n the world of all kinds, the great bulk of it is done, and well done, by persons who have not received a university education and do not regard it. So that the benefits which the country derives from the universities consist mainly in the refining and elevating influences which they create, in the taste for study and research which they diffuse, in the social and political ideals which they frame and hold up for admiration, in the confidence in the power of knowledge which they help to spread among the people, and in the small though steady contributions they make to that reverence for "things not seen" in which the soul of the state may be said to lie, and without which it is nothing better than a factory or an insurance company.

There is nothing novel about the considerations we are here urging. The problem over which university reformers have been laboring in every country during the past forty years has been, how to fill the universities, properly so called, by the sons of the feeble, inefficient, and poorly-prepared lads and teaching them the elements of literature. At the present day, Harvard and Yale were doing just the kind of work that the high schools now do—that is, taking young lads and teaching them the elements of literature. At the present day they are throwing this work as far as possible on the primary schools, and reserving their professors and libraries and apparatus, as far as the state of the country and the conditions of their organization will permit, for those older and advanced students who bring to the work of learning both real ardor and real preparation. A boy has to know more to get into either of those state or its subjects. •

The principles hereafter applied to private property on land shall hereafter be extended to private property at sea. Privateers shall not be licensed, and ships-of-war shall make no pursuit, search, or capture of any private vessels, neutral or enemy, whatever be the nationality of the owners of the cargo, except in the case of vessels engaged in acts of piracy, or convicted of having violated blockade, or of being loaded with contraband.

Art. II. No vessel bound to a blockaded port, having no contraband goods on board, shall be liable to seizure or capture, unless some commander of a blockading cruiser shall have first given her notice of the blockade by an endorsement on the ship's papers.

Art. III. Limits contraband to some twenty articles specified, mostly weapons or ammunition,—et autres instruments quelconques fabriques a la guerre. •

Art. IV. Each nation desiring to maintain neutrality shall give notice of the belligerents within three months after the declaration of war.

Art. V. To enable a nation to the rights of neutrality, she shall be bound (1) to prohibit all manner of enlistments within her jurisdiction for the military or naval service of either belligerent. (2) Absolutely to prohibit the construction, fitting out, or selling for the account of either belligerent, of vessels engaged in acts of piracy, or convicted of having violated blockade, or of being loaded with contraband.

Art. VI. The neutral state shall be held obliged to have sufficient legislation and police system to assure these principles of use, with security, to prevent or repress all attempts at the infringement of its duties respecting neutrality by sea or land, by all means in its power.

Art. VII. Any negligence in the performance of the duties announced in the preceding article, resulting in an effect upon the struggle, by impairing or embarrassing the results of operations in which a belligerent is engaged, shall be considered as an act of war, and may constitute its jurisdiction for the military or naval service of either belligerent. (2) Absolutely to prohibit the construction, fitting out, or selling for the account of either belligerent, of vessels intended to be employed as a ship-of-war, privateer, or transport. (3) To prohibit the manufacture or exportation of contraband goods destined for either belligerent state.

Art. VIII. The neutral state shall be held obliged to have sufficient legislation and police system to assure these principles of use, with security, to prevent or repress all attempts at the infringement of its duties respecting neutrality by sea or land, by all means in its power.

Art. IX. The neutral state shall be held obliged to have sufficient legislation and police system to assure these principles of use, with security, to prevent or repress all attempts at the infringement of its duties respecting neutrality by sea or land, by all means in its power.

Art. X. Any negligence in the performance of the duties announced in the preceding article, resulting in an effect upon the struggle, by impairing or embarrassing the results of operations in which a belligerent is engaged, shall be considered as an act of war, and may constitute its jurisdiction for the military or naval service of either belligerent. (2) Absolutely to prohibit the construction, fitting out, or selling for the account of either belligerent, of vessels intended to be employed as a ship-of-war, privateer, or transport. (3) To prohibit the manufacture or exportation of contraband goods destined for either belligerent state.
so fully for many years that no one can do much more then sum up argu-
ments and considerations with which jurists are familiar. It is purposed to
examine these proposed changes in their order.

PRIVATE PROPERTY AT SEA. (ART. I.)

This article proposes that the same principles be hereafter applied to
private property on land and sea. The rules respecting it are far
more uncertain and complex, and depend far more on circumstances, than
those bearing upon ships and cargoes at sea, as the kinds of property on
land and their circumstances are infinitely more various. There are
generals of battles and campaigns which authorize the destruction of all kinds
of property, even the habitations and means of subsistence of man and
beast. It is at the discretion of the invading force whether it shall subside
upon the invaded country; and, if it does so, it takes and uses everything it
needs, subject to no law but humane considerations for the life and
immediate comfort of the inhabitants. Merchandise stored for the purpose
of sale would be taken without hesitation if needed. The invaders may take
for their own use or destroy any kind of property which, if left untouched,
would contribute directly to the military resources of the enemy state.
Peace personal effects, works of art, science, or letters, would be spared, if
used for no more, and not held in commerce. (Nothing is captured at sea but
merchandise, held in commerce, voluntarily embarked as such, brot hr
merchandise. In war on land no such thing is known as prize—that is, the transfer of
commercial property or its proceeds, in which the enemy state has an
interest, to the treasury of the capturing power, by judicial decisions. Simple
booty or loot is sometimes permitted on land in special cases, but never at
sea. An invading army may leave desolation behind it to delay the march
of the enemy. What reasons or rules applicable to Sherman's march through
Georgia and their lands, or Skidmore's through the valley of the Shenan-
donsh, can be transferred and applied to invaded and injured cargoes, in
ships registered and licensed by the enemy state, bound into an enemy port,
to pay duties to the enemy treasury equal perhaps to half their value
undertaken for the sake of the profits. The truth is there is so little analogy
between battle and war on land and sea. An invading army may leave desolation
behind it to delay the march of the enemy. What reasons or rules applicable to
Sherman's march through Georgia and their lands, or Skidmore's through the
valley of the Shenandoah, can be transferred and applied to invaded and
injured cargoes, in ships registered and licensed by the enemy state, bound
into an enemy port, to pay duties to the enemy treasury equal perhaps to
half their value undertaken for the sake of the profits. The truth is there is so
little analogy between battle and war on land and sea.

In war on land no such thing is known as prize—that is, the transfer of
commercial property or its proceeds, in which the enemy state has an
interest, to the treasury of the capturing power, by judicial decisions. Simple
booty or loot is sometimes permitted on land in special cases, but never at
sea. An invading army may leave desolation behind it to delay the march
of the enemy. What reasons or rules applicable to Sherman's march through
Georgia and their lands, or Skidmore's through the valley of the Shenan-
donsh, can be transferred and applied to invaded and injured cargoes, in
ships registered and licensed by the enemy state, bound into an enemy port,
to pay duties to the enemy treasury equal perhaps to half their value
undertaken for the sake of the profits. The truth is there is so little analogy
between battle and war on land and sea. An invading army may leave desolation
behind it to delay the march of the enemy. What reasons or rules applicable to
Sherman's march through Georgia and their lands, or Skidmore's through the
valley of the Shenandoah, can be transferred and applied to invaded and
injured cargoes, in ships registered and licensed by the enemy state, bound
into an enemy port, to pay duties to the enemy treasury equal perhaps to
half their value undertaken for the sake of the profits. The truth is there is so
little analogy between battle and war on land and sea.

Congress of battle and war on land and sea. An invading army may leave desolation
behind it to delay the march of the enemy. What reasons or rules applicable to
Sherman's march through Georgia and their lands, or Skidmore's through the
valley of the Shenandoah, can be transferred and applied to invaded and
injured cargoes, in ships registered and licensed by the enemy state, bound
into an enemy port, to pay duties to the enemy treasury equal perhaps to
half their value undertaken for the sake of the profits. The truth is there is so
little analogy between battle and war on land and sea.

In war on land no such thing is known as prize—that is, the transfer of
commercial property or its proceeds, in which the enemy state has an
interest, to the treasury of the capturing power, by judicial decisions. Simple
booty or loot is sometimes permitted on land in special cases, but never at
sea. An invading army may leave desolation behind it to delay the march
of the enemy. What reasons or rules applicable to Sherman's march through
Georgia and their lands, or Skidmore's through the valley of the Shenan-
donsh, can be transferred and applied to invaded and injured cargoes, in
ships registered and licensed by the enemy state, bound into an enemy port,
to pay duties to the enemy treasury equal perhaps to half their value
undertaken for the sake of the profits. The truth is there is so little analogy
between battle and war on land and sea. An invading army may leave desolation
behind it to delay the march of the enemy. What reasons or rules applicable to
Sherman's march through Georgia and their lands, or Skidmore's through the
valley of the Shenandoah, can be transferred and applied to invaded and
injured cargoes, in ships registered and licensed by the enemy state, bound
into an enemy port, to pay duties to the enemy treasury equal perhaps to
half their value undertaken for the sake of the profits. The truth is there is so
little analogy between battle and war on land and sea. An invading army may leave desolation
behind it to delay the march of the enemy. What reasons or rules applicable to
Sherman's march through Georgia and their lands, or Skidmore's through the
valley of the Shenandoah, can be transferred and applied to invaded and
injured cargoes, in ships registered and licensed by the enemy state, bound
into an enemy port, to pay duties to the enemy treasury equal perhaps to
half their value undertaken for the sake of the profits. The truth is there is so
little analogy between battle and war on land and sea.

In war on land no such thing is known as prize—that is, the transfer of
commercial property or its proceeds, in which the enemy state has an
interest, to the treasury of the capturing power, by judicial decisions. Simple
booty or loot is sometimes permitted on land in special cases, but never at
sea. An invading army may leave desolation behind it to delay the march
of the enemy. What reasons or rules applicable to Sherman's march through
Georgia and their lands, or Skidmore's through the valley of the Shenan-
donsh, can be transferred and applied to invaded and injured cargoes, in
ships registered and licensed by the enemy state, bound into an enemy port,
to pay duties to the enemy treasury equal perhaps to half their value
undertaken for the sake of the profits. The truth is there is so little analogy
between battle and war on land and sea. An invading army may leave desolation
behind it to delay the march of the enemy. What reasons or rules applicable to
Sherman's march through Georgia and their lands, or Skidmore's through the
valley of the Shenandoah, can be transferred and applied to invaded and
injured cargoes, in ships registered and licensed by the enemy state, bound
into an enemy port, to pay duties to the enemy treasury equal perhaps to
half their value undertaken for the sake of the profits. The truth is there is so
little analogy between battle and war on land and sea. An invading army may leave desolation
behind it to delay the march of the enemy. What reasons or rules applicable to
Sherman's march through Georgia and their lands, or Skidmore's through the
valley of the Shenandoah, can be transferred and applied to invaded and
injured cargoes, in ships registered and licensed by the enemy state, bound
into an enemy port, to pay duties to the enemy treasury equal perhaps to
half their value undertaken for the sake of the profits. The truth is there is so
little analogy between battle and war on land and sea. An invading army may leave desolation
behind it to delay the march of the enemy. What reasons or rules applicable to
Sherman's march through Georgia and their lands, or Skidmore's through the
valley of the Shenandoah, can be transferred and applied to invaded and
injured cargoes, in ships registered and licensed by the enemy state, bound
into an enemy port, to pay duties to the enemy treasury equal perhaps to
half their value undertaken for the sake of the profits. The truth is there is so
little analogy between battle and war on land and sea.
of specific and immediate military use. Upon this principle, some articles, like swords, muskets, and powder, being mainly of military use, are always contraband, if destined to an enemy's port. Other articles, such as pianofortes, pianos, and machinery, are not contraband. But the greater part of disputable articles are of a mixed and ambiguous character, yet may, under some circumstances, form a most direct and effective contribution to the aid or relief of the enemy. Hilbert, prize courts have not limited themselves to an inspection of the physical nature of the articles, but have required into other facts bearing upon their destination and inevitable contribution to the aid or relief of the enemy. A cargo of steamers' coal, destined to Malta, Gibraltar, or Aden, of steam machinery to Norfolk, or of broadsides to a blockaded town closely pressed by famine, would be held contraband; and so would a steamship, unarmed, and with only a navigating crew, if easily convertible into a cruiser, bound for an enemy's port in ballast, to be sold in the market. If the new rule is adopted, all circumstances will be shut out, and only what is purely a necessary weapon or equipment for battle can be cut off from reaching the enemy, if the property of a neutral.

But the most important proposal of all is that of Article V. It is so remote and indirect that the effects it may produce upon the duties of neutral states and the industries of neutral countries. It proposes that neutral states shall be required to prohibit the manufacture or exportation of articles contraband with an enemy. This means destined to ports or territory of the belligerent state for a market, it is a proposal which we think will hardly be listened to by any state having large manufactures or commerce for no reason, it is so much more favored by a maritime state with small means of manufacturing articles of war and dependent on them for foreign trade. A large part of the capital, industry, and skill of the world is permanently invested in the manufacture and transportation, in time of peace as well as of war, of things which all admit to be contraband in case of war. Governments, corporations, and individuals must always be supplying themselves with such articles, not solely in view of possible war, but as a protection against domestic and international violence, private dangers from men or beasts, for purposes of the chase, civic celebrations, and many public works. That this whole industry, of so permanent a character, shall be subject to such repression and interdiction in case of a war between two foreign powers, would be so much the more serious as regards those industries alone. It would become still more grave when we remember that the neutral government will be required, at the peril of war or reclamation, to be diligent in the use of detective and repressive force to prevent such manufacture and traffic. If the proposed article refers, as it probably does, only to such goods when intended to be sent and delivered directly to the authorities of a belligerent state, under a contract with such authorities, the objection will be diminished, but by no means removed. If a neutral citizen carries articles contraband of war, which are the property of the belligerent state before their exportation, or which, by a previous contract with such state, is to deliver to the owner thereof, he may be detained, and the only penalty be a sale by a dealer in contraband; he may be liable to be treated as engaged in the enemy's service. If the obligation of the neutral state is confined to the prevention of the organizing and equipping of what by itself a naval or military force or expedition, or the component parts of one, including vessels of war, it is a reasonable requirement. But it may well be doubted if it will be thought reasonable or even of much practical value to require watch and ward over the making and exporting of separate articles—such as guns, swords, powder, balls, saltpetre, saddles, and harness—though destined by contract for the possession of the public authorities of the belligerent. Whichever be the intent of the article, is it not better that these permanent industries of the world should be allowed to go on in spite of wars between other nations, the private parties interested taking the chance of their capture upon the high seas?

BLOCKADE. (ART. III.)

The learned author proposes, in this article, no change in the law of blockade, nor any definition of points in doubt. As to notification of the April 18, 1861, establishing the first blockade, "If, with a view to violate such blockade, a vessel shall approach, or shall attempt to enter or leave the blockaded port, she will be captured." This clause was, we believe, omitted by the President from the proposed proclamation on April 18, 1861, concerning the blockade to the ports of Virginia and North Carolina. Con-