LOWDEN FOR TREATY IN REPLY TO BORAH

Pact, With Senate Reservations, Advocated.

REALIZED IDEAL VISIONED

Covenant Not Altogether What Governor Could Wish, but Ratification Held Advisable.

CHICAGO, Jan. 5.—"While the league of nations, even as modified by the reservations adopted, does not take the form which I believe it should, namely, judicial rather than political, I think it is the part of wisdom now to ratify it with such reservations as have been adopted by the senate," said Governor Lowden in a letter today, replying to United States Senator Borah of Idaho, who had requested Governor Lowden's position on the league of nations.

Governor Lowden's letter follows:

"When the armistice was signed I felt that the time was opportune for taking up the subject of better international relations where the second The Hague conference had left off. It seemed to me that the world was ready to adopt the high American ideals of international friendship there expressed. A permanent arbitral court to adjust all justiciable differences, a court of arbitration to which the nations might, at their option, submit vital differences, the machinery for mediation and for commissions of inquiry as in all other cases and a start toward modification of international law would be welcomed, I thought, by all nations.

Chicago Speech Recalled.

"It was not so much a political international structure I had in mind as it was a judicial structure. Later, and on April 25, 1919, in a speech I made before the sixth national foreign trades convention at Chicago, among other things I said:

"'We want friends everywhere, but we are not looking for partnership with any other nation on the face of the globe.

"'We want our flag going into every port on terms of amity with every nation on the earth, but nationalism and not internationalism must still be our dominant note.

"'America too has done more to develop the idea of arbitration and of close international relations than any other country.

"'The Hague conference made great progress and we would be recreant to the cause of humanity if now we failed to take advantage of this opportunity to extend the work of those conferences toward a more definite international law and a better international understandng.

Realized Ideal Visioned.

"'All our people have believed in that ideal and we hope now that this ideal is to be realized, but our people are not for transferring the sovereignty of America from Washington to any other place. We are also going to cling to our Monroe doctrine and we are going to keep our flag floating above the dome of the capitol.'

"To a great many people in these days there seems to be a new flag coming out of the sky, a flag so remote that it hardly can be seen. To me it seems the white flag of peace; to others it seems the red flag of carnage and anarchy. Whichever it may be, it is not going to take the place in America of that other flag, that flag under which we have made all our progress toward the realization of our national ideals.'

"The league of nations, as submitted to the senate, seemed to me to be subject to grave objections. These objections in the main, I think, have been removed by the reservations adopted by the senate. The instrument, as so modified, as I understand it, does not bind the United States to participate in the 'racial and dynastic battles of the old world,' nor does it involve 'entangling alliances or partnerships with foreign powers,' nor does it authorize 'interference by foreign powers in American affairs.'

America Can Be Trusted.

"I do not believe 'the time has come when we should abandon the policy of no entangling alliances.' It may be that America again will deem it her duty to participate in some foreign war as she participated in the last, but I think she can be depended upon, when that time does come, to decide for herself, through constitutional means, where her duty lies, just as she did before.

"While the league of nations, even as modified by the reservations adopted, does not take the form which I believed it should, namely, judicial rather than political, I think it is the part of wisdom now to ratify it with such reservations. Our sovereignty is safeguarded, the Monroe doctrine is secure, the constitutional powers of congress are not impaired and our right of withdrawal has been made clear and explicit.

"I do not see how permanent harm can come from it, and I do see the possibility of great good. It at least provides for a common meeting place at stated intervals for the nations of the world which are parties to it. This in itself is a decided gain. The mere fact that great nations meet from time to time in friendly council would in itself cause any nation outside the league which was meditating crime against civilization to pause and reflect upon the consequence. Then, too, when nations or men sit at a common table and discuss differences between themselves those differences are likely to disappear.

Opportunity for United States Seen.

"For more than half a century the United States has been the distinctive champion of the plan of settling international differences without resort to arms. She cannot afford now to neglect any means which give any promise, however slight, of preventing future wars.

"In addition, if the treaty be ratified and America becomes a party to the league of nations, she will have an opportunity to so influence its activities and so help to modify its forms that it may in time realize the noble aspirations for world peace of the great men who participated in The Hague conferences.

"If it should fail to accomplish these results or operate to the disadvantage of America, the way is clear by which we can withdraw.

"I therefore hope that the treaty may be ratified promptly with the reservations, in substance, already adopted by the senate."

INDIAN'S CLAIM UPHELD

UNIQUE FEDERAL CASE SETTLED IN SAN FRANCISCO.

Judge Bean's Decision That 160 Acres of Land Belongs to Son of Dead Woman Will Stand.

SAN FRANCISCO, Jan. 5.—Decision of the lower court in the case of Ya-Koot-Sa and A-Lip-Ma, Indian women who claimed title to 80 acres of land in the Umatilla Indian reservation in Oregon, which claims were contested by James Peters, another Indian, was upheld today by the United States circuit court of appeals here. The court refused to set aside the judgment by which the land was awarded to Peters.

Ta-M-A-Was, original owner of the property, died in Walla Walla in 1901. Ya-Koot-Sa and A-Lip-Ma claimed title as sisters, but Peters secured the land on proof that he was a son by a former marriage.

United States Attorney Bert Haney and Assistant United States Attorney Barnett Goldstein were attorneys for Peters, a ward of the federal government.

By the ruling handed down yesterday by the United States court of appeals at San Francisco, James Peters, son of Pete Eah-teen, remains the legal legatee of 160 acres of land valued at $16,000.

The case is unique in federal court procedure and the annals of the Indian department, for in it two sisters, A-Lip-Ma and Ya-Koot-Sa, of the Umatillas, brought suit to declare themselves the heirs of their dead sister, Tam-a-was, to whose estate the land belonged.

Tam-a-was was survived by her husband and stepson, Pete Eah-teen and James Peters, but the husband followed his squaw to the happy hunting grounds within a brief period after her death. The Indian department held that he was heir to the rich acres owned by Tam-a-was, and that his son, James Peters, was in turn the heir of the father.

Ya-Koot-Sa and A-Lip-Ma, however, maintained that their sister had been divorced from Eah-teen by a tribal rite or custom and that at her death they were the natural heirs, on which assumption they brought suit. Federal Judge Bean of this city held that the decision of the Indian office was final and in this opinion the court of appeals has now concurred.

BEAR STATE AFTER MEET

SAN FRANCISCO OUT TO GET DEMOCRATIC CONVENTION.

Members of National Committee Reported Favoring Seal Rocks City for Gathering.

NEW YORK, Jan. 5.—(Special.)—According to members of the democratic national committee who have been passing through this city on their way to Washington to attend the meeting of the committee on Thursday, San Francisco is quite likely to be chosen as the place for the democratic national convention.

These men assert that from the talks they have had with other members of the committee it appears that the choice is likely to lie between San Francisco and St. Louis, with the California city having considerably the better of it. Kansas City is mentioned after St. Louis, then Chicago and then Cleveland.

It became known some time ago that San Franciscans "were out" to get the convention. To committee members it is clearly intimated that San Francisco stands ready to "come across" with a check of considerable size and to offer other inducements. As in the case of Baltimore, the size of the check offered sometimes determines the selection of the convention city.

To the argument that San Francisco is too far away, the answer is that westerners have to come east to conventions and now have the right to consideration. Democratic leaders recall that California actually re-elected Mr. Wilson. They contend that the west must be carried by the democrats this year or the election will be lost.

It seems certain from what these members of the committee say that the convention will be held after the republican convention in Chicago. June 8. June 22 and 23 have been suggested as possible dates.

CHINESE DOUBTS OATH

Objection to Proceedings in Court Is Overruled.

"Me no believe officer when he take oath like that," challenged Lee King, a wily Chinese as he appeared in municipal court yesterday charged with selling opiates.

The arresting officer had just taken the oath before going on the witness stand to give his testimony.

"Make him go out in street and raise hand where it can be seen in sunlight," protested King. "Me no like oath like that here in room."

Judge Rossman, however, was well satisfied with the usual method of prescribing the oath to a witness and the Chinese was found guilty forthwith. He was sent to jail for 20 days.

Aged Prosser Couple Celebrate.

PROSSER, Wash., Jan. 5.—(Special.)—John Roland, aged 82, and Mrs. Roland, 81, celebrated their 53d wedding anniversary Christmas day. Both are hale and hearty. Mr. Roland says his father reached the age of 120 years.

THOUSANDS HAVE KIDNEY TROUBLE AND NEVER SUSPECT IT

Applicants for Insurance Often Rejected.

Judging from reports from druggists who are constantly in direct touch with the public, there is one preparation that has been very successful in overcoming these conditions. The mild and healing influence of Dr. Kilmer's Swamp-Root is soon realized. It stands the highest for its remarkable record of success.

An examining physician for one of the prominent Life Insurance Companies, in an interview of the subject, made the astonishing statement that one reason why so many applicants for insurance are rejected is because kidney trouble is so common to the American people, and the large majority of those whose applications are declined do not even suspect that they have the disease. Dr. Kilmer's Swamp-Root is on sale at all drug stores in bottles of two sizes, medium and large.

However, if you wish first to test this great preparation send ten cents to Dr. Kilmer & Co., Binghamton, N. Y., for a sample bottle. When writing be sure and mention The Portland Oregonian.—Adv.

CONGRESS RESUMES WORK AFTER RECESS

Formality Is Absent—Few Minor Bills Are Passed.

LITTLE TALK ON TREATY

House Plans to Deny Seat to Berger—Representative Mann to Support His Claim.

WASHINGTON, Jan. 5.—Congress went to work immediately today upon reconvening after its fortnight holiday recess.

Without formality, both senate and house began disposition of bills on their calendars and within an hour or so both bodies resumed their normal appearance of scant attendance during speechmaking. Miscellaneous bills only were considered and a few of the less important passed. The senate late in the day started debate on the waterpower development bill, consideration of which promised to continue into next week. The Sterling sedition bill went over until tomorrow.

There was only perfunctory discussion of the peace treaty in the senate. Senator King, democrat, Utah, presented formally his set of compromise reservations and many senators were engaged in private conferences on the treaty situation but nothing tangible resulted.

Victor Berger, the Wisconsin socialist, re-elected after being refused a seat by the house, did not arrive today, but tomorrow, or immediately on his presentation of re-election credentials, house leaders planned to refuse again to grant him a seat. Representative Mann of Illinois, formerly republican leader, surprised house members by announcing he would support Berger's claim.

Many committees of both senate and house got into action today and prepared to grind out the endless procession of bills and resolutions which are expected to hold congress here for the next nine or 10 months.

40 "REDS" FACE JURY

(Continued From First Page.)

ternationale, which was issued last spring from Moscow. Russia, is prominent in pamphlet form for the guidance of American neophytes who join the communist labor party.

"Civil war is forced upon the laboring classes by their arch-enemies," declares the manifesto. "The working class must answer blow for blow, if it will not renounce its own object and its own future, which is at the same time the future of humanity."

Appeal Made For Revolt.

It is upon the reiteration of this principle, plainly an appeal for revolution by force, and upon a number of printed and spoken assertions in similar vein, that the state will base its allegations that the syndicalism act has been thoroughly fractured by the budding communist party. The Oregon act defining criminal syndicalism and prescribing penalty, is comprehensive.

"Any person who organizes, or helps to organize, or becomes a member of, or voluntarily assembles," reads the act, "with any society or assemblage which teaches, advocates, or affirmatively suggests the doctrine of criminal syndicalism, sabotage, or the necessity, propriety or expediency of doing any act of physical violence or the commission of any crime or unlawful act as a means of accomplishing or effecting any industrial or political ends, change or revolution, or for profit, is guilty of a felony."

Maximum Term 10 Years.

Penalty for violation of the state syndicalism act is fixed at a penitentiary term of not less than one year nor more than 10 years, or by a fine of not more than $1000, or by both such fine and imprisonment.

Only one arrest rewarded the dragnet yesterday, that of Robert E. Rice, taken into federal custody as a radical and member of the communist party. His claim that he is an American citizen is now under investigation. Rice gave his address as 1111 East Washington street, and said that he was born in Ohio.

Formal hearings for the radicals who are held for deportation, will begin today, according to W. F. Watkins of the United States immigration bureau. The defendants have been allowed to engage counsel and call witnesses for the closed hearings which will be held, and the evidence obtained will be forwarded to Washington for decision.

MANN WOULD SEAT FELON

(Continued From First Page.)

be at large preaching discontent and assailing the government.

It was said at the department that Berger was permitted his liberty under bond after his conviction and sentence for espionage act violations on promise to cease his alleged disloyal agitation. Every time he has spoken in public the department is said to have protested to the court that his bond be canceled and he should be returned to jail.

The Berger appeal from the conviction and 20-year sentence of the United States district court at Chicago is pending in the United States circuit court of appeals at Chicago, and much to the displeasure of the department of justice, his counsel has been able to secure one postponement after another.

Guilt Held Fully Proved.

"Those people who are protesting to congress against the unseating of Victor Berger do not understand that members of congress would violate their oaths of office if they voted to seat him," said Representative Dallinger this afternoon. "It was conclusively shown at the trial that Berger gave aid and comfort to the enemy, which is a direct violation of section 3 of the 14th amendment to the constitution. True enough, the people of Wisconsin may elect Berger if they wish, but it is the obligation of the house under the constitution to see that he does not gain a seat.

"The voters of Wisconsin could just as well have written in the name of the ex-kaiser or Hindenburg, which might have suited them better, and they would have been within their rights. That is, there is no law that could have prevented them from doing it, but certainly there is no real American who would have expected the house to seat either of those fellows, even if the constitution would permit."

McAdoo Report Starts Talk.

The New York Sun set political circles to talking this morning with the announcement that William Gibbs McAdoo will not seek the democratic presidential nomination. This was said to be one of the reasons why he is not to participate in the Jackson day dinner here Thursday night.

There was a general disposition to accept the report as true, because there has been much going on recently to disturb the plans of the former secretary of the treasury and director-general of railroads. While he has been able to advise labor indirectly that he is not in complete sympathy with all of the moves of the attorney-general against radical labor, it is reasoned that he sees no way completely of dissociating himself with the administration, which must take the responsibility. While he left the government payroll a year ago he is still married to the administration, and happily so, thereby making his escape from all responsibility rather difficult. The Sun said:

"William G. McAdoo will not enter the democratic primary for the presidential nomination. He is not even in a receptive mood and will shun the party mantle if he sees it falling his way.

No More Politics—Perhaps.

"Though the position of the former secretary of the treasury and director-general of railroads has been causing much speculation in democratic ranks and much concern to democratic aspirants, it was learned today that he has determined to stay out of politics.

"Mr. McAdoo made his decision several weeks ago, however, and he might allay their fears if he would, but he is one of the keenest and most interested spectators and will do nothing that would take spice from the game. Consequently he will make no formal announcement.

"The former secretary of the treasury is not out of politics for good. He has his eye on 1924. By that time perhaps he will step out, but not now.

"So far as the other aspirants are concerned—the old-time Wilson managers—he proposes to stand aloof. He has not announced his decision because he does not want to be besieged with appeals for support and is not ready to declare himself for any of those who have entered the field. He proposes to be a spectator only as long as he can be."

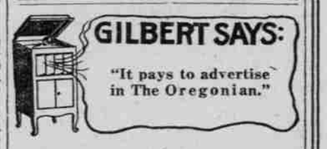
KIDNAPING IS CHARGED

Aberdeen Man Arrested on North Carolina Complaint.

ABERDEEN, Wash., Jan. 5.—(Special.)—W. A. Gunter, an employe of the Western mill, was arrested here upon receipt of a warrant issued at Roninsville, N. C., charging him with kidnaping his two children. Gunter, who has been married twice and whose first wife has been living in North Carolina, went south recently and returned to the west with his small children. As soon as his first wife learned his whereabouts she swore to the kidnaping charge. Gunter asserts that in the decree of divorce which was granted him no court award was made of the children and that this fact makes the kidnaping charge absurd. He is held in the city jail pending further word from the North Carolina authorities.

College Prohi Session Held.

DES MOINES, Jan. 5.—For the purpose of further organizing students in the universities and colleges of the United States for service among students and universities of foreign countries in the "world movement against alcohol," the Intercollegiate Prohibition association held its biennial convention and oratorical contest here today. A resolution presented called for raising $1,000,000 for the work.



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of pianos was advertised in The Oregonian beginning December 1—and at the end of the first week, almost every piano was sold. Since then my stock has been extremely small and I found it unnecessary to advertise.

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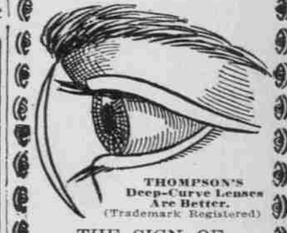

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