RUMANIA

RESCINDING OF PENALTIES IMPOSED ON THE CHAUFFEUR OF THE RUMANIAN MINISTER IN VIOLATION OF DIPLOMATIC IMMUNITY

701.7111/282

The Rumanian Minister (Davila) to the Secretary of State

No. 3376/P-31 [WASHINGTON,] October 9, 1934.

Sir: I have the honor to bring to your attention the following:

On September 30th, three days after my return from Europe, I motored in my car (bearing diplomatic license No. 355) to Newport, R. I., having with me my chauffeur, Albert Amiaud. Not needing him in Newport, I instructed him to drive the car back to New York.

At about 9 o'clock that evening, between Providence and Westerly, R. I., on Route 3, Amiaud was stopped by Rhode Island State Trooper No. 47, who charged him with excessive speed and took him to Hopes Valley Barracks. Amiaud admitted the charge that he drove between 50 and 55 miles an hour on a highway where the speed limit was 40 miles, but he adduced the attenuating circumstance that at that time traffic was unusually light and that, in view of the advanced hour, he was anxious to reach New York as soon as possible.

The Lieutenant of the Post thereupon asked him for his driving permit and on finding that it had expired on August 10th, he detained him at the Barracks for three hours, although Amiaud had told him that he was unable to renew his license inasmuch as he had just returned with me from Europe, where he had been for three months, and that he had not yet come to Washington, but that instead he had his international driving permit which he showed to him. Notwithstanding, the Lieutenant took him that night to Westerly before the Third District Court of Rhode Island, where Judge Flynn imposed on him a fine of $25.00 plus $1.00 court costs, although the magistrate appeared to have entertained some doubts as to whether he had jurisdiction over him. In addition, he was enjoined to employ some one to drive the car to New York, as he was not in the possession of a driving permit. Therefore, he was obliged to engage a Mr. Steward, manager of the American Automobile Association Branch in Westerly to whom he paid $17.00 as remuneration for his services.

I have reprimanded Amiaud for having disobeyed the speed regulations of the State of Rhode Island, but at the same time, I feel that the treatment to which he was subjected was unwarranted.
In view of the above facts, I beg you, Sir, to be good enough to intervene with the appropriate authorities of Rhode Island to refund the fine and fee imposed on Amiaud,—for which Judge Flynn issued the enclosed receipt,—as well as reimburse me for the sum of $17.00 which was paid to Mr. Steward.

Accept [etc.]

CHARLES A. DAVILA

WASHINGTON, October 23, 1934.

Sir: I have the honor to acknowledge the receipt of your note of October ninth relative to the detention and arrest of your chauffeur, Albert Amiaud, which took place on the evening of September thirtieth between Providence and Westerly, Rhode Island.

In reply I have the honor to inform you that the contents of your note have been forwarded to the Governor of Rhode Island asking that your request for reimbursement of the amount your chauffeur was compelled to pay be given consideration. Upon reply from the Governor I shall be pleased to communicate with you further.

Accept [etc.]

WILLIAM PHILLIPS

WASHINGTON, November 5, 1934.

Sir: Referring to my previous note No. 3376/P–31 of October 9, 1934, and Your Excellency’s note of October 23, 1934, I have the honor to enclose an order¹ by the State Board of Public Roads of Rhode Island against my chauffeur, Albert A. Amiaud, whose right to operate motor vehicles within that State has been suspended. I will be obliged to Your Excellency if you will intervene with the aforesaid authorities to have this order rescinded, for the reasons set forth in my note of October 9th, as soon as possible, inasmuch as I feel that the attitude taken by the authorities of Rhode Island has been most unreasonable and unjust.

I take the liberty of drawing your attention to the fact that in the enclosed order, it is stated that Amiaud has paid a fine of $1.00 and $5.00 respectively, although the truth is that the amount he paid was $1.00 and $25.00 respectively.

Accept [etc.]

CHARLES A. DAVILA

¹ Not printed.
The Governor of Rhode Island (Green) to the Secretary of State

PROVIDENCE, R. I., November 20, 1934.
[Received November 21.]

MY DEAR MR. SECRETARY: I have delayed answering a letter from your office dated October 3 [23], ref. number, PC 701.7111/284 [282] and your letter of November 17th 2 awaiting a report from the Rhode Island Department of State Police in regard to the arrest of Albert A. Amiaud, chauffeur to the Hon. Charles A. Davila, Minister of Rumania at Washington, D. C.

As a result of their investigation I regret to learn that unfamiliarity with international laws concerning foreign representatives in this country caused the arrest and detention of this chauffeur who violated the laws of this state by driving his car at an excessive rate of speed. Our officials are doing everything possible to adjust this wrong. Arrangements are being made through the courts to have the money paid in fines refunded. The Rhode Island State Board of Public Roads has informed me today that the rights of the chauffeur to drive in this state have been restored and enclosed is the reinstatement order which can be forwarded to Mr. Amiaud.

Trusting this is a satisfactory end of an unfortunate incident I am
Yours sincerely
THEODORE FRANCIS GREEN

701.7111/288

Mr. Charles W. Hill of the Executive Department of the State of Rhode Island to the Acting Secretary of State

PROVIDENCE, December 31, 1934.
[Received January 2, 1935.]

MY DEAR MR. PHILLIPS: With reference to your letter of October 23 at the request of Governor Green I am sending to you the enclosed check for $26 to reimburse Albert A. Amiaud, chauffeur to the Rumanian Minister in Washington, for fine and costs paid by him to the third District Court of this state.

Trusting this is a satisfactory adjustment of this matter I am,
Yours very truly
CHARLES W. HILL

*Neither printed.*