The Daily Morning Astorian.

VOL. XX, NO. 104. ASTORIA, OREGON, TUESDAY, FEBRUARY 5, 1884. PRICE, FIVE CENTS.

THE GRAY EAGLE OF MOUNT HOOD.

Colonel E. D. Baker at the Old American Theater in San Francisco in 1860.

I first knew the late General E. D. Baker in 1856, at Downieville, which was then a thrifty mining town and noted for its popular and professional intelligence. He came there to plead a great water case, for which he received $13,000 and I do not think he looked at a law book or thought much about the case until he found himself before the bar. There were two trials of the suit, and during his first speech Baker had captured the jury in a brilliant apostrophe to water, which would have made any temperance lecturer immortal. I am not able to say, at this remote time, what relevancy the properties of pure and sparkling water, welling up from the gelid fountain of the Sierras and leaping in suicidal frenzy from the cliffs, had to the title of the water ditch in dispute, but the great advocate made the jury see it, and that was more to the purpose.

Some months after, the case was tried again; Baker rose and was just coming to the old fountains and cataracts, when the opposing counsel begged permission from the court to suggest that since the colonel's former brilliant plea a number of honest miners had got into the headwaters of the ditch and riled it up, so that the waters didn't sparkle any more, and, therefore, his magnificent description of the upper premises had no longer any proper application. The court and spectators laughed, Baker was horribly done up, came very near making a failure, and would hardly speak to the witty lawyer for a week after.

During the Fremont presidential campaign and not far from Downieville, there was an exceedingly rough mining settlement of some five hundred people; and among them only one Republican was known to exist. All the rest were Democrats, and most of them of a very uninviting aspect. Baker determined to go there and make a Republican speech, though strongly advised not to do so, as it might be dangerous. But the mighty sorcerer was not afraid of the forbidding faces of men; he knew how to wake the latent divinity within the savagest of human souls, that which is brought to the altar by the crested wrath of ocean and the eloquence of loud-talking storms.

He went, and, not without some misgivings, I went along. When entering the village the crowd about the Bascom's grocery of the place hauled down the American flag in token of hostility and disrespect, but offered no further personal indignity. Baker did not seem to observe the flag episode, and after dark he mounted a carpenter's bench in front of one of the vilest grogshops of civilization, and commenced. The crowd naturally collected, and he kept on. The rough audience had heard of him, though a detested black Republican, they wanted to hear him "go." Not a word was spoken in the crowd; not a sign of applause or disapproval, and never did an orator address an audience so stolid—seemingly. Baker kept on half an hour or so without perceptible effect, and then seemed to be gathering all his energies for one gigantic blow to split the obdurate rock. He began to pace back and forth along the bench, pouring out wave after wave, cumulative, majestic and overwhelming. Something like a tremor ran through the obstinately silent throng, I could see them move uneasily under the terrible spell of the enchanter. Some of them had belonged to Riley's regiment in Mexico. Baker knew that, and looking up to the naked flag-staff, he referred to his own participation in the battles in Mexico; and then for full ten minutes, and, as it appeared, without a period in the structure of his speech, he rolled down a torrent upon the transfixed audience—

> Like the dashing, silver-plashing
> Surges of San Salvador.

The orator, standing in the majesty of his power, piling it up higher and louder, until at length some one in the crowd gave a queer kind of agonizing yell, as though unable to stand that any longer—and the stubborn rock was cleft for the outflow of the hidden waters. The men yelled continuously I don't know how long, with the regular Irish howl, rushing upon the frail platform. Baker and his bench were overthrown, and it was several minutes before the triumphant orator could be heard and go on with his speech. I believe I have never been so nearly insane with excitement as at that particular time, and certainly never saw an equal number of men behave so frantically from similar emotions! At the election, a month after, the lone Republican at Goodyear's Bar was reinforced by eighty-four Republican votes, and ever after when Baker passed that way he was cheered by the miners at their work. On the way home, after the scene described, he said, "Ah, they are a hard lot, but I thought I could fetch 'em."

When Baker had returned to San Francisco as United States senator from Oregon, there was a great rush of congratulating friends to meet him on the landing of the ship, some of whom had helped to drive him out of the city during the vigilance revolution, to take shelter in Carson valley.

A meeting was called at the old American theater, and long before the time set, the street was thronged with people, waiting to get in. The house would hold four thousand, under an excessive jam, and two minutes after the doors had been opened, nothing could be seen but heads. The immense stage was also crowded full of ladies. All the beauty, fashion and manhood that could squeeze between the walls was there, sweltering, fanning and waiting for a great speech. By great good fortune I had been shoved into a seat in the dress circle, close to the stage, where I could hear and see all. Baker got in at the rear door, and waded through billows of silks and satin to the front of the stage, causing a prodigious uproar, ladies standing up and waving their handkerchiefs, and the men cheering with all fours and at the top of their lungs. It was the triumphant culmination in the life of the orator. It was the exiled Aristides returned to Athens after the cruel ostracism; it was an ovation after Marathon. Standing with his arms crossed before him, and his white hair glistening in the brilliant gas light, I could see the swell of his heavy respirations, and that he was undergoing tremendous excitement.

Presently the noise ceased to a dead stillness, and he began. "Now, when I ought to make the best speech of my life, I am sure I am going to make the very worst!" But nobody else thought so, and everybody was up to that nervous condition which an orator can himself feel as existing among the people. The drama opened with a scene of indescribable majesty and splendor, and every spectator was an actor under the control of the great master-player. I cannot here recall much of what was said then. It was never literally reported. There were several reporters on the stage, but in their excitement and under the tremendous inspiration of the hour, hightened by the boisterous scene in front, they forgot their business and let escape what could never be recalled. One poor fellow, a Mr. Hart, who was there to report for the *Bulletin*, and was in the latter stages of consumption, sprang from his table, swung his arms about and cried out frantically, "You are right, Colonel! By God we are all slaves!" and then sank abashed into his chair, white as a ghost and trembling violently. Nobody laughed at him, but after a few seconds the whole house from sleeper to roof tree shook with stormy applause, such as I never heard before or since. The people seemed about crazy with one consent, and every now and then, without regard to what the speaker was saying then, the electrical wave would start again and roll over the audience, as from the effect of some previous impulse only half subdued.

"O, Liberty," he cried, and it rang like silver bugles from the four walls and down from the roof. "O, Liberty, how imperishable and immortal! Grind it to powder, thrust it through darts, burn it to ashes and scatter it to the winds, and it will yet arise clad in a panoply of steel! Years, years ago, I took my stand by Freedom, and where the feet of my youth were planted, there my manhood and my age shall march."

And did not the Gray Eagle from Mount Hood faithfully, gloriously fulfill his vow? It was his inspiring call that woke the Republican spirit of freedom in the valleys and hills of California. It was he who bore her standard from the sources of the San Joaquin over the plains and through the forests of the north, and planted it between the sturdy arms of the Columbia, within the empire of Hood and Jefferson and Ranier and St. Helens, where the turbulent Falls of the Columbia answers from afar to the sweet singing cataracts of Yosemite. It was he who struck down the Iscariot Benjamin; and while still marching upon the glorious highway where the feet of his youth had been planted, it was he, in himself Cicero and Cæsar, Cato and Leonidas, who at length fell at the head of a forlorn hope, offering up his life, in the fullness of its prime and glory, to the Freedom-spirit of his devotion.

At length the memorable speech was concluded; the people went slowly away; and Baker disappeared behind the scenes—*forever*. I saw him no more—nothing but the shattered, soulless clay that came back from Ball's Bluff. and now when the landward winds come in from the boundless ocean to grieve and sob among the noble monuments that have been reared over the ashes of lesser men, the spirit of that freedom which he worshiped with all the fervor of a great soul, droops beside a grave almost unmarked by gratitude, points reproachfully at the Republican party of California, and seems to utter the pathetic interrogatory of the dying Mingo chief: "Who is there to mourn for Logan? Not one!" *Corr. Oakland Vidette.*

The Mortgage-Tax Law.

First: The general sentiment says: The mortgage-tax law is right in making it impossible to evade taxation. If money is to be taxed let us invent laws to secure full returns of those who own or loan it. Every taxpayer should sign his name in full and make oath to return. If money is to be taxed and debt offset and exempt, then the assessor must learn from every debtor who he owes; have a list made of his creditors and what he owes each. Mortgages show for the records, but other debts do not so the assessor must gather them in by sworn statements. This will necessitate correspondence and book-keeping, because a man's creditors may be scattered through the counties of the state and the debt he offsets in one county must be taxed in another. This cannot be done without great expense, and after all the creditor can say his debt is not a good one and refuse to be taxed on it.

The principle of the mortgage-tax law is entirely correct, but to carry it out fully will require a great expense and, do the best you can, a part of the debts offset will evade taxation. When a man says his debtor is uncertain how are you going to prove the contrary?

The money lender says he pays too much when his mortgage is assessed at its full face value, because other property is in no county at over 30 to 40 per cent of its money value or cost. The money lender says the tax law is right if either property was assessed at its full value, as the law requires, or, by just equalization, money was assessed in proportion to the valuation placed on property.

There are those who say all land and property should be taxed wherever found to whoever possesses it. Not from a question of right but that merely as a question of expediency, money and accounts should not be taxed, and debts should not be exempt, simply because both lead to fraud and complicate the business of raising revenue. They claim that exemption of money from taxation will work no hardship; will not increase taxes on property or do injustice to any class whatever. They say: to exempt money from taxation will cause money to become abundant, as it will come here freely from other countries and reduce interest to 7 per cent. This will compensate to the borrower for paying taxes on his property and for abolishing the present exemption of indebtedness. It will increase the state revenues largely, and decrease the cost of collecting it. It will do away with fraud and demoralization that now prevail, and the farmer, as a taxpayer, will not pay any more than his just share. The present exemption for debt is about ten millions in Oregon more than the total of "money, notes and accounts" that are returned for taxation in the assessment. This shows the extent to which fraud prevails and the difficulty that will attend any attempt to enforce the present law. To begin with, this ten millions of indebtedness will swell the general assessment. Who would be injured? The farmer will be assessed and taxed just as he is now if out of debt, and if he is a debtor he will soon get money at reduced interest, which will make him whole. The money lender does not advocate this proposition to make money free. The money lender is willing to be taxed, only he claims that by the present way of enforcing the law he is unduly taxed. The proposition to omit money from assessment is purely an economic question proposed by advanced students of political economy as worthy of trial. They say: money is always represented by some investment. It is loaned to the government, to corporations, to individuals. If you tax property in sight you include the money it borrows. Those who have and use money have many ways to conceal it and evade taxation. So many do this that it causes demoralization, so this class of political economists advocate, not as a question of right but merely as a question of expediency, that money can be left untaxed without detriment to the state or the individuals who compose it.

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The Oregon and California Railroad Ferry makes connection with all Regular Trains on Eastside Division.

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