

Specific Contract Decision. The Oregonian has the following in relation to a decision recently rendered in the Circuit Court, Multnomah county, by Judge Shattuck, in the case of J. Bloom vs. Thomas Stephens:

"Suit was brought on three promissory notes given by defendant last Spring, amounting, with the interest accrued, to about the sum of \$3,600, the notes specifically providing for payment to be made by defendant in gold and silver coin. The defendant proved that he, last August, tendered plaintiff the amount of principal and interest then due, in Legal Tender Notes, which were refused by the plaintiff, who brought suit for coin, under the provisions of the law to authorize courts to enforce the payment of specific contracts passed since tender was thus made. The Court decided that this Act was valid under the laws of Congress, and awarded judgment for payment in gold and silver, as contracted in the notes, holding that tender made last August was not a bar to the operation of the law in this case, and did not defeat the recovery at this time. This is the first judgment rendered under the new law, and the decision of the Court touches several important points, and affords a precedent that may be valuable to persons, generally, as well as to courts.

The effect of this decision if finally sustained, will be to enforce payment in gold and silver coin in all cases where contracts were entered into before or after the passage of the contract law. If no contract existed between the creditor and debtor, previous to the passage of the act, still the debtor under the operations of this decision, would be compelled to pay the creditor in gold and silver, if exacted by the latter. It would appear that the law by this construction is ex post facto in its nature. It relates back in its operation and may compel payment in coin where debts existed prior to the passage of the law and where no agreement or understanding was made as to the kind of currency to be paid; and inasmuch as greenback currency was equally a legal tender the same as gold and silver, before the passage of the specific contract act, it stands to reason that the legal tender notes should be made acceptable for debts in all cases and up to the time that the specific contract law went into effect. It appears from the decision rendered in the case of "Bloom vs. Stephens," that the court made the decision without reference to the legal tender act of Congress, and just as if that act never had any real existence. The decision pays no respect to the legal tender law, at any stage of its existence, and it makes a man pay in gold and silver for debts contracted back to the time the legal tender law was supposed to have gone into operation. In short, the decision treats the greenback law as a nullity, having no practical force or validity.

It must be perfectly plain to every one that Congress in passing the legal tender law acted with a view to making the greenback notes as legal a currency as either gold or silver, with the exceptions named on the back of the notes. Now if these notes are lawful money and "legal tender" for debts, public and private, it is nonsense for an individual to attempt to enforce the payment of debts in a specified kind of money; for if the U. S. Supreme Court sustains the act of Congress, a \$5 note is as lawful a tender as is \$5 in gold coin, and the one kind of currency represents as much as the other by national enactment. No distinction is made between gold and silver in the payment of debts, and a man can make payment in either or both kinds of coin, at his own option; so, if the greenback note is lawful U. S. money, it becomes the duty of the United States to make it good for the payment of debts the same as if it were coin.

There can be no way to justify the States in the matter of passing specific contract laws except upon the principle that they hold the greenback law of Congress to be unconstitutional; that Congress has no power to make other than gold and silver a legal tender. Daniel Webster, the great expounder of the Constitution, held to this doctrine. Yet, if the U. S. Supreme Court shall decide that the legal tender law is valid then all specific contract laws in relation to the currency at once become invalid, and the States that should retain such acts upon their statute books after and in defiance of the supreme Court decision, would stand in opposition to the general government as nullifying and seditious communities. We believe that the specific contract laws and the decisions of the courts of the Pacific coast in reference thereto are based upon the belief that the legal tender act is unconstitutional and that it will be so decided by the highest court whenever the matter is properly brought before that tribunal. Until the question is finally decided, the complications growing out of the specific contract acts and the decisions of inferior courts, promise to increase until the whole matter becomes a complete muddle.

JUSTIFIABLE HOMICIDE.—The Coroner's Jury in the case of Bear, killed by Leonard, noticed elsewhere, returned a verdict of Justifiable Homicide.

THE CANADA REBELS.—The New York correspondent of the San Francisco Bulletin furnishes that paper with an extended account of the doings of the Southern Confederates near the Canada line. It appears that the Confederates during the fore part of October, made a raid from the British shore of Lake Erie, capturing and burning a couple of small steamers. Some time afterwards a similar band of plunderers made a descent upon the little town of St. Albans, Vt., robbing the banks, stealing horses, wounding citizens and making off to "neutral territory" on the Canada side with the spoils.

The raiders carried off several hundred thousand dollars with them which amount they got from the banks. A portion of the money was afterwards recaptured by the villagers who collected together and pursued the plunderers. The dash upon the village of St. Albans was a complete surprise; the raiders having come into the town from different directions and so disguised as to excite no suspicion, having revolvers concealed about their persons. When the attack commenced none of the town's people were suspecting that the Confeds. were in their midst, and were completely panic stricken when the Confeds opened upon them with pistol shots from every direction. The band of marauders consisted of only some twenty-five or thirty persons in all, and they ransacked the town, captured the banks, stole a number of horses, and held undisputed possession of the place for about twenty minutes, at the end of which time they mounted their stolen steeds and made off with their booty. They threatened the terrified villagers with such expressions as: "We will burn your d-d town." "We will treat you as the people of Atlanta were treated." "We are coming back again, and will burn every town in Vermont." From the language used, we infer that the rebels justified their burning and pillaging operations upon the ground that the opposition had in some instances adopted the system as a part of their tactics, and that, therefore, they were justified in adopting a like system by way of retaliation. But what will make the matter appear worse to the New England people, is the fact that the Canada rebels have the advantage of the plunder system, for they can make their raids and get back upon neutral territory, where they are supposed to have the right of asylum; whereas the New England people, from their present base of supplies, can find no convenient neutral territory where they can play the game back upon the rebels. The British will no doubt enjoy our Yankee predicament and let the Confeds slash away on the federal borders. They will now be able to see clearly that the war is being conducted upon the "highest principles known to Christian civilization," inasmuch as the rebels are likely to out-strategy the Jonathans in this plunder system of warfare. General Dix has been ordered to look after the Canada raiders, and to follow them into Canada if necessary. The Canadian journals favorable to the North think the robbers should be brought to punishment. The Toronto Globe, after narrating the facts of the raid, says:

It could hardly be asserted that any Confederate interest would be served by the capture of vessels on Lake Erie, the projected release of the prisoners on Johnson's Islands being a scheme which only a fool or a madman could conceive. But whatever excuse might be offered for the Lake Erie pirates is entirely inapplicable to this St. Albans case. The object was robbery, not of the American Government, but of private individuals, and it was accompanied by the more heinous crime of attempted murder. We are not told who the perpetrators are, but it is an ascertained fact that they took refuge on our soil after committing the deed. Some of them have been arrested in Canada, at which we sincerely rejoice, since it will serve to show that Canadians have no sympathy with the robbery and murder which Southern sympathizers seem to consider legitimate proceedings, if the sufferers are residents of the North.

We cannot help thinking that these outrages on our frontier are designed to embolden Britain with the United States. Plunder may be one object; but the sanction which these desperadoes must receive from Southerners of a better class proceeds, we fear, from a different motive. The Montreal Herald, in discussing the raid, says:

For our own part we are far from accusing our government of winking at or in any way knowingly countenancing, conniving with or permitting the use of our territory as a basis for such brigandage as the lines to retaliate upon whom we are at peace. But whether it be better fortune or better management, the Government which was in power a year ago found out what was going on when a somewhat similar attempt was made in time to prevent it, instead of only in time to punish it; and we all remember that the measures they took for its prevention were treated as a political crime. Two successful strikes, the one at Lake Erie and the other in the State of Vermont—both accomplished within a few weeks, prove the necessity of the vigilance then exercised. We may be quite sure that there are blackguards enough on the other side of the lines to retaliate such raids as these if they are multiplied, and to claim the praise of patriotism for their cowardly and rascally thefts. In this way we may perhaps drift into a state of hostilities along the border before we know in what direction we are going. There can be no doubt that bandits like those who made the attack on the banks at St. Albans have derived encouragement from what has been written here. When a lot of scoundrels of the name kidnaped plotted to seize a steamer for the purpose of capturing Johnson Island there were Canadian journals who were not ashamed first of all to avow that they had been acquainted with the plot for a long time before, and that they had kept back their knowledge till it could do no one any harm; then to excuse, or rather to applaud the endeavor to embolden us in war with our neighbors, as a heroic and humane action; and finally, to assert that the whole thing was an imposture, that there was no plot at all, and that the Canadian Government of the day had been gratuitously acting the part of spies to carry favor with the Government at Washington.

INCIDENT OF THE ST. ALBANS RAID.—The Bulletin's N. Y. Correspondent mentions the following incident in connection with the raid upon St. Albans, Vermont: "On their way out of the village an incident occurred that, but for the tragic surroundings, would have inspired a smile. A country dame was driving into town all alone in a large wagon with a splendid horse. She was leaning back in the seat with a self-satisfied air, as much as to say, 'Nothing can trouble me.' Just at this moment the 30 raiders met her. 'Madam, dismount,' said the Colonel. 'What do you mean, sir?' Before the words had left her lips the harness of her steed was cut to pieces, and he was wandering away with a 'Confederate' on his back."

DISTRIBUTING OFFICE.—A Memorial has passed the Idaho Legislature, asking that the Post Office at Walla Walla be made the distributing Post Office for the overland mails.

Lowiston Correspondence.

Lowiston, Dec. 10th, 1864.

BOB. STATESMAN.—The country breathes more freely. The great primary object of Executive delegation has been accomplished, as smiling faces, free whisky, and many jokes passed at the expense of the minority fully attest. The Capital Bill has passed both houses by a small majority, and received the "high-toned" autograph of "Caleb Lyon of Lyonsdale." The Bill provides that its location from and after the 25th inst., together with all the hereditaments and appurtenances thereto belonging, shall, by statute law, be fixed in the geographical center of all God's creation—i. e. Boise City. No disappointment has been felt by the northern counties, as the strength, numerically, was against us, and with the co-operation of the Governor the result could not have been otherwise expected. It is currently rumored upon the streets that large investments in feet have been recently made by Federal officials occupying desks in the Executive office. Your correspondent, however, has been able to trace the matter beyond a probability. A circumstance, in itself of small import, transpired a few days since, which undoubtedly gave rise to the rumor. One of the clerks of the District Court applied to the Clerk of the District Court with a deed or transfer of a very large number of "feet," and desired to ascertain if the officer or clerk, making or recording said paper, was valid in law; but at all events, whether the rumor be correct or not, such a precaution simply shows that the party is a correct business man, who, in all probability, has learned that the Government is not to be trifled with without a proper record at the proper time and in the proper place. The fact is generally known that the donations of lots, etc., made to our Delegate and his sub-Danields were "Gumped" and appropriated as soon as the backs were turned; and why may this have taught subsequent officials a lesson?

The Legislature has been slowly at work upon toll-roads and toll-roads, and the other side of the question has become suddenly obstructed by the Legislature, while but two dissenting votes in either House, were recorded against the respective bills upon the concurrence of both Houses. Upon the question being put whether the bill should pass, the yeas were 12 and the nays 12. The Governor, the debate in both Houses became warm and spirited; characterizing the action of the Executive in no choice language nor complimentary terms. The result can only be considered as a success for the Government, and a rebuke to the inaction of the Legislature. The matter, it seems, is not yet settled. The Governor, in his disposition made of the bills and the disrespect with which the Assembly treated his official note, flew into a high "dudgeon" and openly declared that, notwithstanding the bills had passed by a two-thirds vote, he would not sign a law of the land, nor should they be printed as such. 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