#### SPIRIT OF THE PRESS.

Editorial Opinions of the Leading Journals upon Current Toplos-Compiled Every Day for the Evening Telegraph.

PROFESSOR MONTAGU BERNARD.

From the N. Y. World. The member of the British portion of the commission who is said to have been selected on account of his conspicuous familiarity with the questions of international law likely to come up for consideration in Washington, has written a book, which has been recently published in London, under the title "The International History of the American War. A. Historical Account of the Neutrality of Great Britain During the American Civil War." Therein he has given the result of his labors in this interesting department of jurisprudence. For many years Professor Bernard has filled, with credit to himself and pupils, the chair of International Law at Oxford. His volume is able and interesting: it sets forth with skill the international questions growing out of the Rebellion, and discusses them fairly, although somewhat narrowly' and with too much regard to British precedents, which have always been insular. His work is legal rather than philosophical.

What he says of the deep-seated causes which brought on the great catastrophe of our civil war is to be regarded as the opinion of an intelligent bystander not professing to have special information of the inner working of the political and moral forces of this nation years before the ultimate schism occurred. Whether it be true or not that the republic was rent asunder morally, by its two hostile types of labor, long before a material breach occurred, the premise is favorable to one who vindicates the Queen's proclamation of neutrality which gave to both combatants belligerent rights. Mr. Bernard insists that the British assertion of a neutral status, May 13, 1861, and all that flowed therefrom, were not only in accordance with international law, but the inevitable result of what had already happened. One would naturally be assisted in coming to this conclusion by a prepossession that the history of the internal forces in this country-the mutual jealousies and dissensions between the North and South-was such as to satisfy an impartial person that either the South would achieve independence or be subdued only by immense military opera-

Professor Bernard urges that British recognition of the South contributed largely in its results to the ultimate triumph of the Union. He says: -

"What the United States lost by it has never been distinctly stated. But it is easy to see what they gained. They gained the liberty to exercise against British ships on the high seas the rights of visiting and searching, of capturing contraband, and of blockade-rights, which spring solely from the rela-tion of belligerent and neutral, and which the neu-tral acknowledges by recognizing the existence of

There is marked correspondence between these views and those of Mr. Caleb Cushing, expressed in December, 1861, in a letter to Mr. Fernando Wood respecting the Trent affair. He said: -

"Above all, as I think, have we been over-prone to find fault with Great Britain for the attitude, which she has officially assumed, of neutrality in the war now raging between us and our insurgent States. If Great Britain stood alone, that fact might imply the existence of just cause of umbrage on our part. the existence of just cause of umbrage on our part. But we should remember that France, Russia, Spain, and other great powers take the same view of their international duty in this respect that Great Britain does of hers. If, in coming to this conclusion, they contradict our policy, and accord to the insurgent States a belligerent status which we refuse to concede, and so do prejudice to us, it is to be considered that, in so proceeding, they do advantage to us also, by thus relieving us of all future responsibility for any international acts of the insurgent Government, and bestowing on us the right to hold them as neutral Governments to the punctual fulfilment of the obligations of neutrality punctual fulfilment of the obligations of neutrality which they profess, and the right to compel its ob-servance by their subjects both on sea and land."5

That portion of the volume before us which Professor Bernard devotes to the blockade and the international questions arising out of it is well worthy of careful study by the student of international law. There is evidently a tendency in his mind to hold that, although we guarded the immense line of sea-coast with great diligence and maintained there a formidable naval force, yet, as the regular arrival and departure of blockade-runners into and from some of the Confederate ports attested that the blockade was not effective, England could, had she been an unfriendly neutral, have plausibly insisted that the siege should be raised.

In respect to the affair of the Trent, the conclusion of international law which he educes, while vindicating the attitude which Lord Russell took, is that in certain cases a neutral destination does not necessarily exempt a neutral vessel from capture and her freight from seizure and detention, if what she carries be of a hostile character. At the same time he contends that no matter whether the Confederate envoys were in the nature of "contraband of war," they were, while on board the Trent, not liable in any way to arrest. His thought evidently is that Lord Russell laid down the doctrine of neutral rights in the case rather too broadly.

The conduct of Great Britain in declaring that she would acknowledge the flag of the Confederacy as well as the United States; that she would not pursue Confederate cruisers as pirates; that she would admit public armed ships of either belligerent into her ports on equal terms, excluding, however, their prizes, but subjecting both to the rule that twentyfour hours must be given by each enemy's ship to the other; that she would prohibit the men-of-war of either belligerent from remaining more than one day at a time in her waters, except in the case of stress of weather. and would prevent them from supplying themselves with more coals than were required for a voyage home-these provisions Professor Bernard maintains were not only just in the sense of international law, but were entirely in the interest of the North and extremely onerous to the Confederate States.

However correct these propositions of Mr. Bernard may be, it is clear to see that the kind of neutrality which Great Britain exercised in her colonial ports enabled the cruisers, after they had escaped from British home jurisdiction, to maintain themselves

In the volume before us the most important question of international law which will come before the proposed commission to sit in Washington, which is that which involves responsibility for the escape and career of the cruisers and their immense injury to our commerce, is discussed at great length and with marked ability; and in his conclusion he is very positive that, under the circumstances, there was no such disregard by England of her international obligations as ought to make her liable for the bavoc done even by the Alabama. Not only does Professor Bernard aver that England, in the case of the Alabama, did not fall short of her international obligations, but that the American losses, heavy as they be, are, so far as concerns that country, what lawyers call damnum absque injuria. He relies much upon the fact that the Ala- unscrupulous operations in the gold market.

bama was unarmed when she left Liverpool; bama was unarmed when she left Liverpool; and he is evidently of opinion that it is not wise to enlarge the obligations of neutrals in the relation, since enlargement would lead only to difficulty and confusion. He would make a neutral government responsible only when the escaping cruiser is ready for war. Here, we think, is an evidence of what, at the beginning of this article, we characterized as parrowness of view acterized as narrowness part of the author. In on the respect to the Shenandoah, Florida, and Georgia, the Professor holds that, having once made their escape, and hoisted their flags as Confederate cruisers, they could not be treated as pirates. He suggests that if the injury done by the Alabama was great, and if the British Government paused a long time before ordering her seizure, the United States should recollect that in other instances the ministry was both active and successful in arresting vessels of a similar kind, and that Great Britain always acted in good faith.

In other portions of the volume Professor Bernard deals with the liability of Britishborn subjects to the military regulations of belligerents, and his work is throughout a valuable contribution to international jurisprudence. Having thus made profert of his ability to deal with questions of international law and of the careful attention he had given to some of the issues between the two nations, the present ministry were able to correctly estimate his fitness for the duty to which he has been assigned, and the result must be taken as evidence that it desired the views contained in the volume before us to be vindicated before the commission.

THE TREASURY'S COIN RESERVE.

From the N. Y. Sun. Before Mr. Boutwell leaves the Treasury Department, which it is on all sides declared he is soon to do, we wish to express our approval of a practice of his which has not met with that support from the leading organ of the administration to which it is entitled. We refer to his resolute holding on to his coin reserves. Mr. Trumbull in the Senate, and Mr. Greeley in the Tribune, have never lost a chance of condemning this practice, and of advocating the emptying of the Treasury of its gold for the useless purpose of reducing the funded debt. Their complaint is that the country is losing the interest money on the gold held in reserve by the

There is no sounder or more self-evident proposition than that in all banking operations a certain amount of cash should always be kept in hand. If it be not necessary that it should be in coin, as may be urged is the case during a suspension of specie payments, coin is nevertheless needed for other purposes. It is necessary at the present time especially to show that beneath mountain of paper money transactions disclosed by the bank and Treasury operations, there is something at the bottom which denotes some degree of actual solvency and real ability to

We have at this moment an irredeemable paper circulation of about seven hundred millions. Now, who but the most crazy advocate of paper issues and no-money banks can say that this gigantic pile of paper money requires no coin basis?

Let it be always borne in mind that our Government is plying the business of a banker. It issues and keeps out in circulation four hundred millions in notes payable on demand, and these notes form the basis of three hundred millions more of bank notes. by being made legal-tenders for their redemption. The banks are exempt from the necessity of keeping anything but greenbacks to redeem their bills, and thus they do without specie almost entirely. The last annual returns show that our sixteen hundred and forty-eight banks held on the 28th of December last but twenty-six millions against an aggregate of circulation and deposits of over eight hundred millions.

If the Government is to keep no coin reserves on hand, what sort of a show would the country make in the eyes of reasonable people everywhere in respect of its ability or intention ever to resume coin payments? The banks and the Government would be alike banking on nothing. Together they would use seven hundred millions of demand notes and five hundred millons of deposits. And if the Government is to strip itself of gold, as Mr. Trumbull and Mr. Greelev recommend, the only solid basis of this enormous aggregate of twelve hundred millions, due on demand, would be the beggarly sum which might chance to be found in the vaults of the banks.

The current coin balance of the Government only averages between forty and fifty millions over and above its demand obligations, and this is all the basis it holds to pay its demand notes of four hundred millions. Talk about the Government losing interest on its specie! Doesn't it gain the interest on four hundred millions of paper money, and is it too much to ask that it shall show something in hand towards paying this immense amount of disregarded obligations? Suppose the Government does not intend to pay its notes, doesn't it owe something to the oldfashioned prejudice of honest people, that when paper money is issued there ought at least to be something behind the counter to redeem it?

Our paper money fabric has stood for several years with great steadiness, owing to the large and constant annual addition to the public stock of precious metals, which has precluded the necessity of any urgent demand on the banks or the Government to redeem their circulating notes; and also to the important, perhaps more important, fact that the Government bonds, issued in such enormous amounts to defray our war expenses, have become a considerable part not only of our own currency, but of the currency of the whole commercial world. They are equivalent to money on every exchange in Europe, and answer every purpose of coin in settling our foreign balances. Until those bonds shall have passed into the hands of permanent investors, as sooner or later they must, they will continue to fulfil this function, and continue to check, as they now check, the demand for specie to pay our interna-tional trading and interest balances. But when the period arrives that this fruitful source of means to pay foreign debts is dried up, and bonds are no longer available in large amounts as remittances, then the natural and legitimate demand for specie will revive, and we shall see the paper money theorizers put to flight, as they always have been in past times. And if, when there shall come a real want and demand for specie in the country, the condition of the banks and the Government should show an indebtedness due on demand of twelve hundred millions, and exhibit only the present meagre reserve in the bank vaults of five-and-twenty millions of coln, who can fail to see what ruinous results must ensue? The Treasury Department could not then, as by the conservative policy we applaud it has been able to do thus far, steady the vast shaky pile; nor could it, as it did on the famous black Friday, save the country from the blasting effects of

We repeat that Mr. Bontwell's course in this matter is deserving of unqualified ap-

THE NEGROES.

proval.

Senator Revels may be supposed to be competent to speak of the effect of legislation upon the relations of races, and of the injury that is sometimes done to the colored man by over-zeal in his behalf. He now discourages the idea of mixed schools in the District of Columbia, as the price of compulsory education. The cruelty produced by the prejudice against color cannot be exaggerated. The outgrowth of a system which has happily been swept away, it remains evidence of the great wrong which the promoters of the Rebel Confederacy made their corner-stone. It is idle to ignore the existence of the prejudice, or the extent to which it is diffused throughout society. Legislators may de-nounce it and enact laws against it, but still it exists. The more they assail it the more demonstrative it is. You try to stamp it ont, and it burns more mischievously than This is one of the matters in which time

and events operate more effectually than law. The great source of the prejudice was stopped when slavery was abolished, and the period that has since elapsed has done much towards obliterating mere unreasoning hatred of the negro. Indeed, the progress made in this direction has exceeded the most sanguine expectations. The law has clothed the colored man with all the attributes of citizenship. It has secured him equality before the law, and invested him with the ballot! There may yet remain a necessity for affording him educational facilities in States whose local authorities fail to do their duty in this respect. But here the province of law will end. All else must be left to the operation of causes more potent than law, and wholly beyond its reach. Party exigencies have given the black man political importance. Even Tammany tenders him a place in its processions, and is silently subbed for its pains. His old oppressors in the South rest their only hope of party suc-cess upon their ability to obtain his good-will. He rides in our street cars, jostles white men at public meetings, and from his seat in Congress teaches a lesson which the Senators around him may usefully ponder. The change in popular sentiment respecting him has been rapid, and on the whole satisfactory; and the ratio of its growth will be greater in the future than in the past. All that is now needed is that he shall henceforth be allowed to make his way in the world quietly, and in reliance upon his merits. The law protects him, or should be amended if it does not. For the rest, give him fair play, and do not make too much fuss about him.

DRAMATIC HANGINGS.

From the N. Y. Tribune. Are our Philadelphia neighbors going to make hanging a fine art? or is it a thing they are secretly ashamed of and are trying feebly to practice but keep out of sight? The recent execution of the poor wretch Hanlon was involved in an atmosphere of mystery and dramatic gloom worthy of the stage. It took place not in the court-yard, but the corridor of the prison. Only a dozen privileged spectators were present. The window through which the scene was visible was draped in muslin or crape. The prison officials were absolutely dumb; all questions of enterprising reporters were answered but by a silent shake of the head. It was equally impossible to ascertain whether Hanlon had confessed his guilt or what he had for breakthe corridor, and who, if anybody is to be benefited by this exhibition of the majesty of the law, might be looked upon as in need of such a lesson, were shut out from the spectacle by leather flaps nailed over their gratings. Enough representatives of the press were admitted, however, to publish to the world of evil-doers the fact that Hanlon died "game," and forgave his enemies in the established formula.

Now we want consistency in the advocates of hanging. For our own part we do not look upon the poor wretch who, out of drunkenness or sheer excess of his animal nature, kills another as in any sort a hero. We do not care to hear whether he has "nerve" or not, or what is his opinion of his jailers. He should be quietly taken apart as a tainted wether from the flock, to be cured if possible, but in no wise made the subject of a melo-drama. If our friends in Philadelphia regard hanging as necessary to avenge outraged justice, and not as a terror to evil-doers, why were the press admitted at all? Why not put the vic-tim quietly and secretly out of the way? But if capital punishment, according to the old arguments, is a bug-a-boo to deter other men from murder, let us, in the name of common sense, have the time-honored gallows-tree, and Jack Ketch in his flame-colored gown and mask, and the yelling, cursing multitude below to learn their lesson. What that lesson is we all of us know. A criminal who disappears for life into a penitentiary loses prestige forever among his fellows. His fate is more than terrible—it is disagreeable to them because it is one of hard work and no glory. But the man who shows his pluck to the last on the gallows is a hero to the youthful Jack Sheppards who look on. The very class who are intended to be frightened by his fate are the men who sing with admiring gusto of how "the night before Harry was stretched" he played cards on his coffin, and when the drop fell "he kicked, but that was his pride. And "died with his face to the city."

The man to whose worst nature murder is not repugnant, or to be abhorred for itself, is very likely to have a better trait of brute courage which will not be scared by hanging. These men are the class, as we said, who watch the gallows with such anxiety to know how their fellows go off; and it was for their benefit, we presume, the Philadelphia officials, while keeping strict silence on questions that would have settled the point of Hanlon's gnilt, suffered the tidings to escape that he "died game."

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The next academic year begins on September 28,

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