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Bert Fish: From Volusia County Courthouse to American Embassy

by Sidney Johnston

In 1940, Cairo's *Al-Ahram* observed that Volusia County lawyer and American diplomat Bert Fish had "gained the love of Egyptians for his frankness and ability to become the friends of Egyptians, and because of his great love for Egypt he is proud to call himself 'half-Egyptian'"—strange praise for a man of humble origins who began in the courtrooms of central Florida, rose to prominence in the state supreme court and the national Democratic Party, and eventually became a significant member of America's diplomatic corps. Indeed, few early twentieth century Volusia County residents achieved the level of distinction enjoyed by DeLand attorney and judge Bert Fish.¹

Oddly, then, Fish has been understudied by historians. Rising out of the ranks of Florida's Democratic Party in the 1930s, Fish took advantage of the federal patronage system to enter the foreign service and become one of Franklin D. Roosevelt's most trusted and valued diplomats. Although two of Fish's associates served in prominent public offices—Cary D. Landis as Florida's attorney general between 1931 and 1938, and Francis P. Whitehair as undersecretary of the U.S. Navy in the 1950s—neither proved as successful as Fish in accessing the upper echelons of national or international politics. One of Fish's political opponents, David

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1. (*Cairo*) *Al-Ahram*, 1 June 1940.



Stetson University graduates of the class of 1895 assemble in front of the president's home. Bert Fish stands in his cadet uniform. *Courtesy of Stetson University Archives, DeLand.*

Sholtz, a Daytona Beach attorney who served as governor of Florida between 1933 and 1937, never developed the wide circle of contacts enjoyed by the diplomat from DeLand. Although some scholars have examined the careers of Sholtz and Whitehair, none has explored Fish's ascent from Volusia County politics to international diplomacy.²

Born in Indiana on October 8, 1875, Fish moved at age five with his family to Spring Garden, Florida, a small settlement in western Volusia County. His father, George W. Fish, escaped the harsh winters of the Midwest to plant citrus in central Florida. In 1892, following the untimely death of George, the family moved to DeLand. Fish attended Stetson University and graduated from its academy in 1895 and, seven years later, from its newly organized law

2. For sketches of the political careers of Sholtz and Whitehair, see Merlin Cox, "David Sholtz: New Deal Governor of Florida," *Florida Historical Quarterly* 43 (October 1964): 142-152; Jerrell Shofner, "Roosevelt's 'Tree Army': The Civilian Conservation Corps in Florida," *Florida Historical Quarterly* 65 (April 1987): 433-456; and Melvin Hughes, "William J. Howey and His Florida Dreams," *Florida Historical Quarterly* 66 (January 1988): 243-264.

school. During those years, he clerked in a DeLand store, taught in the local public school, and, perhaps most importantly, developed political connections that helped him secure the post of reading clerk for the Florida senate in the 1897 and 1899 legislative sessions. Politically ambitious, Fish ran successfully for the office of superintendent of Volusia County's public school system in 1901, opened a law practice in 1902, and, in 1908, was elected prosecuting attorney. Two years later, Governor Albert W. Gilchrist appointed him judge of the criminal court to fill the unexpired term of Judge James W. Perkins, who had recently been elected to the Florida Senate. Volusia County voters then elected Fish to the post in 1912. During his terms as prosecuting attorney and judge, Fish became known for his courtroom oratory, penetrating questions, and ability to remember names, associate faces, and develop lasting friendships.³

Early in his political career, Fish formed a law partnership with his former Stetson University professor and mentor, Cary Landis. Also a native of Indiana, Landis had earned a law degree from the University of Michigan in 1899 and helped organize Stetson's law school in 1900. After leaving his teaching position, Landis concentrated on building the law firm and served two years as state's attorney. Working primarily in civil law, Landis & Fish proved a profitable partnership with a case load derived largely from real estate, municipal bonding, and corporate law. Setting high goals, the partners carefully cultivated a clientele of wealthy banks, large municipal governments, emerging public utilities, and regional railroads. Periodically they hired graduates of Stetson's law school as junior partners. While the legal work of Landis & Fish centered in Volusia County, their practice extended throughout central Florida, representing clients at courts in Bartow, Green Cove Springs, Kissimmee, Orlando, Tavares, and Titusville. In 1912, Minor S. Jones, prominent Titusville judge of Florida's Seventh Judicial Circuit, said of Landis that "no lawyer in the circuit could bring to the

3. Criminal Court of Record, Book 3, 468-481 and Book 6, 1-219, both in Volusia County Courthouse, DeLand, Fla.; Pleasant Daniel Gold, *History of Volusia County, Florida* (Daytona Beach, 1927), 391; Gilbert Lycan, *Stetson University: The First 100 Years* (DeLand, Fla., 1983), 89; *DeLand News*, 2 December 1910; *DeLand Sun News*, 16 January 1926.

service of the people brighter promise." Fish became known for his aggressiveness in closing big deals. Landis, also a wheeler-dealer, earned a reputation as a suave sophisticated gentleman.⁴

As early as 1906, Landis & Fish argued cases before the Florida Supreme Court. Within a decade, the firm defended twenty-seven clients in Tallahassee and, in 1919 alone, handled ten supreme court cases. Their most infamous Volusia County case pitted Stetson University president Lincoln Hulley (1904-1933) against Helen Hunt, a former student whom the president had suspended. Hunt alleged that Hulley's actions and unkind words constituted slander and libel. In 1907, Landis & Fish accepted Hunt's case but, in 1912, lost on appeal at the state level, along with fifteen thousand dollars awarded by the lower court. Notwithstanding the Hunt setback, the partnership won most of its supreme court cases and, by 1915, was both well-connected politically and enjoying a statewide reputation.⁵

Through his legal activities, Fish realized the lucrative nature of real estate investments. In 1903, Landis and Fish purchased and then incorporated the Volusia County Abstract Company, which prepared abstracts of land conveyances, mortgages, and other legal instruments. Two years later, they constructed a building near the county courthouse from which they operated the law firm and abstracting business. Fish gained an extensive knowledge of real estate values and foreclosures, and acquired six commercial buildings, two hotels, and several citrus groves in DeLand. His landholdings eventually totaled several thousand acres, many of which were planted in citrus and extended into Flagler, Pinellas, Seminole, and St. Johns counties. During the Florida land boom, he converted some of his acquisitions into speculative housing developments, such as Daytona Gardens and Harbor Point subdivisions.

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4. *DeLand Sun News*, 16 January 1926, 12 November 1937; Gold, *Volusia County*, 388, 391-392; Civil Bar Docket, Book 2, 1-101, Volusia County Courthouse; *New York Times*, 11 May 1938; *Titusville East Coast Advocate*, 26 April 1912; W.T. Cash, *The Story of Florida*, 4 vols. (New York, 1938), 4: 633.
 5. *Moore v. Rush*, 42 So. 238 (1906); *Florida East Coast Ry. Co. v. Smith*, 55 So. 871 (1911); *Hulley v. Hunt*, 57 So. 607 (1912); *Aultman v. Atlantic Coast Line R. Co.*, 71 So. 283 (1916); *Marsh v. Atlantic Coast Line R. Co.*, 80 So. 307 (1918); *Isleworth Grove Co. v. Orange County*, 84 So. 83 (1920); Lycan, *Stetson University*, 153-154; *DeLand Sun News*, 16 January 1926, 12 November 1937.

In 1923, Bert Fish, Incorporated, was formed—a \$500,000 real estate company through which he managed his extensive holdings.⁶

Fish also initiated his political fortune from the legal practice. He and Landis helped organize a powerful bloc of Democrats in DeLand, which the *DeLand News* labeled Volusia County's "court-house ring." Although some animosities ran deep and long between so-called "ring" and "anti-ring" partisans, the lines that separated the blocs were amorphous, flexible, and changed over time. Factions existed throughout the county, rather than dividing along strictly geographical lines of east versus west. Temporary coalitions emerged to oppose interests within, and sometimes outside, Volusia County, or to rally behind a popular politician in a statewide election.⁷

Landis and Fish, then, exerted considerable influence over local and, to some extent, statewide politics. For instance, they helped to select candidates for Volusia County's positions of sheriff, clerk of courts, supervisor of elections, solicitor, and judge, and endorsed candidates for seats on the county council. Their support enabled Judge James W. Perkins and businessman Jacob B. Conrad to win seats in the state senate in 1911, 1913, and 1915.⁸

Notwithstanding this new-found personal wealth and political clout, Fish discovered the limits of his influence and the degree to which he was disliked in some political circles, even in his hometown. In 1916, after six years as a criminal court judge, Fish decided not to seek another term and instead ran for the state senate. Volusia County's senate seat had become vacant following the death of Jacob Conrad, a lumber magnate whom Fish had backed in previous campaigns. Fish mistakenly believed that Conrad's supporters would also back his bid for the senate. A political campaign filled with invective and recriminations ensued with charges of corruption leveled at Fish by his opponent, attorney James E. Alexander, and one of Alexander's supporters, Judge Isaac Stewart both of DeLand. The two men characterized Fish as a political boss who as judge exercised "monstrous power . . . with all the money he wanted," personally doling out patronage in Volusia County. This

6. *DeLand Daily News*, 20 February 1925; *Florida Agriculturist*, 17 January 1906; Bert Fish Real Estate and Land Record, Fish Trust Archives, DeLand, Fla.; Record of Incorporations, Book 1, 200-205, and Book 3, 549-553, Volusia County Courthouse; Henry Chapin, *Florida: Past, Present and Future*, 2 vols. (Chicago, 1914), 2: 159.

7. *DeLand News*, 3 May, 10 May, 31 May, 7 June 1916.

8. *DeLand News*, 3 May, 10 May, 31 May, 7 June 1916; Gold, *Volusia County*, 143.

was not the first time that Alexander and Stewart publicly criticized Fish's ethics; earlier, in 1914, they had leveled charges of misconduct and corruption against Fish to Governor Park Trammell, asking for the Judge's removal from office. Although dismissed, charges of corruption resurfaced during the 1916 campaign when Stewart publicly claimed "I have saved you [the county's taxpayers] thousands of dollars against the ring, single handed. I have caused thousands of dollars to be returned to the county treasury, which had been misappropriated and have stopped the leaks in many other ways." Fish countered the insinuations and encouraged the "voters of Volusia County to bear in mind that their unwarranted, unjust, unfair, and malicious attacks have been going on for nearly two years. I have answered to the Governor of Florida each and every charge that has been submitted to him by these two men." Identifying himself as the "Red Fox of Volusia County," Fish challenged Alexander to "Meet me on the stump. On that public platform I will ask no quarter of you." Alexander, who had served two previous terms in the Florida Legislature and practiced law in DeLand since 1883, declined the challenge. Still, Fish lost the election.⁹

The loss temporarily derailed Fish's political career. Lacking a judicial or political post, Fish returned full-time to his law practice and abstract company. Indeed, some of Fish's most productive years in law, especially at the state supreme court level, came following his 1916 defeat. But, he remained politically active and advanced the political careers of friends. The support of Landis & Fish, in part, helped Stetson University president Lincoln Hulley win two terms in the state senate. In 1920, however, their assistance was not enough to keep Hulley from losing the gubernatorial race to Cary Hardee.¹⁰

In 1917, Landis & Fish achieved an important victory for politicians in western Volusia County, when the bloc successfully thwarted a move by eastern Volusia politicians to subdivide the county. The heavily populated eastern region, including Daytona Beach, contributed a larger percentage to the county tax coffers than property owners who lived in western Volusia and in DeLand, which had served as the seat of county government since 1888. In 1915, DeLand's population stood at 3,490, compared to the 4,526

9. *DeLand News*, 3 May, 10 May, 31 May, 7 June 1916; *DeLand Sun News*, 22 April 1932; Gold, *Volusia County*, 142.

10. *DeLand Sun News*, 22 April 1932; Gold, *Volusia County*, 142-143.

in the Daytona Beach vicinity. Five years later, the disparity had widened with Daytona Beach's 7,691 residents nearly double that of DeLand's 3,496. A coalition of western Volusia's ring and anti-ring members resolved to hold onto the tax base while continuing to operate out of the smaller county seat. Landis and Fish helped lead the western forces against eastern interests organized in part by David Sholtz, a Daytona Beach attorney and Stetson law school graduate. In 1917, after only two years of legal practice, Sholtz was elected to the Florida House of Representatives. He successfully guided through that chamber a bill creating Turnbull County from east Volusia, only to see it defeated in the Florida Senate. Concurrent legislation for the creation of Flagler and Okeechobee Counties, and recent successes in establishing Broward and Seminole Counties, had buoyed Sholtz's hopes. But, in a twist of political fate, lobbying by Senator James Alexander, Fish's former adversary in the 1916 election, helped defeat the bill. A decades-long political rivalry between Sholtz and Fish emerged over the issue, for Fish had supported Sholtz in his 1916 campaign with a commitment to "county unity" from the Daytona attorney. Fish caught Sholtz in what he considered a double-cross.¹¹

Not until 1928 did Volusia County's political factions close ranks to help elect Tampa attorney Doyle Carlton as governor of Florida. A close friend of Stetson president Hulley and a graduate of the university's law school, Carlton would not neglect his Volusia County supporters. In 1931, he rewarded Cary Landis by appointing him Florida's attorney general to complete the unexpired term of Fred Davis. Landis, the first politician from Volusia County to serve in the governor's cabinet, was elected in 1932 as attorney general and then reelected in 1936.¹²

During the Depression, the influence of the western Volusia political bloc weakened measurably after Landis and Fish turned to new pursuits in state, national, and international politics. Their waning influence first became evident during the 1932 Florida gubernatorial

11. *DeLand News*, 21 March, 25 April, 2 May, 9 May, 16 May 1917; *New Smyrna News*, 1 September 1916; *Daytona Beach Observer*, 29 February 1936; Cox, "David Sholtz," 142, 145, 147-48; Bureau of the Census, *Fourteenth Census of the United States Taken in the Year 1920*, Vol. I: Population 1920 (Washington, D.C., 1921), 375.

12. *New York Times*, 11 May 1938; John Phelps, comp., *The People of Lawmaking in Florida, 1822-1991* (Tallahassee, 1991), 25; Junius Dovell, *Florida: Historic, Dramatic, Contemporary* (New York, 1952), 3: 33; *DeLand Sun News*, 1 November, 2 November, 3 November 1928, 3 March 1931.

campaign when David Sholtz, labeled a dark horse and opposed by some western Volusia politicians, won primaries against former Florida governors Cary Hardee and John Martin, and then defeated in the general election Republican candidate and visionary developer William Howey. Sholtz successfully side-stepped the influence of his Volusia County opponents by courting statewide support from Florida's business community. A developer, popular city judge, and gregarious promoter of Daytona Beach, Sholtz built a broad base of support in the business community, serving as president of the East Coast Chamber of Commerce (1925-1927) and in the top post of the Florida State Chamber of Commerce (1927-1929). A political irony emerged out of the 1932 race which elected Sholtz as governor and Cary Landis as attorney general. As a result, two of Volusia County's ranking politicians and bitter local opponents found themselves working together in the highest levels of state government.¹³

The 1932 election held unpleasant results for other members of the Landis and Fish political bloc. During the campaign, a coalition of western Volusia Democrats defected from the party ticket to support and win seats for Republican candidates on the Volusia County Council. Factionalism splintered the former Landis and Fish ring. Three years later, in the wake of the 1935 election, the bloc was even weaker. T.E. Fitzgerald, publisher of the *Daytona Beach Observer*, commented that the county commission and two seats in the Florida legislature had slipped away from the Landis-Fish-Whitehair group. After the 1936 election, the *Volusia County Democrat* reported that there was "no trace of the ring left by the new county council." Nearly one hundred supporters with government jobs lost their county posts in what another local newspaper characterized as a "New Deal and a Square Deal" for residents of Volusia County. In the 1940 gubernatorial race, Spessard Holland's victory over Francis Whitehair, a Landis & Fish partner since the 1920s, signaled the diminished influence of western Volusia County.¹⁴

13. V.O. Key, *Southern Politics in State and Nation* (New York, 1949), 96-97; David R. Colburn and Richard K. Scher, *Florida's Gubernatorial Politics in the Twentieth Century* (Tallahassee, 1980), 48-49, 276, 282; Cash, *The Story of Florida*, 3: 8; *DeLand Sun News*, 2 June, 17 July, 8, 10 November 1932; Gold, *Volusia County*, 142-144, 297, 388; Cox, "David Sholtz," 142, 145, 147-48; Hughes, "William J. Howey," 252-258.

14. *DeLand News*, 21 March, 25 April, 2 May, 9 May, 16 May 1917; *DeLand Sun News*, 2 June, 17 July, 8 November, 10 November 1932; Gold, *Volusia County*, 142-144, 297, 388; Cox, "David Sholtz," 142, 145, 147-48; *Daytona Beach Observer*, 2 March, 25 April, 1935; *Volusia County Democrat*, 8 January 1937.

Throughout the period, Bert Fish remained on the periphery of most of this local political posturing. In January 1927, he retired from active practice and sold his stake in the law firm to his junior partners. He then traveled throughout the Mediterranean, developing an interest in foreign affairs. Periodically, he returned to DeLand to evaluate and expand his real estate investments, each time re-establishing connections to the Democratic Party. A loyal party man, Fish sought to end Republican rule at the national level and also wanted to ensure that Florida would not again help elect a Republican presidential candidate as it had in 1928.¹⁵

Fish contacted Jacksonville civil engineer George B. Hills, who, in late 1931, had been selected by presidential hopeful Franklin D. Roosevelt to personally organize his Florida campaign. A close friend of Roosevelt since the early 1920s, Hills played a pivotal role in the campaign, establishing Roosevelt's Florida organization headquarters in Jacksonville and working closely with publisher Bryan Mack, who distributed literature from a second campaign office in Daytona Beach. The team effectively garnered support for Roosevelt, including a \$5,000 donation from Fish that brought the former judge into the inner circle of Roosevelt's closest friends, among whom were James A. Farley, Roosevelt's national campaign manager, and Louis Howe, Roosevelt's aide and personal secretary.¹⁶

Following the Democratic National Convention in Chicago in June 1932, Farley named Fish as finance director of Florida's Democratic National Campaign, charging him with raising fifteen thousand dollars. Persuaded of Fish's talents, the Roosevelt organization by-passed conventional channels of consultation with the Florida Democratic Executive Committee (FDEC) to elevate Fish into a national fund raising position. James B. Hodges, a Lake City attorney and chairman of the FDEC, accepted the breach of protocol because of Hills's close relationship with Roosevelt. Hodges eventually developed a close friendship with Hills as well, exchanging books with the civil engineer and accompanying him by train to Washington to see Roosevelt. Duncan Fletcher, Florida's senior U.S. Senator, also assented to Fish's high-level position in the Democratic Party, sending Judge Fish one hundred dollars for the Democratic National Committee (DNC) campaign and fifty

15. *DeLand Sun News*, 21 January 1927.

16. James Dunn, "The New Deal and Florida Politics" (Ph.D. diss., Florida State University, 1971), 59-60, 64; *DeLand Sun News*, 6 September 1932.

dollars to Hodges for the FDEC. Indeed, Fish and Hills's close work in the national fund raising campaign collected thousands of dollars to help elect Roosevelt in November 1932.¹⁷

Following the election, Hills continued to circumvent the traditional Florida Democratic Party leadership by recommending patronage posts directly to Roosevelt. Fish sought to capitalize on his political gains, applying for a foreign service position with Hills's support. United States Senator Park Trammell became especially irritated by the departure from convention, and charged Hills and Farley with running a "political boss machine in Florida." In his friends' defense, Hodges confidentially shared with a member of the Dade County Democratic Executive Committee that "Senator Trammell has not been brought in as close contact with the state and county organizations as Senator Fletcher, and the Senator probably does not yet realize the value of our organization." Charles Hunter of the *Florida State News* also questioned Hills's motivations, especially in recommending Fish. Hills assured the Tallahassee newspaperman that Fish was deserving because of his "outstanding service of time and money rendered the Party during the campaign." Hills intimated that following the election he advised Roosevelt of only "two people in Florida who I hoped would be recognized by acceptable appointments" for federal patronage: Fish and Linton Collins, secretary of the FDEC.¹⁸

Fish's first choice in foreign posts was as Governor of Puerto Rico, followed by ambassador to Cuba, minister to Turkey, and finally minister to Egypt. Endorsements came from Senator Fletcher, Florida publishing tycoon Robert H. Gore, and State Democratic Party Chairman James B. Hodges. Fletcher and Hodges represented a relatively conservative faction of Florida's Democratic Party, and their support of Fish demonstrated the ability of the DeLand attorney to bridge the gap between Florida's party structure and the Roosevelt organization. Although Fletcher, Trammell, and even Hodges, to some extent, disagreed with Hills's use of his influ-

17. Duncan U. Fletcher to James B. Hodges, 22 September 1932, James B. Hodges Sr. Papers, P.K. Yonge Library of Florida History, Gainesville (hereafter cited as Hodges Papers); *DeLand Sun News*, 6 September 1932, 7 September 1933; Key, *Southern Politics*, 319-320; Dunn, "New Deal Florida Politics," 59-60, 64; David Ginzl, "Politics of Patronage: Florida Republicans During the Hoover Administration," *Florida Historical Quarterly* 61 (July 1982): 17-18.

18. J.B. Hodges to John T. Bush, 19 July 1933, George B. Hills to Charles W. Hunter, 16 August 1933, both in Hodges Papers; Dunn, "New Deal Florida Politics," 155.

ence with the White House to dominate state patronage, they agreed that Fish should be rewarded for his service. Roosevelt made his patronage appointments of Florida supporters in late 1933: Robert Gore of Fort Lauderdale received the post of Governor of Puerto Rico, Ruth Bryan Owen of Miami became minister to Denmark, and Fish was offered the diplomatic post in Egypt.¹⁹

Fish initially hesitated to accept the post that he had placed at the end of his wish list. Unknown to Fish, his Volusia County political foes, after hearing of Fish's possible diplomatic appointment, began to complain. James Howe of Daytona Beach forwarded to Roosevelt's secretary, Louis Howe, the laconic telegram "Federal appointment Bert Fish unthinkable." Edgar Dunn, a prominent Daytona Beach merchant, also wrote to Howe requesting that Fish not be appointed. Nevertheless, the offer was made, and Fish agreed to a one-year term, aware that most non-career service diplomats then served between three and five years. A small-town attorney who reluctantly agreed to serve his country in what he perceived as a minor post, Fish eventually held overseas chief-of-mission posts for eleven years, one of the longest tenures for a non-career appointee in America's foreign service history.²⁰

Despite the efforts of his Daytona Beach opponents, Bert Fish became the first Volusia County politician to serve as a chief of mission in the United States Diplomatic Corps. Earlier chiefs of mission with Florida political backgrounds included John Eaton, a political figure in President Andrew Jackson's administration and Florida's territorial governor between 1834 and 1836 (minister to Spain, 1836-1840); James A. Peden, a Jacksonville politician (minister to Argentina, 1854-1858); John G. Long, a St. Augustine attorney and politician (consul general to Egypt, 1899-1903); and Gilchrist Stockton, a Jacksonville real estate developer (minister to Austria, 1930-1933). Ruth Bryan Owen, daughter of William Jennings Bryan and Florida's first woman to serve in the U.S. House of

19. Judge Bert Fish, Application For Governor of Porto Rico, Louis Howe Files, "Federal Jobs- Appl. War Dept.-Porto Rico-Bert Fish File," 24 January 1933, Bert Fish Folder, Franklin D. Roosevelt Library, Hyde Park, New York (hereafter cited as FDR Library); Dunn, "Florida Politics," 154-156; *New York Times*, 8 September 1933; *DeLand Sun News*, 7 September 1933; *Al-Ahram*, 1 June 1940.

20. James M. Howe to Louis McH. Howe, 14 July 1933; Edgar Dunn to L.M. Howe, 20 July 1933, Official File Box No. 710, Bert Fish Folder, FDR Library.

Representatives, became America's first female diplomat with her appointment as minister to Denmark (1933-1936).²¹

In broad terms, Fish's assignment included improving relations among Egypt, England, and the United States. The first Arabic-speaking Muslim country to encounter close contact with modern Europe, Egypt had experienced a breakdown of its political, economic, and cultural structure during the nineteenth century. Beginning in the 1840s, the African nation suffered from European imperialism; in the 1870s, a dual control arrangement between England and France supervised Egyptian financial affairs. With English occupation in 1882, the Egyptians had little control over their fiscal policies and faced the abuse of authority by British administrators. Events associated with a rebellion in 1919, the formation of Egypt's Liberal Constitutional Party in the early 1920s, and the rise of Benito Mussolini in Italy prompted the British government to reevaluate its policies toward the Egyptian government. Italy's occupation of Ethiopia in 1936 spurred Great Britain to sign a new treaty with Egypt, loosening the administrative and taxation system onerously known as Egypt's Capitulations Regime.²²

Fish arrived in Cairo in mid-November 1933 and, following protocol, established relations with the government of King Faud through a formal ceremony in early December. The American Embassy was located in downtown Cairo. From there, embassy staff transported Fish in a fashionable carriage to the king's palace or to the Mena House Hotel, a four-story mansion fifteen miles outside

21. Sally Vickers, "Ruth Bryan Owen: Florida's First Congresswoman and Lifetime Activist," *Florida Historical Quarterly* 77 (Spring 1999): 445-474; *Florida Times-Union*, 14 June 1895; *New York Times*, 10 January 1930, 8 September 1933; *DeLand Sun News*, 7 September 1933; *Al-Ahram*, 1 June 1940; John W. Leonard, ed., *Who's Who in America* (Chicago, 1901), 695-696; U.S. Department of State, *Principal Officers of the Department of State and United States Chiefs of Mission, 1778-1990* (Washington, D.C., 1991), 47-167; Allen Thomas (minister to Venezuela, 1895-1897) has been incorrectly identified in the aforementioned document as a Floridian. His biographical sketch in *National Cyclopaedia of American Biography* (New York, 1924), 8: 350-351 indicates he served as an attorney and scholar in Louisiana before his diplomatic appointment.

22. J.C.B. Richmond, *Egypt, 1798-1952* (New York, 1977), xi-xii, 70-72, 118-119, 176, 191-195; Afaf Al-Sayid-Marsot, *Egypt's Liberal Experiment, 1922-1936* (Berkeley, Calif., 1977), 43-44, 170; *New York Times*, 10 May 1937.



Bert Fish discusses political affairs with His Royal Highness Prince Ali Pasha, English Ambassador to Egypt Sir Miles Lampson, and his wife Lady Lampson at an afternoon tea in the Royal Gardens in Cairo in 1936. *Courtesy of Stetson University Archives, DeLand.*

Cairo where the American legation resided. The second American diplomat to receive formal recognition by Egypt, Fish quickly assured King Faud, Prince Muhammad Ali, and British ambassador Sir Miles Lampson (who reached Egypt in the summer of 1934) that he appreciated their concerns. He periodically wrote the State Department about England's loosening of control over Egypt, the Egyptian legal system, municipal reforms in Alexandria, religious liberties, and a host of other issues. In addition to his diplomatic duties, Fish delighted in touring the pyramids and other antiqui-

ties in a chauffeured Packard Super 8 automobile supplied by the United States government.²³

Fish's first important success as a diplomat came in 1937 when he helped negotiate the abolition of the Capitulations Regime. Britain and France, according to Fish, had organized the Regime in the sixteenth century "for reasons which have entirely disappeared." The Capitulatory Powers, as they were known, stripped Egypt, Iran, Turkey, and several other Near East countries of their sovereignty to legislate the affairs of foreigners visiting or residing in their respective countries. Although Great Britain claimed merely protectorate status over Egypt in 1914 and then, in the 1920s, relinquished its authority to legislate the affairs of foreigners in Iran and Turkey, the mandates remained in force. In spring 1937, Secretary of State Cordell Hull instructed Fish to adopt "a sympathetic and liberal attitude toward the aspirations of the Egyptian Government," noting that the "capitulatory regime in Egypt is an institution no longer in accordance with the spirit of the times nor essential for the effective protection of legitimate American interests."²⁴

On April 12, 1937, an international conference convened in Montreux, Switzerland, at which Fish asserted Egypt's right and ability to govern itself, demanding a shorter period of British rule. The statement took most foreign diplomats by surprise. Defending American demands for abolition of the Capitulations, he declared that the "Capitulations were a shameful blot upon an honorable nation like the Egyptians who are able to rule themselves and carry out justice between foreigners and Egyptians." Newspapers reported that British diplomat Lampson, following Fish's presentation, took off his glasses, wiped them clean, put them back on, and asked, "Is that the American delegate speaking or the Egyptian delegate?" Fish's brief statement helped initiate a new treaty. After its signing on May 8, Fish sent a terse note to Secretary of State Hull, "Treaty signed." The agreement permitted the Egyptian govern-

23. *New York Times*, 3 December 1933, 6 October 1935; Al-Sayyid-Marsot, *Egypt's Liberal Experiment*, 174; "Envoy Extraordinary and Minister Plenipotentiary of the USA, Cairo," Bert Fish Photograph Album, Fish Trust Archives, DeLand, Fla.; *Foreign Relations of the United States, Diplomatic Papers, 1934*, 5 vols. (Washington, D.C., 1951), 2: 751-752; *Foreign Relations of the United States, Diplomatic Papers, 1935*, 4 vols. (Washington, D.C., 1955), 1: 565-593; *Foreign Relations of the United States, Diplomatic Papers, 1936*, 5 vols. (Washington, D.C., 1955), 3: 8-33.

24. *Foreign Relations of the United States, Diplomatic Relations, 1937*, 5 vols. (Washington, D.C., 1954), 2: 615, 634.



Minister Bert Fish at his desk in Cairo in 1934. *Courtesy of Stetson University Archives, DeLand.*

ment to administer its own laws and powers of taxation without interference by England. *Time Magazine* and the *New York Times* attributed the swiftness of the negotiations to the skills of Bert Fish, "one of northeastern Florida's wealthiest men."²⁵

By 1940, Fish had endeared himself to the Egyptian people. Cairo newspapers regarded him as a folk hero who helped deliver them from British domination. They fondly called him the "Orange King," a reference to his extensive citrus holdings in Florida which the Egyptians and later the Saudi Arabians considered one of the greater of the United States. In January 1940, the *Egyptian Mail* published a caricature of "Sheikh Bert Fish," proclaiming him an "Egyptian in Egypt." Correspondents expressed surprise at Fish's modest office in the embassy; one remarked that it is "quite unadorned, resembling that of a junior officer of the sixth class in one of the Egyptian government departments," to which Fish replied, "It is a democratic room which fits a democratic country."²⁶

25. *Al-Ahram*, 1 June 1940; (*Jedda*) *Al-Mokattam*, 27 February 1940; *New York Times*, 9 May, 10 May 1937, 8 February 1941; *Time*, 26 April 1937; *Foreign Relations of the United States*, 1937, 2: 615-678.

26. *Al-Ahram*, 1 March 1940; *Al-Mokattam*, 31 January 1940.

While Fish took seriously his diplomatic responsibilities, he did not forget Florida. He made annual trips to the United States for vacations, visits with friends in DeLand, and consultations with Roosevelt and state department officials. In 1935, Stetson University honored him with a special convocation, heralding him as an "illustrious graduate," and awarding him an honorary Doctor of Laws. He delivered addresses to civic and social organizations, including the Jacksonville Civitan Club and Orlando Rotary. The international post helped him cast off his reputation at home as a provincial political leader. In 1938, the *Daytona Beach Observer* commented that "Bert Fish's auburn hair has turned grey. Condemned as the political arch fiend of all Volusia, he now stands above most statesmen in Florida. He never punished an enemy, never took a dollar of graft."²⁷

World War II curtailed his vacations and presented new challenges. On a return trip to Egypt in April 1940, he traveled on the *Conte di Savoia*. Near Gibraltar, the ocean liner was detained by a British man-of-war while detectives from Scotland Yard searched the vessel for Dr. Haljamar Schacht, a Nazi financier. After reaching Lisbon, Fish made a circuitous journey to Cairo, including a train to Madrid, airplane to Barcelona, automobile to Port Bou on the Franco-Spanish frontier, and a bus to Geneva where he boarded the Orient Express to Istanbul. He also made stopovers in Aleppo, Tripoli, and Haifa prior to arriving in Cairo.²⁸

The fate of Egypt, the Suez Canal, and oil reserves in the Near East assumed increased importance as tensions intensified throughout Europe and Africa in the late 1930s. In July 1939, Roosevelt appointed Fish as the first United States diplomat to serve in Saudi Arabia and the first to hold two appointments—an experience, according to the *New York Times*, "without precedent in American diplomatic history." Earlier in the decade, King Ibn Saud had consolidated his rule over disparate tribes in the vast inhospitable environment. Saud solved part of his financial problems in 1933 when he granted Standard Oil of California (SOCAL) a historic concession to develop the country's oil resources in return for

27. *Daytona Beach Observer*, 13 August 1938; *Florida Times-Union*, 27 November 1937; *Orlando Star*, 1 December 1937; M.H. McIntyre to Bert Fish, 1 October 1934, and M.H. McIntyre to Bert Fish, 28 December 1937, both in Box 710, Bert Fish Folder, FDR Library.

28. *Florida Times-Union*, 9 April 1940; *Egyptian Mail*, 10 August 1940; M.H. McIntyre to Bert Fish, 1 October 1934; M.H. McIntyre to Bert Fish, 28 December 1937, both in Box 710, Bert Fish Folder, FDR Library.

annual rents and royalties. In 1938 alone, SOCAL paid the Saudi government \$3.2 million in revenues, but the rise of Adolf Hitler and Mussolini threatened the interests of the American oil company. The Roosevelt administration charged Fish with establishing formal consular relations with Saudi Arabia before either the Japanese or German governments, both of which had sent emissaries to Saudi Arabia. To the Americans' advantage, the Axis powers had previously failed to gain an audience with the king.²⁹

The urgency of Fish's mission increased after Germany attacked Poland in September 1939. Six months later, after some nine months of cultivating relations with Saudi officials, Fish gained an audience with King Saud in Jedda. First, he presented the potentate with an autographed silver-framed portrait of President Roosevelt. They exchanged light conversation, Fish speaking of his experiences in Egypt and the king expressing his pleasure with the SOCAL arrangement and the 325 Americans who then lived in his country. Saud intimated that he trusted the American company and had faith in the United States. In February 1940, elated with his success but succinct as usual, Fish wrote Cordell Hull from Jedda: "Presented credentials to King here yesterday and had informal audience today." Fish's persistence marked the beginning of formal diplomatic relations between Saudi Arabia and the United States. His achievements caught the attention of Drew Pearson and Robert S. Allen, columnists for the *Washington Post* who predicted Fish would receive promotion in the diplomatic corps. More importantly, Fish's diplomatic achievement solidified America's relations with one of the most important oil-producing states of the Near East. Over the following turbulent months, Fish maintained his headquarters in Cairo, but frequently traveled to Jedda.³⁰

In mid-1940, Fish contacted U.S. Senator Claude Pepper, then a member of the Committee of Foreign Relations, about reassignment to a diplomatic post in Turkey. Pepper forwarded Fish's wish to Roosevelt who responded that "Bert Fish has done an admirable job in Egypt where he has been one of the most effective and popular

29. *New York Times*, 11 February, 29 March 1940; Nadav Safran, *Saudi Arabia: The Ceaseless Quest For Security* (Cambridge, Mass., 1985), 59-62; *Foreign Relations of the United States, Diplomatic Papers, 1939*, 5 vols. (Washington, D.C., 1955), 4: 824-831; Note of Secretary of State Cordell Hull, 30 June 1939, Box 710, Bert Fish Folder, FDR Library.

30. *Orlando Star*, 28 April 1940; *New York Times*, 11 February, 29 March 1940; *Foreign Relations of the United States, Diplomatic Papers: 1939*, 4: 824-831.

ministers we have ever had. I doubt, however, whether in these critical times it would be in the interest of this Government to send a new man, no matter how well qualified, to Ankara." When Pepper inquired on Fish's behalf for a state department job, Roosevelt again demurred, believing Fish's foreign service skills too valuable for use in Washington. Nevertheless, Roosevelt remained sensitive to Fish's desire for a new assignment and, in February 1941, appointed him minister to Portugal. Serving in Egypt for seven years, Fish had witnessed nine different cabinets and developed a lasting friendship with numerous high ranking officials, including King Faud and Prince Ali. So it is not surprising that numerous Egyptian newspapers expressed sorrow at his departure and wished him well at his new assignment. Fish assured the Egyptians that his replacement, Alexander Kirk, would be as sensitive to their needs as he had been.³¹

Fish's transfer to Portugal underscores the increasing confidence that the Roosevelt administration placed in him as a diplomat. Some foreign observers ranked Great Britain, Portugal, and Romania as the top three European diplomatic posts with crucial war importance. By early 1941, few European countries other than Portugal and Switzerland maintained a neutral posture in war-torn Europe. Portugal, then characterized as one of America's "most important European stations and the open doorway to the Continent," possessed strategic materials and military bases. Mindful of the significance of Portugal in world politics, Fish called it "the last free gateway of the European Continent of vital interest to the United States." The *New York Times* noted that Fish's reputation for commercial acumen in negotiating leases and recognition between the United States and foreign countries would be crucial in this post of "great responsibility."³²

Relations between the two nations cooled in 1941 after Roosevelt, commenting about Portugal's neutral stance, hinted of the United States' possible seizure of the Azores Islands. Portugal President Oscar Carmona and prime minister Antonio Salazar took exception to Roosevelt's comments. Great pressure fell upon Fish to soothe Portuguese concerns and egos, persuade them to support the Allies, and obtain new concessions. The administration's concern over the fate of Gibraltar and Portugal's island pos-

31. *New York Times*, 7 February, 1 March 1941; Cairo *Al-Balagh*, 18 February 1941; Claude Pepper to President Roosevelt, 13 May 1940; Franklin D. Roosevelt to Claude Pepper, 15 May 1940, both in Box 710, Bert Fish Folder, FDR Library.

32. *New York Times*, 7 February, 8 February, 27 March 1941.

sessions kept the Portuguese government anxious about American intentions, especially with regard to the Azores. Additionally, several Allied diplomats objected to Fish's appointment, believing that an American ambassador in Portugal might increase internal tensions and afford the German propaganda machine an opportunity to create mischievous speculation about American designs. All of this made Fish a cautious diplomat. In March 1941, Fish presented his credentials to President Carmona, limiting his remarks to expressions of good will between the two countries and avoiding discussion of the war, gestures returned by the Portuguese leader.³³

After the United States entered the war, old issues gained urgency. Cordell Hull pushed Fish to concentrate on obtaining increased shipments of wolfram—an important source of tungsten—from Portugal, landing rights on the Azores, and the return of grounded Allied planes and pilots. On the first issue, Fish worked closely with Sir Ronald Campbell, British ambassador to Portugal, to arrange exports of wolfram to Great Britain and the United States. Early in 1943, Cordell Hull pressed for a treaty securing 75 percent of Portugal's wolfram production, or at least reductions in Germany's ability to buy the scarce mineral from Portugal. Fish gained little ground with an intransigent Salazar, however. Then, in May, the Germans signed a new wolfram agreement with Portugal; Hull interpreted it as "an action which is difficult to construe as anything but a clear disregard of our interests." Fish acknowledged that he, too, had been caught off guard, but reminded Hull that the United States currently received substantially greater than one-half of Portugal's wolfram production, and that Salazar's general neutrality policy of equal treatment for both belligerents was "difficult to find fault with."³⁴

Similarly, Fish also experienced limited success negotiating landing rights and use of the Azores. He worked with Pan American Airways to apply for commercial landing rights, which he hoped might open the door to military use under the guise of commercial operations. George F. Kennan, career diplomat, architect of the Cold War doctrine of containment and later renowned diplomatic

33. *New York Times*, 7 February, 27 March 1941; *Foreign Relations of the United States, Diplomatic Relations, 1941*, 7 vols. (Washington, D.C., 1959), 2: 841-843; Kay Hugh, *Salazar and Modern Portugal* (New York, 1970), xix, 32, 38, 170. In the end, Portugal worked closely with the British to develop limited military installations on the Azores under the cover of commercial operations.

34. *Foreign Relations of the United States, Diplomatic Relations, 1941*, 7 vols. (Washington, D.C., 1964), 2: 497-585.

historian at Princeton University, served as counselor under Fish and indicated to him in May 1943 that the British and Portuguese were working on a general secret agreement under which aviation fuel, submarine nets, ammunition, and other supplies might be delivered to the islands. Fish advised Hull to seek "clarification of this matter with London" and to urge British diplomats to support Pan American once Portugal granted the company a commercial concession.³⁵

An equally vexing problem was the internment of United States military planes forced to land in Portugal. In November 1942, after seven American pilots landed their fighter aircrafts in Lisbon, Fish began negotiating for their release. By January 1943, eleven additional fighter planes had found shelter in Portugal. Although Fish managed to negotiate the release of five pilots, he doubted that the planes could be recovered and urged Hull to keep the American press and radio away from the subject. In due time, "we shall . . . get the remaining pilots including the 11 new arrivals out as well," Fish promised. In April, he bargained for the sale of a P-38 and sixteen P-39 aircraft to the Portuguese government for twenty thousand dollars each, a sale that he believed would "greatly facilitate early release of the 18 American pilots now interned in Portugal." In June, Fish again turned to Senator Pepper for assistance, this time to elevate the Lisbon ministry post to embassy status and his own rank to ambassador. Yet, Roosevelt decided that the sensitive nature of Portugal's neutrality and on-going negotiations warranted deferring Fish's request.³⁶

Following a brief illness, Fish died of a heart attack in Lisbon on July 21, 1943. His work in restricting tungsten exports to Germany and obtaining Azores landing rights were carried on and achieved, in part, through the efforts of his successor, R. Henry Norweb, former ambassador to Peru and senior American career service diplomat. Fish received a Portuguese state funeral with full military honors: the funeral procession—comprised of Salazar, Papal Nuncio Archbishop Ciriaci, a Portuguese cavalry troop, and American and foreign diplomats—moved through Lisbon's streets to the English cemetery, where a seventeen-gun salute honored the temporary burial. Later that year, the remains were disinterred and

35. *Foreign Relations of the United States, Diplomatic Relations, 1943*, 7 vols. (Washington, D.C., 1964), 2: 531-532.

36. *Ibid.*, 2: 581-585; State Department Memorandum, 5 July 1943, Box 710, Bert Fish Folder, FDR Library.

shipped to Florida for reburial with United States military honors in DeLand's Oakdale Cemetery. Upon hearing of Fish's death, Cordell Hull eulogized: "Bert Fish has been an outstanding lawyer in the State of Florida and a leader in public life and civic affairs. He has devoted the last years of his life to a career of distinction in the diplomatic service of his country. We are sensible to the loss of a charitable and loyal friend and of a strong and public-spirited citizen of rare qualities whose place in the very important diplomatic post of Lisbon we shall find it hard to fill."³⁷

A multi-millionaire bachelor, Fish distributed his financial resources in two important ways after his death. Generous to the end, he bequeathed \$25,000 to his alma mater, Stetson University. More importantly, he established a trust fund to build and operate hospitals and indigent care facilities in Seminole and Volusia Counties. The hospitals derived their operating funds and revenues, in part, from his estate's rental income and citrus harvests. To supervise his trust, Fish named several family members, former partners, and associates as trustees. In 1952, Fish Memorial Hospital at DeLand was constructed at a cost of \$898,000. Two years later, Fish Memorial at New Smyrna Beach opened, and a third facility was completed in Sanford.

Over the course of a distinguished career, Fish had grown from a typical conservative southern attorney into a gifted statesman. He matured from provincial courthouse politics to play important roles in Florida politics and international diplomacy in the 1930s and during World War II. The same characteristics and values that made him an imposing Volusia County attorney—good judge of character, superior oratorical skills, sharp memory and wit, and personal magnetism—served Fish well in state, national, and international politics. A thoughtful manipulator of foreign diplomatic policies toward a position favorable to the United States, Fish claimed one of the longest terms of a non-career foreign service diplomat in American history. A seasoned diplomat, he endeared himself to the Egyptians, allayed the fears of the Saudis, and prepared the stage for constructive United States-Portugal relations. An untimely death left unfulfilled the dreams and ambitions of a small-town Florida attorney and American statesman to achieve still greater posts and objectives in international affairs.

37. *New York Times*, 22 July, 23 July, 25 July, 13 October, 10 November, 11 November, 16 November 1943; *Foreign Relations of the United States, Diplomatic Papers, 1944*, 7 vols. (Washington, D.C., 1966), 4: 82-84, 131-132.