rather of such inaction?"

Minister Porter, evidently, was greatly embarrassed and sought to explain how the Constitution of the United States differed essentially from the Italian confederation, and how it was simply impossible for the Federal government to interfere in the local affairs of Louisiana, but Count d'Exarco replied quickly, "We have nothing to do with your Constitution, its shortcomings or merits. We do not know that a constitution is worthy of a civilized people, which does not secure a full and just penal code which is the first basis of civilized society."

"Minister Porter demanded that Italy should delay any further steps in the matter until a definite reply to her representations and to her demands could be made by the Federal government."

ROME, April 16.—After the adjournment of the Chamber of Deputies an Associated Press correspondent called upon Marquis di Rudini and asked him if it were possible for him to give an opinion for publication in regard to the reply of the United States Secretary of State, Mr. Blaine, to his (Marquis di Rudini) last note on the subject of the New Orleans lynching. In reply Marquis di Rudini said, in substance, that the cabled summaries of Blaine's reply which had been sent to Rome, and which he had seen in the public press of this city were too brief and otherwise inadequate to en-

able him to form definite opinions, much less give an opinion for publication even if he felt justified in adopting the latter course of action. The Marquis added that he preferred not to say anything further while waiting for the receipt of the full text of Blaine's reply, except that he was now, and had always been sincerely desirous of a friendly solution of the difficulties at present existing between the Italian government and the government of the United States. Though the full correspondence given out in Washington yesterday was telegraphed to London by Reuters' Telegraph Company and was published by the English papers, only a summary was telegraphed from London. This explains the above remarks of Marquis di Rudini.

The *Capitan Fracassa*, in an article to be published tomorrow, will say: "Blaine's note to Rudini is justifiably proud and caustic, coming as it does from the lips of the minister of a great people; but its substance is less severe. While affecting to concede nothing, Blaine really indicates to Italy the path she should follow in order to obtain justice."

CITY COUNCIL.

The premonitory signs of pugilism made manifest at the sittings of the City Council of late attracted a considerable number of spectators to the Council Chamber April 14th, who patiently but vainly waited for a repetition of the programme rendered on Friday, April 10. Mayor Scott presided. The following members and alleged members were in attendance: Pickard, Spafford, Pembroke, Heath, Hall, Noble, James, Anderson, Lynn, Parsons and Cohn.

The following is a full account of the business transacted:

PETITIONS.

John A. Groesbeck et al asked to be allowed to open a street north and south through block 57, plat A, as a continuation of Commercial Street. Committee on streets.

Charles Livingston asked for an extension of water mains on Seventh East Street, between South Temple and First South streets. Committee on waterworks.

William P. Miner et al. asked that Second North Street west of Sixth West Street be graded and put in passable condition. Committee on streets.

H. E. Dewey and J. J. Welder asked for permission to maintain a fruit stand in front of the postoffice. Committee on license.

W. J. Richardson asked to be allowed to erect and maintain a fruit stand at the northeast corner of the postoffice. Committee on license.

E. F. Noland asked for a rebate on license as restaurant keeper. Committee on license.

The Rio Grande Western Railway Company asked for a remission of \$100 paid by them for license for 1891. Committee on license.

J. H. Clark asked for a rebate on liquor license. Committee on license.

H. W. Lawrence asked to be allowed to pile building material on West Temple Street, between First and Second South Street. Granted.

Spencer Clawson and twenty-two