

SPIRIT OF THE PRESS.

EDITORIAL OPINIONS OF THE LEADING JOURNALISTS UPON CURRENT TOPICS—CONTINUED FROM THE FIRST PAGE.

Our Relations with England.

From the N. Y. Herald.

The moment is appropriate for us to consider how we stand with our commercial rivals across the water. That we are upon the eve of an exciting diplomatic, if not warlike, contest with Great Britain we have little doubt. The unfortunate accrediting of Reverdy Johnson to the Court of St. James appears only to have opened the Alabama wounds afresh, and has led our people to again reflect upon the wrongs and outrages committed against us when we were struggling for national existence. To say that the privateers which were launched against us during our war escaped from the interdiction of English law is only to argue that the boasted laws of England are a farce; and so they were, in all that tended to honorable action towards us during our Rebellion. The English people were almost a unit, from bootblack to lord, for the destruction of the republicanism of North America and this whole continent. Hew, then, could the laws be enforced, when all England forbade their execution? England, therefore, cannot expect us to judge of our relations with her through certain written but dormant codes, but, rather, through the national impulse, which, for the time being, sets all codes aside. We have simply to base our whole future action upon the Alabama claims upon this idea, and settle the whole matter as if England had boldly declared war against us, instead of striking, Spaniardlike and snake-like, without previous notice.

While settling the Alabama claims, there is another item to which we wish to draw the attention of our Government. This refers to the island of Nassau. It is a strategic point in the hands of England which, in case of any internal or foreign trouble we may have, may do us immense damage. We will remember what a thorn it was in our side during our late war; how it swarmed with blockade-runners; how it was virtually a point of active operations against us, and how the South received from it immense war supplies to assist them in the attempted overthrow of our Government. This island should be in no other hands than our own. We require it as a picket post for the guarding of our Atlantic coast. The Alabama claims should not be settled without including this question.

We must also indicate some policy with reference to Canada; for Canada was also a nest of conspirators and a base of operations against us under the almost open protection of the English element there. Who will give us a good war speech in Congress upon the question of our relations with England? We want a speech with a solid ring to it that will wake them up a little on the other side of the water.

Grant in the Wilderness Again.

From the N. Y. Herald.

Grant is again. He has plunged in rather than advanced with what the knowing ones regard as "due circumspection"; but now, as in 1864, there is this great fact in his favor, that what was most necessary was that he should begin. In 1864 Grant had the enemy in front posted no one on our side knew exactly where or how, his dispositions hidden in the shadow of a jungle, and behind Grant the people were expecting of him only to go ahead and win. He went ahead accordingly, and he won—not at once—not in the way your hero wins in a romance, but after labor that might have worn the soul out of Sisyphus himself. His success was splendid and complete at last, and filled the cup of the nation's hope. Only the other day he was morally in the same place: at the edge of a wilderness denser to him than the Virginia forest—the wilderness of political usage, routine, trickery, and intrigue, all the paths of which are held by the public enemy—the politicians of every stripe, the Treasury ring, the lobby jobbers, the nigger shriekers, and the whisky thieves. The thing the country had made him President for was to go ahead, and he went slashing into the jungle. They say his first step was a blunder. The first step is to be judged when we know the last. The first step has brought him into the midst of the fight. In other times blundering was generally done with when Grant got there, and the step into the fight was one fruitful of promise to the country. We anticipate the best results from the simple fact that Grant is doing what he was made President for—going straight ahead where the politicians are hiding. Once this grand action opened, who can doubt how it will close when he remembers that what was begun in the Wilderness was finished at Appomattox Court House?

Agreement on an Important Point.

From the N. Y. Times.

The popular judgment on the debt question and the question of resumption has been admirably expressed by the President. Mainly in violation of the national credit, but while respecting the rights of the creditor, let not the interests of the debtor be overlooked. Neither honor nor expediency requires that the national energies be overstrained to pay obligations in advance of their maturity. True wisdom, meanwhile, dictates the reduction of fiscal burdens, and such an acquisition of financial strength as shall by natural agencies restore specie payments. When greenbacks are as good as gold the management of the debt will be comparatively easy; but resumption must come through the growth of trade, the development of industry, and the prudent administration of financial affairs—not from enactments conceived in the exclusive interest of the creditor class, and the operations of which would be fraught with disaster to all else.

These are the general ideas to which the President has given his sanction, and they are in harmony with the action of the House in the late session. So far as the debt is concerned they accord literally with the terms of the Public Credit bill, as reported from the final committee of conference. The first section, after solemnly pledging the faith of the Government to redeem its bonds with coin, sets forth this important proviso:—

"But none of said interest-bearing obligations, not already due, shall be paid or redeemed before maturity, unless at such time United States notes shall be convertible into coin at the option of the holder, or unless at such time bonds of the United States, bearing a lower rate of interest than the bonds to be redeemed, can be sold at par in coin. And the United States also solemnly pledges its faith to make provision, at the earliest practicable period, for redemption of United States notes in coin."

That is to say, there shall be no protraction in the matter of reducing the debt. To do it is a duty not to be evaded, when the country shall be in a condition to fulfil it; but it is not to be present in such a condition, nor will it be attained by a gradual and natural process, the specie standard be reached. When a state of healthy business prosperity be again attained, we shall be ready to talk of paying off debt. Till then be quiet.

True, by the section we have cited, "the United States also solemnly pledges its faith to make provision, at the earliest practicable

moment, for redemption of United States notes in coin." But there is in this nothing at variance with the doctrine of a gradual approach to resumption, as distinguished from those arbitrary and hasty processes of which Senator Sherman's bill is a conspicuous illustration. The best provision which can be employed is "a faithful collection of the revenue, a strict accountability to the Treasury for every dollar collected, and the greatest practicable retrenchment in expenditures," as a means of relieving the taxpayers and improving the condition of the country. On this essential point we believe that harmony exists between the principles which General Grant aims at introducing into the administration of the Treasury, and the purposes to which a majority in Congress are substantially committed.

The Alabama Negotiations and the British Press.

From the N. Y. Times.

The hopeless tone in which they speak of the Alabama negotiations indicates that the British press, for the most part, despair of their future regarding Brother Jonathan, possibly, as a heady, intractable, and innately perverse or "contrary" young fellow, whose very waywardness bars the hope of reasonable settlement. Even the London "Times" mournfully says, "We have done our best; we have gone to the very verge—if we have not transgressed it—of national humiliation." But is this so? Has the British Government "done its best?" On the contrary, it has been in the position for several years of vexatiously delaying settlement on ten thousand pretexts and excuses. We grant that the British press and the British public, so far as their voice has been heard in general meetings or otherwise, have mainly met the Alabama claims in the right spirit. And it is on this very ground that it has always appeared to us that, with such a national spirit manifest, the form of the treaty would hardly be likely to bar such a settlement as we desire. But when the British press or public affirms that "we have done our best," it is fair to say that "we" cannot say as much of the British Government, which is the only party officially known to the actual negotiations. For over three years that Government devoted itself, not to the business of paying, but to that of self-exculpation.

A man owes his neighbor a debt; and, with perhaps instinctive reluctance to pay, begins to show, instead, how unjust the claim is. His neighbor resorts to other means, and, when the debtor is ready to pay, there is an additional settlement required of legal costs, or what not. The analogy is not perfect, but sufficiently so to explain the position of the British Government. At the close of the war, Mr. Seward presented the bill of damages caused by the Alabama for Great Britain to pay. The London Times and most other papers admit that their Government is responsible, and if responsible now it certainly was then. Yet that Government, instead of paying, spent several years in showing why it should not pay. It thereby raised a variety of exciting questions regarding "English recognition of the Confederate States," and so forth, none of which were necessary to the payment of the bill. And when at last it consented to the arbitration of the whole matter, it in no terms admitted its responsibility for the debt.

Now, it is generally understood that the very submission of the Alabama claims to arbitration is, probably, in effect, an admission of English responsibility for the Alabama's escape, and, on that theory, we have supported the project of a mixed commission. Nevertheless, when it comes to a question of whether the British Government has "done its best," we must suggest that something a good deal better for it, for Great Britain and for us, would have been to settle these claims at once, without raising a question which all the time, we admit—regarding British responsibility for Confederate recognition, which issue, when raised and urged, our people are quite as sensitive upon as the people of Great Britain.

Karl Russell and Lord Stanley took the ground that it would be humiliating to make the formal acknowledgment of responsibility now discussed. But it was they who put themselves in that predicament. Surely it would not have been humiliating to pay for the damage of a cruiser escaping from their ports by their own laches, any more than if we had had to compensate Spain for damages done by the Peruvian iron-clad which succeeded in stopping. The English press and people mainly concede that the Alabama's damages ought to be paid; it could hardly, therefore, have been humiliating to pay them, at the outset, without words, and without committing the nation to a position which may appear humiliating to withdraw from. The English Premier has found no difficulty in amending a "mistake" in the British view regarding the Rebellion, in a private letter to a friend in America, nor has Karl Russell, at a public banquet to Minister Adams, nor in a private conversation to Mr. Johnson—in which the last of the sins of the Government for the Alabama's escape were laid upon the shoulders of a sick and insane subordinate. But nothing of this concession of responsibility appears in the diplomatic correspondence or official documents; and hence we may insist that it is the British Ministers, rather than Brother Jonathan, who must be accounted responsible for that original delay of settlement which, we trust, sooner or later, and, at all events peacefully, will come.

The Pardoned Criminals Defrauded by Grant.

From the N. Y. World.

Whether the pardons issued by President Johnson during the last hours of his official life were wisely issued we doubt; but, if pardons of Jacob and Moses Dupuy were really issued in due form of law, as the administration organs all assert, confirming our own special despatches, and were sent by the President's order to Marshal Murray, or if pardons for Blaisdell, Ekel, and Alcock were delivered to them by order of the Executive, we do not quite see how they are to be revoked, unless the criminals reject the documents. The power of President Johnson in the premises is indisputable. His pardoning power was unlimited. For the offenses pardoned, the accused are beyond the reach of punishment of any kind. Perhaps a pardon, like a deed, requires a delivery and acceptance; and President Grant or Secretary Washburne may intend to claim that the pardons in the hands of Marshal Murray have not been delivered, and so can be withdrawn. But the criminals applied for them, and in response they were issued and sent to Murray as the person holding custody of the offenders. The contract between the President and the moribund, according to the analogy of a deed, was complete when the former had done the act which set the latter free so far as the Government is concerned.

Besides, there is no law better settled than that an act within the jurisdiction of the President, lawfully done by him, cannot be revised by one of his successors. The contrary doctrine would give an endless succession of reviews and reversals, and there would be no security or stability of rights of property, of liberty, or of life. The Supreme Court has decided over and over again that a head

of a department has no right to review the decision of his predecessor allowing a credit, except to correct some error of mere calculation.

But what does Grant or Washburne or Rollins know about the law?

A Business Administration.

From the N. Y. World.

It is a pity that Mr. Grant does not grasp the idea that the Presidency is not a desolation, but a trust, and that its functions are, therefore, to be exercised not so much on personal preferences as with an eye single to the good of the Republic. So far, it would seem that he regards the position as a sandy cornucopia from which he is to extract a sugar-plum for the good boys who have given him some of their plum-cake; and accordingly it is that there is a keen point in holy B-n's reported jest, to the effect that John A. Griswold was not appointed "because he didn't subscribe enough."

Thus it will be remembered that Mr. Stewart was not early in favor of the present unhappy occupant of the White House, libelously occupied for campaign purposes, and, even so late as the day before inauguration, was chief in that friendly delegation which presented Mr. Grant with a check for \$65,000 and the title-deeds of the house that sum was supposed to have just purchased from him. Mr. Washburne's benefactions we all know. They could not possibly have been higher. They are those which a man owes to his creator. As for Mr. Borie, it is understood that his checks came so fast and full at the time of the October elections, when Pennsylvania, freighted with the fate of the Presidency, hung trembling in the balance, that Mr. Grant was led to seek the acquaintance of the liberal Frenchman who has just been remembered with the Navy. Mr. Borie's contributions, Mr. Cox's contributions, Mr. Creswell's contributions to this donor party do not precisely appear, but, if tendered, of two things we are sure: first, that they have not been forgotten; and, secondly, were not refused. This latter appears from the singular aptitude of Mr. Grant for taking anything and everything but advice. If a horse, good; thank you. If a house, still better, and thank you again. If another house, doubly indebted. If a \$65,000 check, just the thing; let us have peace. But no advice. Rather have a horse.

Ex-President Johnson did other than this. When, on his accession, a handsome carriage and fine span of horses were sent him from this city, he declined to receive that or any other gift, deeming such procedure unbecoming in a Chief Magistrate; and yet what Mr. Johnson would not permit by inference, Mr. Grant openly manifests in deed.

Mexico.

From the N. Y. Tribune.

The poet, statesman, or philosopher who originated the emblem of Mexico has a better right to invention than most of his compeers. The isopods of England are subjects of fierce controversy. The bees, the lilies, the imperial eagle, and the Gallic cock have been criticized without end, but the thorny points of the cactus on which is perched the Mexican bird and the serpent twined around him, are so clearly founded in truth that they defy criticism. From the day when Montezuma resigned his feather circlet to the iron hand of Cortes, the paths of Mexican dominion have been thorny and steep, and the war of the snake-in-the-grass policy, has been rampant and venomous. The last drama of the empire has hardly closed on the shuddering audience of the civilized world, when the curtain rises to a fresh oratorio of horrors. For the credit of humanity, and as an installment of retributive justice which rarely manifests itself in so singular a manner, Miramon and Marquez perished in the last massacre. Probably neither of them in their last moments thought of the thousands they had murdered, though the ghost of the surgeon (a civilian) called from the bedside of the wounded soldier at Tacubaya whose arm he had just amputated, and shot without trial, then and there, in his shirt sleeves, in the square of the hospital, for tending Miramon's and Marquez's enemies, might have a moment spared them. But a greater than either is left behind, and, though past the age of ordinary men, is active to do mischief. Who, in America, has not execrated the name of Santa Anna? For years past, his life at the island of St. Thomas has been a byword. The snow-hill walls which hemmed in his garden at the top of the higher of the two pyramids which dominate that harbor, looked on scenes of oriental splendor and debauchery which served to "point a moral and adorn a tale." It was known that the General carried with him on his enforced retreat from his native country fabulous wealth, and the use he made of it was quite as unscrupulous as the means by which it had been raked together. He escaped immolation by the happiest accident during his last visit to Yucatan, though the agony of American protection was never invoked for a more unworthy cause. Clinging to life by a very thread, with no human tie, for his children are almost incapable, Santa Anna is again using his wealth for the disturbance of Mexico and greedily stretching out a pained hand for the glaive of armed power. Happily foreign intervention has been proved so fatal a mistake, its results have been invariably so disastrous, that all attempts in France and Spain have either failed. A mock sympathy with the Cubans on the part of certain Mexicans seems to share the same fate, and Santa Anna is not destined to seize the occasion. But it is no wonder he calls "How long how long?" When will the measure of infamy be full in that unhappy country, ushered, as it was, into the family of nations as a new world counterbalancing the old in the imaginative dreams of independence and freedom indulged in by statesmen? Centuries of misrule, bad government, worse faith, public and private, have gradually produced one of the most degrading spectacles that the civilized world has yet seen. And all this amidst a wealth of material and physical riches such as requires a poet's pen to describe.

The Legal-tender Decisions. From the N. Y. Tribune. The decision of the Supreme Court of the United States, in Bronson against Rhodes, is it now well understood, determines in effect that the Legal-tender act of 1862 has no application to contracts made before its enactment. It is true that the Court might have put its decision upon the ground that the contract in that particular case called specifically for "gold coin," but only two of the eight judges rested their opinions upon that ground. Some criticism has been made upon this decision, under the supposition that it held the statute to be in part unconstitutional. This is a mistake. The Court wholly avoided the question of the constitutionality of the law, and placed its decision upon the ground that the law could not be presumed to have a retroactive effect.

It is a singular, or rather a noteworthy fact (for blunders in legislation are far from being singular), that the language of the statute is so vague as fully to justify this interpretation. It declares that the paper to be issued under it shall be "a legal tender for all debts," but does not specify debts antecedently contracted. Now it is a very old and well settled

doctrine of the English courts (from which we derive all our rules of interpretation), that a statute shall never be construed as having a retroactive effect, unless that intention appears explicitly by the words of the statute. This is not a question of constitutional law, in the American sense of the phrase, because the British Parliament is not restricted by any written constitution. It is a rule which has its origin in a strong sense of the inherent injustice of retrospective laws, and it is firmly maintained by every court of justice.

The Court of Appeals in this State, in deciding the case of Meyer against Roosevelt (27 New York Reports, 400), which is the leading case upon this subject, did not consider this branch of the question, but assumed that the statute was meant to affect contracts previously existing, as well as those which should be afterwards made. The Supreme Court, in giving a purely prospective operation to the law, has declared no new doctrine, and, however disappointing the decision may be to those who have thus far delayed the payment of old debts, there can be no sound objection so it. We have little doubt that this decision forebodes an ultimate determination that the entire legal-tender provision is unconstitutional. Indeed, we think that the Supreme Court is seeking, by this and similar decisions, to prepare the country for its final disposition of the whole subject. And prudent men will hasten to put their business upon such a footing as will enable them to meet such a decision without loss.

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