



Lesson 17– The Cable Act (or The Married Women’s Act)

Objectives - Students will:

- analyze and interpret naturalization documents,
- demonstrate an understanding of the laws involving women and their right to citizenship.

Materials

- Petition for Citizenship for Guiseppe Gagliardi
- Application to Take Oath of Allegiance for Agnes Gagliardi
- Student Activity Sheet 17

Background Information

Legislation regarding women and naturalization has changed through the years. Until 1907, all foreign born white women who married a U.S. citizen automatically gained citizenship (whether they wanted to or not). After 1907, women who were citizens of the United States lost their citizenship when they married men who were foreign born and not yet naturalized. This loss of citizenship did not apply to men who married foreign women.

Further discrimination against women was evident in other naturalization laws. Between 1855 and 1930, children born in a foreign country to women who were citizens of the U.S. did not automatically acquire citizenship to the U. S. If on the other hand, the child’s father was a citizen of the U.S. they were granted citizenship.

In 1922, the Cable Act (also called The Married Women’s Act), was passed. It required foreign born women of *select races* to go through the naturalization process independent from their husbands. Women no longer lost their citizenship if they married a foreign born man who had not become a citizen of the U.S., that is, unless the man was Asian. Women now followed the same procedure as men. The only difference was that a woman did not have to file a Declaration of Intent if her husband was a citizen.

The two documents included in this activity deal with the termination and then repatriation of Agnes Gagliardi, a citizen of the United States who married an immigrant from Italy. Agnes’s documents tell the story of a thirteen-year-old Glasco, New York resident, who lost her right to citizenship because she married an immigrant. When women gained the right to vote in 1920, Agnes was denied this long sought for right. Agnes waited until she was 42 to regain her right to be a citizen of the U.S. After consulting Agnes Gagliardi’s granddaughter, the answer may well be that there was no time in her busy life (raising 12 children) to have the time to file the papers.

The following story is taken from an interview with Linda Nelson, granddaughter of Agnes & Guiseppe Gagliardi:

“I was told that gram was born in Glasco (small village just before Saugerties). I remember her telling me that her mom (we believe her name was Rosina) died when she was young. Gram was 11-12 years old. The story goes that Gram’s father owned a tavern in Glasco. Given the traveling conditions and roads, I’m not sure what brought my grandfather up there from Kingston, but at any rate, he wound up in the tavern. Apparently he met my grandmother and liked her. I really don’t know what year it was, but my guess is that it wasn’t a long courtship. Apparently, gram’s father (we believe his name was Charles) was a very hard task master and



made his children work in the tavern. He didn't like grandpa so they ran off and got married in Kingston on Nov.22, 1913. Given that her mom died when she was 11-12, it was not too long after her mother's death that she ran off and got married. She never had anything to do with her father after that I am told. She was 13!!!! They lived at first in the area off of Delaware Ave. in Kingston which gram always referred to as "North Rundout", today we say North Rondout. They had 3 or 4 children while living there. She had her first child when she was 14 or 15.

Now at this point let me fill you in on grandpa G. and what happened back in Italy. The story goes that his father (we think named Joseph or Guiseppe) Gagliardi was one of 4 or 5 children born to a wealthy, possibly military family and as such, they ran the local Post office and or General Store (I guess that's what the elite jobs were). I've been told that the siblings were teachers and lawyers. My grandfather Guiseppe's mother died in childbirth when he was born. That was in Malito, Italy. Apparently there was a woman with the last name Polocco in the next town, Belsito, that had just given birth to a son and my newborn grandfather was sent to her to be taken care of. It is said that this woman's family was also in the Gagliardi employ. When this new family planned on immigrating to America, my grandfather asked them to take him with them. My understanding is that he would have been about 16 years old when he arrived here and went right to work as a laborer building what was called "The Viaduct" which was an overpass built up and over the creek and railroad tracks that are near the current Holiday Inn on Washington Ave. in Kingston. My grandfather lived with the Polocco family until he married my grandmother and to this day the remaining family is still considered as cousins by our remaining family.

My grandfather eventually went to work at the Hutton Brick Yard. My understanding is that they had 12 children, three died as infants. My grandmother nearly died when the 1918 Flu pandemic struck. I remember her saying " People were dropping like flies"



Courtesy of Linda Nelson

Teaching Sequence

1. Reading a Document
 - a. Discuss and review the issues surrounding women and naturalization. Explain that the documents for this activity will help them understand the plight of many women in the early 1900's.
 - b. Distribute Guiseppe Gagliardi's Petition for Citizenship for Citizenship and Activity Sheet. The activity can be done in small groups, whole class or independently. Instruct students to read the document and answer the questions.
 - c. Ask for volunteers to explain the answers to the questions provided.
 - d. Distribute the "Application To Take Oath of Allegiance" for Agnes Gagliardi and have the students complete the activity sheet.
 - e. Discuss the reasons why Agnes may have waited so long to regain her citizenship.

Petition for Citizenship for Guiseppe Gagliardi

ORIGINAL
(To be retained by clerk)

UNITED STATES OF AMERICA

PETITION FOR CITIZENSHIP

No. 2009
2-336842

To the Honorable the Supreme Court of Ulster County at Kingston, N. Y.
 The petition of Guiseppe Gagliardi, hereby filed, respectfully shows:
 (1) My place of residence is 163 North St., Kingston, N. Y. My occupation is Brick Maker
 (2) I was born in Malito, Italy on Jan. 15, 1891 My race is Italian So.
 (3) I declared my intention to become a citizen of the United States on March 11, 1929 in the Supreme
 Court of Ulster County at Kingston, N. Y.
 (4) I am married. The name of my wife or husband is Agnes
 we were married on Nov. 22, 1913 at Kingston, N. Y.; she was
 born at Glasco, N. Y. on May 9, 1900; entered the United States
 at Kingston, N. Y. on ----- for permanent residence therein, and now
 resides at Kingston, N. Y. with me I have 9 children, and the name, date,
 and place of birth, and place of residence of each of said children are as follows: -----

John Joseph	born	Dec. 10, 1914	at	Kingston, N. Y.
Josephine	"	Mar. 30, 1916	"	"
Michael	"	Nov. 29, 1919	"	"
Erbina	"	May 9, 1923	"	"
Anthony	"	Sept. 4, 1926	"	"
Louis	"	Sept. 27, 1925	"	"
Ernesto	"	Jan. 12, 1928	"	"
Caroline	"	Dec. 8, 1930	"	"
Paul	"	Apr. 4, 1932	"	"

All reside at 163 North Street, Kingston, N. Y. with me

this State, continuously next preceding the date of this petition, since Dec. 1, 1929 at least six months next preceding the date of this petition.

(10) I have not heretofore made petition for citizenship: Number -----, on ----- at ----- and such petition was denied by that Court for the following reasons and causes, to wit: -----

and the cause of such denial has since been cured or removed. Attached hereto and made a part of this, my petition for citizenship, are my declaration of intention to become a citizen of the United States, certificate from the Department of Labor of my said arrival, and the affidavits of the two verifying witnesses required by law.

Wherefore, I, your petitioner, pray that I may be admitted a citizen of the United States of America, and that my name be changed to -----

I, your aforesaid petitioner being duly sworn, depose and say that I have ~~read~~ ^{heard read} this petition and know the contents thereof; that the same is true of my own knowledge except as to matters herein stated to be alleged upon information and belief, and that as to those matters I believe it to be true; and that this petition is signed by me with my full, true name.

Giuseppe Gagliardi
(Complete and true signature of petitioner)

AFFIDAVITS OF WITNESSES

Thomas Naccarato Brick Maker
 residing at Delaware Ave., Kingston, N. Y. and

Louis M. Perry Salesman
 residing at 252 E. Union St., Kingston, N. Y.

each being severally, duly, and respectively sworn, deposes and says that he is a citizen of the United States of America; that he has personally known and has been acquainted in the United States with Giuseppe Gagliardi, the petitioner above mentioned, since May 1, 1929

and that to his personal knowledge the petitioner has resided in the United States continuously preceding the date of filing this petition, of which this affidavit is a part, to wit, since the date last mentioned, and at Kingston, N. Y., in the County of Ulster

this State, in which the above-entitled petition is made, continuously since May 1, 1929, and that he has personal knowledge that the petitioner is and during all such periods has been a person of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the United States, and that in his opinion the petitioner is in every way qualified to be admitted a citizen of the United States.

Thomas Naccarato *Louis M. Perry*
 (Signature of witness) (Signature of witness)

Subscribed and sworn to before me by the above-named petitioner and witnesses in the office of the Clerk of said Court at Kingston, N. Y. this 8th day of May, Anno Domini 1934. I hereby certify that certificate of arrival No. 2-336842

from the Department of Labor, showing the lawful entry for permanent residence of the petitioner above named, together with declaration of intention No. 2370 of such petitioner, has been by me filed with, attached to, and made a part of this petition on this date.

[Signature] Clerk. (SEAL)
[Signature] Deputy Clerk.

No. 22012

U. S. DEPARTMENT OF LABOR
NATURALIZATION SERVICE

Application to Take Oath of Allegiance for Agnes Gagliardi

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Form N-415
(Old 2234)
U. S. DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE
(EDITION OF 1-13-41)

20-2336-19

ORIGINAL
(To be retained as court record)

APPLICATION TO TAKE OATH OF ALLEGIANCE TO THE UNITED STATES UNDER THE ACT OF JUNE 25, 1936, AS AMENDED, AND FORM OF SUCH OATH

To the Honorable, the Supreme Court of Ulster County, N. Y.

This application, hereby made and filed, respectfully shows:

- (1) My full, true, and correct name is Agnes Gilyardi formerly Agatha Martini
(Full, true name, without abbreviation, and any other name which has been used, must appear here)
- (2) My present place of residence is 215 Delaware Ave., Kingston, Ulster Co., N. Y.
(Number and street) (City or town) (County) (State)
- (3) My occupation is Housewife
- (4) I am 43 years old. (5) I was born on June 1, 1898 in Glasco, Ulster County, New York
(Month) (Day) (Year) (City or town) (County, district, province, or state) (Country)
- (6) My personal description is as follows: Sex female; color white, complexion fair, color of eyes grey, color of hair brown, height 5 feet 4 inches, weight 175 pounds; visible distinctive marks none
- (7) I am married; the name of my husband is Frank Gilyardi; we were married on Feb. 26, 1913 at Kingston, N. Y.; he was born at Maletto, Pro. Cosenza, Italy on Jan. 15, 1891; and now resides at Kingston, N. Y. with me.
(Month) (Day) (Year) (City or town) (State) (Country) (City or town) (County, district, province, or state) (Country) (Month) (Day) (Year) (Number and street) (City or town) (State) (Country)
- (8) I lost, or believe that I lost, United States citizenship solely by reason of my marriage on Feb. 26, 1913 to Frank Gilyardi then an alien, a citizen or subject of Italy, and my marital status with such person was not terminated by.
(Month) (Day) (Year) (Month) (Day) (Year)
(State by what means marital status terminated)
- (9) I have resided continuously in the United States since the date of my marriage shown in paragraph 8 hereof, to wit, since Feb. 26, 1913.
(Month) (Day) (Year)

(10) I hereby apply to take the oath of renunciation and allegiance as prescribed in Section 335 (b) of the Nationality Act of 1940 (54 Stat. 1157) to become repatriated and obtain the rights of a citizen of the United States.

Subscribed and sworn to before me by the above-named applicant, in the office of the clerk of said court at Kingston, N. Y. this 15th day of April, Anno Domini 1942.

Agnes Gilyardi
Applicant.

R. A. Snyder
Clerk.
By Edward Tongue [SEAL]
Deputy Clerk.

STATE OF NEW YORK }
COUNTY OF ULSTER, } ss: In the Supreme Court
of Ulster County, Kingston, N. Y.

Upon consideration of the foregoing, it is hereby ORDERED and DECREED that the above application be granted; that the applicant named therein be repatriated as a citizen of the United States, upon taking the oath of renunciation and allegiance to the United States; and that the clerk of this court enter these proceedings of record.

By the Court: Harry E. Schrick
Judge.

OATH OF RENUNCIATION AND ALLEGIANCE

I hereby declare, on oath, that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state or sovereignty of whom or which I have heretofore been a subject or citizen; that I will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that I take this obligation freely without any mental reservation or purpose of evasion: SO HELP ME GOD. In acknowledgment whereof I have hereunto affixed my signature.

Agnes Gilyardi
(Full, true, and correct signature of applicant, without abbreviation)

The foregoing oath was administered to the petitioner in open court this 2nd day of December, 1943.

[SEAL]
Note to Clerk of Court: No fee is to be collected in connection with the filing of this application. The applicant, upon demand, should be furnished with the triplicate copy, duly certified, for which a fee not in excess of \$1 may be collected.

[Signature]
Clerk.
By _____
Deputy Clerk.



Activity Sheet 17

The Cable Act

Name _____

The following questions are based on Document 17
Giuseppe Gagliardi's Petition for citizenship. It was filed
on May 1, 1929.



Courtesy of Linda Nelson

1. Where and when was she born?

2. When did she and Giuseppe get married? _____

3. How old was Agnes? _____

4. What do you think happened to Agnes's right to be a citizen of the United States
after she was married? How do you know this?

5. In 1920, women finally won the struggle to become full citizens of the United States,
including the right to vote. When do you think Agnes was eligible to earn that right?

6. When do you think Agnes did file the papers to become a citizen? _____



Use Agnes Gagliardi's, *Application To Take Oath of Allegiance* document to answer the following questions:

7. What event happened on December 2, 1943 that changed Agnes Gagliardi's life?

8. How long did Agnes wait to regain her citizenship? _____

9. Why do you think Agnes waited this long?



*The Gagliardi family in Kingston in 1934
Agnes is third from the left in back row
Courtesy of Linda Nelson*